

2003 DRAFTING REQUEST

Bill

Received: **12/20/2002**

Received By: **pkahler**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Fath**

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

Drafter: **pkahler**

May Contact:

Addl. Drafters: **gmalaise**

Subject: **State Finance - miscellaneous
State Govt - miscellaneous**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Fath - BB0295,

Topic:

DWD appropriation restructuring

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> |
|--------------|---|------------------------|------------------------|----------------|------------------------|-----------------|-----------------|
| /? | pkahler 12/23/2002 gmalaise 12/27/2002 | kfollett 01/03/2003 | | _____ | | | |
| /P1 | | | rschluet 01/06/2003 | _____ | sbasford 01/06/2003 | | State |
| /P2 | pkahler 01/10/2003 pkahler 01/21/2003 | kfollett 01/22/2003 | pgreensl 01/22/2003 | _____ | sbasford 01/23/2003 | | State |

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|--------------|-----------------------|------------------------|------------------------|----------------|----------------------|-----------------|-----------------|
| /P3 | pkahler 01/30/2003 | kgilfoy 01/30/2003 | chaugen 01/31/2003 | _____ | lemery 01/31/2003 | | State |
| | pkahler 02/06/2003 | kfollett 02/06/2003 | | _____ | | | |
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| | | 11 KJF 2/6 | pkahler pkahler | pkahler pkahler | pkahler pkahler | | |

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| /P2 | pkahler 01/10/2003 pkahler 01/21/2003 | kfollett 01/22/2003 /p3 - 1/30 kmg | pgreensl 01/22/2003 CW 1-31 | | sbasford 01/23/2003 CW 1-31 pub | | |

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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| /? | pkahler 12/23/2002 gmalaise 12/27/2002 | kfollett 01/03/2003 | | | | | |
| /P1 | | 1P2 kjf | | | | | |
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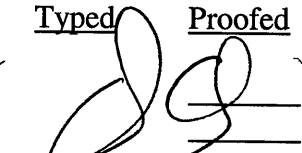
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| /? | pkahler | 1/11 kjf 1/3/03 |  | | | | |

FE Sent For:

1-6-3 <END>

STATUTORY LANGUAGE REQUEST
2003-05 BIENNIAL BUDGET

TOPIC: DWS Appropriation Restructuring

TEAM: EDUC

ANALYST: Fath

AGENCY: DWD

NUMBER: 445

BB0295

Date: December 20, 2002
To: Steve Miller, LRB
From: Erin Fath, DOA EF
Subject: Statutory Language Request

DWD request 6203: Appropriation Restructuring

Attached are drafting instructions from the Department of Workforce Development (DWD) under its DIN 6203: DWS Appropriation Restructuring. **This is a new drafting request.**

These drafting instructions come directly from DWD. In some cases, DWD has suggested actual language changes. I know that the LRB generally prefers to receive just narrative instructions (as opposed to drafting edits), but DWD included them, so I left them in.

DWD did submit to DOA a very lengthy paper with justifications for the requested changes. DWD's document is quite long, partly because it requested many more changes than what DOA is requests here. I did not include DWD's justifications here. I can forward to you DWD's original document if you think it would be helpful.

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

Thank you.

12/20
Carol,
I talked to the
LRB drafter who will
be handling this. Though
there are several
components, this will
be one draft
"Appropriation Restructuring". EF

Separately budget for DWS DOL funds and federal funds for the Worker's Comp., Equal Rights, and UI divisions

Description of Changes:

Clarify the appropriations within s.20.445 (1) to be used for federally funded activities conducted by the divisions of Worker's Compensation (WC), Equal Rights (ER), and Unemployment Insurance (UI), and the consolidate five appropriations used by DWS for various employment and re-employment-related programs funded by the U.S. Department of Labor (DOL), by making the following changes:

1. Change the title of the appropriation at s.20.445 (1) (m) from "*Federal funds*," to "*Workforce Investment and Assistance*." Leave the definition of the appropriation unchanged.
2. Create a new appropriation under s.20.445 (1) titled, "*Equal Rights; federal moneys*," and defined as, "All moneys received from the federal government for activities performed by the division of Equal Rights, for such purposes." [DWD's B6 budget file maintenance suggests using s.20.445 (1) (o)]
3. Create a new appropriation under s.20.445 (1) titled, "*Worker's Compensation; federal moneys*," and defined as, "All moneys received from the federal government for activities performed by the division of Worker's Compensation, for such purposes." [s.20.445 (1) (p) proposed on B6]
4. Add to the definition of the appropriation for "*Unemployment administration; federal moneys*" at s.20.445 (1) (n) the following phrase: "and, except as otherwise appropriated in this subsection, all moneys received from the federal government for activities performed by the division of Unemployment Insurance"
 - This change is requested to accommodate the transfer from the appropriation under s.20.445 (1) (m) of small federal reimbursements to UI for data, and to ensure that UI has a general appropriation it can use for any federal funding not specifically described by another appropriation.
5. Repeal the following appropriations. Activities previously budgeted in them will be moved to s.20.445 (1) (m) by this decision item:
 - s.20.445 (1) (ma), "*Federal aid — program administration*," (budget numeric 145);
 - s.20.445 (1) (mb), "*Federal aid — employment and training local assistance*," (budget numeric 142); and
 - s.20.445 (1) (mc), "*Federal aid — employment and training aids*," (budget numeric 152).

Separately budget for DWS DOL funds and federal funds for the Worker's Comp., Equal Rights, and UI divisions – continued

(Notes from DWD)

6. The drafter should review s.20.445 (1) (n) to determine whether there are references associated solely with non-UI functions that should be modified to reflect the proposed transfer of DWS position authority and related funding (notably Job Service) to the appropriation at s.20.445 (1) (m). Specifically:
 - a. Given the above recommendation to add a generic reference to federal funds for activities performed by UI, and given the proposed transfer of DWS funding and activities to the appropriation at s.20.445 (1) (m), the current-law reference in s.20.445 (1) (n) to the department's "other efforts to regularize employment," appears unnecessary.
 - b. Similarly, given the above recommendation to add a generic reference to federal funds for activities performed by UI, the current reference to "paying allowances for stimulating education during unemployment," appears to be unnecessary to describe UI activities, and could be confusing if such activities administered by DWS are no longer budgeted in s.20.445 (1) (n).
 - c. The reference to moneys for "the employment service under s.106.09 (4) to (6)" appears to be unduly narrow to constitute a general reference to either Job Service or UI functions. The provision at s.106.09 (4) accepting "the provisions of an act of congress approved June 6, 1933, entitled, 'An act to provide for the establishment of a national employment system...'" may be obsolete in view of the more general acceptance-of-federal-funds statute at s.16.54. And the provision at s.106.09 (5) requiring any funds made available to the state under that act to be paid "into the administrative financing account under s.20.445 (1) (n)," appears unnecessary in view of the appropriation definitions proposed in this decision item and possibly obsolete federal program references.

Clarify within s.20.445 (3) the appropriations to be used for federally funded Refugee Assistance and Child Support State Operations

Description of Changes:

1. Re-title s.20.445 (3) (na) [currently "Federal program aids"] as "Refugee assistance; federal funds".

- Amend it to reflect the fact this is the only current use of the appropriation, and to reflect the move of federal Refugee Assistance administrative funds (numeric 348) to this appropriation from s.20.445 (3) (n):

"All moneys received from the federal government or any of its agencies for continuing programs to be expended as aids to individuals or organizations for the purposes specified-refugee assistance and the administration of refugee assistance programs, for such purposes."

2. Re-title s.20.445 (3) (n) [currently "Federal program operations"] as "Child support state operations; federal funds"

- Amend it to reflect the fact that this appropriation will only be used for receipt and expenditure of federal funds for state-level activities related to child support. (Functions previously budgeted in numeric 344 [related to Food Stamps] were transferred to the Department of Health and Family Services DHFS in 2002-03).

S.20.445 (3) (n) should be re-created or modified to encompass all potential state-level child-support activities, for example (shown in amendment form to illustrate needed changes from current law):

"All moneys received from the federal government or any of its agencies for state administration of continuing programs-activities related to child support and for such activities conducted by the state, including federal funding for any purposes specified in ss.49.22 and 49.227 and for the federal share of any costs associated with receiving and disbursing support and support-related payments to be expended for such the purposes specified."

need all the details? ↑

Jone
(needs amend)

Update s.20.445 (3) (dz) [appropriation 315] to serve as a consolidated appropriation for all GPR budgeted in DWD for TANF MOE

Description of Changes:

✓ 49.175(1)(intro.) for both

49.138
(1m)(intro.)

- ✓ 1. Repeal separate appropriations for Emergency Assistance and Job Access loans at s.20.445 (3) (dc) and (e) [numerics 375 and 303] and integrate their purposes with the definition of s.20.445 (3) (dz). 49.147(6)(c)
- ✓ 2. Delete reference to the Food Stamp Employment and Training (FSET) program.
- ✓ 3. Make the reference to payments to counties for fraud investigation and error reduction under s.49.197 (1m) more general by removing the restriction, "to counties," of payments for fraud investigation and error reduction under s.49.197 (1m). (The appropriation also has a separate general authorization for payments to counties, tribal governing bodies, and W2 agencies).
- ✓ 4. Clarify that payments from the appropriation may be made to other local governments and organizations as well as counties, tribal governing bodies, and W2 agencies.
- ✓ 5. Clarify the reference to s.49.36 to include the term "for noncustodial parents," similar to the references in the title of s.49.36 and at s.49.175 (1) (m).
- ✓ 6. Clarify that the authority to use the appropriation for the Workforce Attachment and Advancement (WAA) program potentially includes all WAA program activities.

Jone
(needs eval)

Carryover authority for block grant appropriations under s.20.445 (3) (mc)

Description of Changes:

1. Modify s.20.445 (3) (mc) to provide, "Notwithstanding ss.20.001 (3) (a) and 20.002 (1) all funds appropriated for a particular fiscal year that are not spent or encumbered by June 30 shall not lapse on the succeeding July 1; however, any unencumbered funds carried over to the next fiscal year that are not spent or encumbered by September 30 of that next fiscal year shall lapse on the succeeding October 1." (i.e., **DWD wants to make this appropriation like s.20.445(5)(m) – I am not sure why they wrote the language the way they did – E.F.**)

↓
(bm)

*Done
(needs work)*

Consolidate Three Existing Appropriations for Interagency and Intra-agency Transfers [367, 368, 369] and provide for the consolidated appropriation to receive FSET revenue from DHFS.

***I don't know if there are reasons why this consolidation could not be done. We do not disagree with this concept, but if it creates a problem, please let me know. E.F.**

Description of Changes:

1. Amend s.2 .445 (3) (kx) to:

- a) Remove the restriction that it be used only for *administrative costs* associated with programs and projects relating to economic support.
- b) Clarify its use for receipt and expenditure of funds for the FSET program.

✓ 2. Repeal s.20.445 (3) ^{kx} (ky), (kz), (ps), and (pm). → 20.435(3)(kc), (kd)
→ 49.175(1)(intro.)

- s. 20.445 (3)(ky) and (kz) would be repealed to reflect consolidation with s. 20.445 (3)(kx)
- s. 20.445 (3)(ps) and (pm) would be repealed to reflect the fact that when responsibility for administering the Food Stamps program was transferred to DHFS, the funding related to the Food Stamp Employment and Training (FSET) program was transferred as well. While 2001 Act 16 requires that DWD still administer the FSET program, the federal government requires federal funds for the program be received by DHFS. So, DHFS will contract with DWD to administer FSET. Since DWD will receive the federal FSET revenues via DHFS, it is appropriate to reflect those funds in a PR-S appropriation. – E.F.

The current title of s.20.445 (3) (kx) would continue to be suitable for these purposes.

DHFS agrees for fed funds

→ 20.435(4)(a) + another

done
(needs and)

DHFS admin FS
DWD admin FSET

✓

Clarify appropriation 338 [s.20.445 (3) (L)] to remove obsolete references and more accurately describe its revenues and purposes

Description of Changes:

Make the following changes to s.20.445 (3) (L):

1. Change its title from "*Welfare fraud and error reduction activities and food stamp sanctions,*" to "*Public assistance overpayment recovery, fraud and error reduction*" to describe more accurately the nature of the appropriation.
2. Delete from the definition of revenues appropriated by it the reference to, "all moneys transferred under 2001 Wisconsin Act 16, section 9258 (2q)" because this one-time transfer has already occurred.

*Drafted
(needs review)*

Consolidate 3 appropriations for "Specific Limited-Term Projects"

***I don't know if there are reasons why this consolidation could not be done. We do not disagree with this concept, but if it creates a problem, please let me know. E.F.**

Description of Changes:

Consolidate in s.20.445 (3) (ma) [numeric 341] three appropriations intended for federal funds, other than block grant funds, received for "specific, limited-term projects," related to child-support and other economic support purposes by:

1. Renaming s.20.445 (3) (ma), currently, "*Federal project aids,*" as "*Federal project activities.*"
2. Repealing s.20.445 (3) (m) and (mb) [340 and 342] and amending s.20.445 (3) (ma) to include their purposes.

*need to transfer
any balances?
BY THE NOTE*

*love
(needs eval)*

Repeal obsolete and/or unused appropriations

Description of Changes:

In addition to repeals included in elements above, repeal the following:

GMM ✓ 1. s.20.445 (1) (kr), "Employment transit aids, federal oil overcharge funds." [numeric 126].

GMM ✓ 2. s.20.445 (1) (kt), "Transfer of Indian gaming receipts; trade masters pilot program." [numeric 128] 20.505 (8) (km) 18 dr. , 106. 01 (11)

GMM ✓ 3. s.20.445 (1) (ox), "Employment transit aids, federal funds." [numeric 143]

23.0917 (4m) (a) 2, 25.40 (1) (f) 2.

repeal ?
106. 26 any other funding?

PSK ✓ 4. s.20.445 (3) (fs), "Child support order conversion assistance." [numeric 318]

Q? →

GMM?



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1243/5 P1
PJK&GMM: KJF

DOA:.....Fath - DWD appropriation restructuring
FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

soon
D-note

do not
insert

1 AN ACT ^{do not insert}; relating to: the budget.

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

This bill makes a number of changes to DWD appropriations for economic support. The bill repeals appropriations that are no longer in use and deletes obsolete language from appropriation text; consolidates appropriations for the same or similar purposes and from the same funding source into a single appropriation, reducing the overall number of appropriations; amends an appropriation title to better reflect the appropriation's purpose; deletes language from the text of an appropriation to reflect the shifting of a responsibility to DHFS at a previous time; amends the text of some appropriations to reflect actual practice or to add specificity; and authorizes federal funds to be carried over to the next fiscal year, with the funds that are not spent or encumbered lapsing on October 1 of that next fiscal year.

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

2 SECTION 1. 20.435 (3) (kc) ^X of the statutes is amended to read:
3 20.435 (3) (kc) *Interagency and intra-agency aids; kinship care and long-term*
4 *kinship care.* The amounts in the schedule for payments under s. 48.57 (3m) and (3n).

1 All moneys transferred from the appropriation account under s. 20.445 (3) (md) to
 2 this appropriation account shall be credited to this appropriation account.
 3 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year
 4 is transferred to the appropriation account under s. 20.445 (3) (~~ky~~) (kx).

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105.

5 **SECTION 2.** 20.435 (3) (~~kd~~) of the statutes is amended to read:

6 20.435 (3) (~~kd~~) *Kinship care and long-term kinship care assessments.* The
 7 amounts in the schedule for assessments of kinship care relatives, as defined in s.
 8 48.57 (3m) (a) 2., and long-term kinship care relatives, as defined in s. 48.57 (3n) (a)
 9 2., who provide care and maintenance for children to determine if those kinship care
 10 relatives and long-term kinship care relatives are eligible to receive payments under
 11 s. 48.57 (3m) or (3n). All moneys transferred from the appropriation account under
 12 s. 20.445 (3) (md) to this appropriation account shall be credited to this appropriation
 13 account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30
 14 of each year is transferred to the appropriation account under s. 20.445 (3) (~~ky~~) (kx).

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105.

15 **SECTION 3.** 20.445 (1) (~~kr~~) 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.

16 **SECTION 4.** 20.445 (1) (~~kt~~) 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.

17 **SECTION 5.** 20.445 (1) (~~ox~~) 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.

1 SECTION 6. 20.445 (3) (dc) of the statutes is repealed.

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

2 SECTION 7. 20.445 (3) (dz) of the statutes is amended to read:

3 20.445 (3) (dz) *Wisconsin works Works and other public assistance*
4 *administration and benefits.* The amounts in the schedule, less the amounts
5 withheld under s. 49.143 (3), for administration and benefit payments under
6 Wisconsin works Works under ss. 49.141 to 49.161, the learnfare program under s.
7 49.26, and the work experience and job search program for noncustodial parents
8 under s. 49.36, and the food stamp employment and training program under s. 49.13;
9 for payments to counties local governments, organizations, tribal governing bodies,
10 and Wisconsin works Works agencies; for hospital paternity incentive payments
11 under s. 69.14 (1) (cm); for job training services program activities under the
12 workforce attachment and advancement program under s. 49.173; for emergency
13 assistance for families with needy children under s. 49.138; for job access loans under
14 s. 49.147 (6); and for funeral expenses under s. 49.30. Payments may be made from
15 this appropriation ~~to counties~~ for fraud investigation and error reduction under s.
16 49.197 (1m). Moneys appropriated under this paragraph may be used to match
17 federal funds received under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002
18 (1), the department may transfer funds between fiscal years under this paragraph.
19 Notwithstanding ss. 20.001 (3) and 20.002 (1), the department of health and family
20 services shall credit or deposit into this appropriation account funds for the purposes
21 of this appropriation that the department transfers from the appropriation account
22 under s. 20.435 (7) (bc). All funds allocated by the department but not encumbered

1 by December 31 of each year lapse to the general fund on the next January 1 unless
2 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, 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; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109.

3 **SECTION 8. 20.445 (3) (e) 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.

4 **SECTION 9. 20.445 (3) (fs) 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.

5 **SECTION 10. 20.445 (3) (kx) of the statutes is amended to read:**

6 **20.445 (3) (kx) *Interagency and intra-agency programs.* All moneys received**
7 **from other state agencies and all moneys received by the department from the**
8 **department for the administration of programs and projects relating to economic**
9 **support for which received, including administration of the food stamp employment**
10 **and training program under s. 49.13, and for local assistance and aids to individuals**
11 **and organizations relating to economic support.**

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; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109.

12 **SECTION 11. 20.445 (3) (ky) 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.

13 **SECTION 12. 20.445 (3) (kz) 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.

14 **SECTION 13. 20.445 (3) (L) of the statutes is amended to read:**

15 **20.445 (3) (L) *Welfare Public assistance overpayment recovery and fraud and***
16 ***error reduction activities and food stamp sanctions.* All moneys received as the**

1 state's share of the recovery of overpayments and incorrect payments under s. 49.191
 2 (3) (c), 1997 stats., and s. 49.195, 1997 stats., ~~and all moneys transferred under 2001~~
 3 ~~Wisconsin Act 16, section 9258 (2g)~~, for activities to reduce error and fraud under s.
 4 49.197 relating to the aid to families with dependent children program and the
 5 Wisconsin ~~works~~ Works 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. 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; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109.

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

6 SECTION 14. 20.445 (3) ^X(m) 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.

7 SECTION 15. 20.445 (3) ^X(ma) of the statutes is amended to read:

8 20.445 (3) (ma) *Federal project ~~aids~~ activities*. All moneys received from the
 9 federal government or any of its agencies for specific limited term projects, to be
 10 expended as aids to individuals or organizations or as local assistance for the
 11 purposes specified, and all moneys received from the federal government or any of
 12 its agencies for the state administration of specific limited [✓] term projects, to be
 13 expended for the purposes specified.

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; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109.

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

14 SECTION 16. 20.445 (3) ^X(mb) 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.

15 SECTION 17. 20.445 (3) ^X(mc) of the statutes, as affected by 2001 Wisconsin Act
 16 16, is amended to read:

1 20.445 (3) (mc) *Federal block grant operations*. The amounts in the schedule,
2 less the amounts withheld under s. 49.143 (3), for the purposes of operating and
3 administering the block grant programs for which the block grant moneys are
4 received and transferring moneys to the appropriation accounts under ss. 20.435 (3)
5 (kx) and (6) (kx) and 20.525 (1) (kb) and (kf). All block grant moneys received for
6 these purposes from the federal government or any of its agencies for the state
7 administration of federal block grants shall be credited to this appropriation
8 account. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may
9 transfer funds between fiscal years under this paragraph. All funds appropriated
10 for a particular fiscal year that are transferred to the next fiscal year and are not
11 spent or encumbered by September 30 of that next fiscal year shall lapse to the
12 general fund on the succeeding October 1.

NOTE: NOTE: Par. (mc) is shown as amended eff. 1-6-03 by 2001 Wis. Act 16. Prior to 1-6-03 it reads:NOTE:

13 (mc) *Federal block grant operations*. The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for the purposes of operating and administering
14 the block grant programs for which the block grant moneys are received and transferring moneys to the appropriation accounts under ss. 20.435 (3) (kx) and (6) (kx)
15 and 20.525 (1) (kb) and (kf). All block grant moneys received for these purposes from the federal government or any of its agencies for the state administration of federal
16 block grants shall be credited to this appropriation account.

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, 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; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109.

17 SECTION 18. 20.445 (3) (n) of the statutes is amended to read:

18 20.445 (3) (n) *Federal program Child support state operations; federal funds*.

19 All moneys received from the federal government or any of its agencies for activities
20 related to child support, including federal funds for any purpose under s. 49.22 or
21 49.227 and for the federal share of any costs associated with receiving and disbursing
22 support and support-related payments, and for the state administration of
23 continuing programs those activities, to be expended for the such purposes specified.

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, 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; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109.

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

- 1 **SECTION 19.** 20.445 (3) (na) of the statutes is amended to read:
 2 20.445 (3) (na) ~~Federal program aids~~ Refugee assistance; federal funds. All
 3 moneys received from the federal government ~~or any of its agencies for continuing~~
 4 ~~programs to be expended as aids to individuals or organizations for the purposes~~
 5 ~~specified for refugee assistance and the administration of refugee assistance~~
 6 ~~programs, to be expended for such purposes.~~

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. 2r; 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; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109.

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

- 7 **SECTION 20.** 20.445 (3) (pm) 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.

- 8 **SECTION 21.** 20.445 (3) (ps) 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.

- 9 **SECTION 22.** 20.505 (8) (hm) 18dr. 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.

- 10 **SECTION 23.** 23.0917 (4m) (a) 2. of the statutes is amended to read:

- 11 23.0917 (4m) (a) 2. "Federal nontransportation moneys" means moneys
 12 received from the federal government that are not deposited in the transportation
 13 fund and that are not credited to the ~~appropriations~~ appropriation under ss. s. 20.115
 14 (2) (m) and 20.445 (1) (ex). plain space

History: 1999 a. 9, 185; 2001 a. 16, 30, 109.

- 15 **SECTION 24.** 25.40 (1) (f) 2. of the statutes is amended to read:

1 25.40 (1) (f) 2. Moneys received under s. 106.26 that are deposited in the
2 general fund and credited to the appropriation under s. 20.445 (1) [✓](ex).

History: 1971 c. 125, 211; 1973 c. 90, 333; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 199; 1977 c. 29, 274, 418, 447; 1979 c. 34; 1979 c. 361 s. 113; 1981 c. 20; 1981 c. 347 s. 80 (2), (4); 1983 a. 27, 538; 1985 a. 16 s. 15; 1985 a. 29 ss. 638p, 3202 (51); 1985 a. 120 ss. 66, 3202 (56); 1985 a. 332; 1987 a. 3, 27, 110, 399, 403; 1989 a. 31, 102, 105, 359; 1991 a. 39, 104, 189, 269, 309, 315; 1993 a. 16, 123, 205, 253, 415, 437, 491; 1995 a. 27, 113, 201, 269, 280, 445; 1997 a. 27, 35, 41, 135, 237, 255; 1999 a. 9, 32, 92, 167; 2001 a. 16.

****NOTE: Should this be repealed instead?

3 **SECTION 25.** 49.138 [✓](1m) (intro.) of the statutes is amended to read:

4 49.138 (1m) (intro.) The department shall implement a program of emergency
5 assistance to needy persons in cases of fire, flood, natural disaster, homelessness or
6 impending homelessness, or energy crisis. The department shall establish the
7 maximum amount of aid to be granted, except for cases of energy crisis, per family
8 member based on the funding available under s. 20.445 (3) [✓](~~de~~) [✓](dz) and (md). The
9 department need not establish the maximum amount by rule under ch. 227. The
10 department shall publish the maximum amount and annual changes to it in the
11 Wisconsin administrative register. Emergency assistance provided to needy persons
12 under this section in cases of fire, flood, natural disaster, or energy crisis may only
13 be provided to a needy person once in a 12-month period. Emergency assistance
14 provided to needy persons under this section in cases of homelessness or impending
15 homelessness may be used only to obtain or retain a permanent living
16 accommodation and, except as provided in sub. (2), may only be provided to a needy
17 person once in a 36-month period. For the purposes of this section, a family is
18 considered to be homeless, or to be facing impending homelessness, if any of the
19 following applies:

History: 1995 a. 289 ss. 83e, 103d; 1997 a. 27; 1999 a. 9.

20 **SECTION 26.** 49.147 (6) [✓](c) of the statutes is amended to read:

21 49.147 (6) (c) *Distribution and administration.* From the appropriations under
22 s. 20.445 (3) [✓](~~e~~) [✓](dz), (jL), and (md), the department shall distribute funds for job

1 access loans to a Wisconsin ~~works~~ Works agency, which shall administer the loans
2 in accordance with rules promulgated by the department.

3 History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16. ^X

SECTION 27. 49.175 (1) (intro.) of the statutes is amended to read:

4 49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within
5 the limits of the appropriations under s. 20.445 (3) (a), (cm), (~~de~~[✓]), (dz), (~~e~~[✓]), (jL), (k),
6 (L), (mc), (md), and (nL), (~~pm~~[✓]), and (~~ps~~[✓]), the department shall allocate the following
7 amounts for the following purposes:

8 History: 1997 a. 27, 105, 236, 237, 252, 318; 1999 a. 9; 2001 a. 16, 104, 109; s. 13.93 (1) (b). ^X

SECTION 28. 106.01 (11) of the statutes is repealed.

9 (END)

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

LRB-1243/1dn
PJK&GMM. KJf

Date

Erin:

Should any balances from repealed continuing appropriations be transferred to a different appropriation? See s. 20.445 (3) (m), (pm), and (ps).

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.state.wi.us

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

LRB-1243/P1dn
PJK:kjfrs

January 6, 2003

Erin:

Should any balances from repealed continuing appropriations be transferred to a different appropriation? See s. 20.445 (3) (m), (pm), and (ps).

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.state.wi.us

Kahler, Pam

From: Fath, Erin
Sent: Monday, January 06, 2003 10:23 AM
To: Kahler, Pam
Subject: LRB draft 1243

Hi Pam,

I don't think there is an urgent need to get rid of (3)(kp) - that's just DWD's preference. So I would agree, we should leave (3)(kp) alone. However, I would like to add the consolidation of 20.445 (1)(L) into (3)(ja) as part of this draft (which I just received this a.m. as LRB #1243).

Concerning your question about what to do with balances in 20.445 (3)(m), (pm) and (ps):

- Balances in (3)(pm) and (3)(ps) should be transferred to (3)(kx)
- Any balance in (3)(m) should be transferred to (3)(ma)

Thanks,
Erin Fath

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

From: Kahler, Pam
Sent: Monday, January 06, 2003 10:00 AM
To: Fath, Erin
Subject: RE: DWD stat language item

Erin:

I agree with you. Consolidating s. 20.445 (1) (L) into (3) (ja) would be no problem. Section 20.445 (3) (kp) could not be consolidated into (3) (ja), however. The (kp) appropriation is created as a PR-S because the \$ potentially is skimmed off many other appropriations. I was thinking that there might be some complicated way to get the (kp) \$ into the seg. fund and then appropriate it out of (3) (r), but I'm not sure about that. Unless there is an urgent need to get rid of (kp), I'd just leave it as is.

Pam

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

From: Fath, Erin
Sent: Thursday, January 02, 2003 11:39 AM
To: Kahler, Pam
Subject: DWD stat language item

Pam,

Attached is the statutory language item I mentioned to you in our earlier conversation. It is part of DWD's budget request, but I did not forward it as part of the drafting request (DWS Appropriation Restructuring), because it's still uncertain whether we'd approve this. I included all the justification/rationale that DWD submitted with it's original request.

<< File: child support fees appropriations.doc >>

I don't think it would be problematic to make the changes in point 1, but I am uncertain about point 2: s.20.445 (3) (kp) is a PR-S appropriation (as it receives revenues from another state agency), but the request would consolidate the revenues received in 20.445 (3)(kp) into DWD's other appropriations for child support fees (20.445 (3)(ja), PR) and child support payment collections (20.445 (3)(r), SEG). So, while I hear DWD's argument for simplicity, I am not sure whether their request is possible. Thought you might have some comments on it.

Thanks,
-Erin Fath

Erin K. Fath

Repeal two child-support appropriations that are partially obsolete and currently unused. Consolidate their purposes with existing appropriations in s.20.445 (3).

Description of Changes:

1. Repeal s.20.445 (1) (L), "*Child support-related fees*," [numeric 135] and include the revenue types it is authorized to receive within the definition of the appropriation at s.20.445 (3) (ja), "*Child support state operations—fees*," [numeric 334]. One of those authorized revenues—fees charged to counties under s.49.22 (8)—is already included in the more generic reference at s.20.445 (3) (ja) to fees charged under s.49.22 (8). In addition, current language in s.20.445 (3) (ja) defining the purposes for which it may be expended includes "administering the program under s.49.22," which is equivalent to the purpose of the appropriation at s.20.445 (1) (L). Therefore, consolidating the appropriations can be accomplished by including a reference to "fees charged under ss.49.854 (11) (b) and 108.13 (4) (f)" within the language describing revenues appropriated under s.20.445 (3) (ja). Note, s.49.854 (11) (b) contains a cross-reference to s.20.445 (1) (L) that would also need to be changed.
2. Repeal s.20.445 (3) (kp) [numeric 332] but integrate the reference to moneys received from the department of administration under s.49.855 (4m) into the definitions of the appropriations under s.20.445 (3) (ja) [334] and (r) [336]. For s.20.445 (3) (r), this only requires striking the "(4)" in the reference to "s.49.855 (4)." Note s.49.855 (4m) contains a cross-reference to s.20.445 (3) (kp) that also needs to be modified.
3. Clarify that the reference in s.20.445 (3) (ja) to ", and under s.49.885 (4)..." includes both "moneys received under s.49.855 (4)...that were withheld by the department of revenue or the internal revenue service for unpaid fees ordered or otherwise owed under s.767.29 (1) (d)," and "any fees received by the department of workforce development in consideration for the administrative costs of intercepting delinquent payments under s.49.855."

Together, the above revisions would amend s.20.445 (3) (ja) along the following lines:

"All moneys received from fees charged under s.49.22 (8), s.49.854 (11) (b), and s.108.13 (4) (f); from fees ordered or otherwise owed under s.767.29 (1) (d), from fees collected under s.767.29 (1) (dm) 1m., from fees charged and incentive payments and collections retained under s.49.22 (7m), and under s.49.855 (4) from the department of revenue or the department of administration all moneys received under s.49.855 that were withheld by the department of revenue or the internal revenue service for unpaid fees ordered or otherwise owed under

from whom?
↓

(PR-5 of another agency)

s.767.29 (1) (d), and any fees received by the department in consideration for the administrative costs of intercepting payments under s.49.855; for costs associated with receiving and disbursing support...."

Justification:

Repeal of s.20.445 (1) (L) [135]

The appropriation at s.20.445 (1) (L) [135] is authorized to receive certain child-support related fees. It has not been used in several years and may pre-date state responsibility for receipt and disbursement of child support because DWD's other child-support appropriations are in program 3. DWD now uses the appropriation at s.20.445 (3) (ja) [334] for child-support-related fees. This proposal would consolidate two similar appropriations and promote consistency in DWD's program structure by repealing s.20.445 (1) (L) and making technical modifications to incorporate its purposes into s.20.445 (3) (ja).

Repeal of s.20.445 (3) (kp) [332]

With the exception of inconsistencies this recommendation will correct, the structure of DWD's child-support appropriations generally provides for: 1) Crediting fee revenue used for state-level costs of the child-support system to the appropriation at s.20.445 (3) (ja); 2) Crediting all child-support collections initially to the appropriation at s.20.445 (3) (r) [336]; and 3) Transfer of those collections assigned to the state to the appropriation at s.20.445 (3) (k) [366] for expenditure on county incentive contracts and the Wisconsin Works (W2) program, the latter contributing to the Maintenance-of-Effort (MOE) requirement under the federal Temporary Assistance to Needy Families (TANF) program.

Prior to revisions included in 2001 Wisconsin Act 16, the appropriation under s.20.445 (3) (kp) was authorized to receive these same types of revenues, if they were delinquent and, therefore, withheld by the state under s.49.855. Section 49.855 includes two processes for withholding such delinquent payments: Tax-refund "intercepts" under s.49.855 (4) and vendor intercepts under s.49.855 (4m). The revisions in Act 16 narrowed the reference to revenues to be credited to s.20.445 (3) (kp) to only those obtained through the vendor-intercept process under s.49.855 (4m), regardless of whether the payments so intercepted were for support owed to families, state-assigned support, or receipt-and-disbursement (R&D) fees. In addition, the purpose of the appropriation was changed to permit it to be used for costs associated with receiving and disbursing support, even though non-assigned support cannot be diverted to this purpose.

During SFY 2001-02, DWD continued to use s.20.445 (3) (kp) for support payments but began to administratively take steps to address another inconsistency with the appropriation: While child-support revenues are defined as part of the segregated Support Collections Trust Fund, s.20.445 (3) (kp)

continued to be defined to the general fund. To improve accounting practices related to these revenues and reflect them in the Trust Fund, DWD has ceased using s.20.445 (3) (kp) effective in SFY 2002-03, returning its revenue balance to s.20.445 (3) (r) for transfer, if appropriate, to s.20.445 (3) (ja) or (k).

In addition to the fact s.20.445 (3) (kp) is not currently being used, it should be repealed because, as currently defined, it does not describe a programmatically relevant category of revenue and would be inefficient to administer: It is programmatically irrelevant to define a separate appropriation based on the mechanism by which the delinquent payment is collected—intercepts from payments to vendors—rather than the type of payment intercepted. A separate appropriation for revenues from vendor intercepts would be inefficient to administer because such intercepts are extremely rare. Tax-refund intercepts, a more common mechanism for collecting delinquent support and fees, are already included in the definitions of the appropriations for these moneys at s.20.445 (3) (ja) and (r).

Clarification regarding Tax-Intercept Fees

By longstanding administrative practice, DWD has credited to the appropriation under s.20.445 (3) (ja) the proceeds of a fee charged by the state for intercepting delinquent support from tax refunds. Department staff cite 45 CFR 303.72 (i) (2), "Requests for collection of past-due support by federal tax refund offset," as the basis of this fee; however, it is not explicitly included within the current citations in s.20.445 (ja). While s.49.855 (4) describes the processes by which intercepted revenues are to be sent to DWD, and the administrative fee is calculated as a portion of these revenues (10 percent, up to \$25), the current reference to s.49.855 (4) within s.20.445 (3) (ja)—"and [moneys received] under..."—appears to refer only to intercepts of delinquent R&D fees.

Since the fee for the administrative costs of intercepts applies to intercepts of support as well as delinquent R&D fees, it is preferable to clarify the inclusion of these revenues in the appropriation at s.20.445 (3) (ja) with a general reference to fees for the administrative costs of intercepting delinquent payments under s.49.855. At the drafter's discretion, consideration could be given to inserting a reference to 45 CRR 303.72 (i) (2) within s.49.855, but with the general language suggested for inclusion in s.20.445 (3) (ja) ("any fees received by the department of workforce development in consideration for the administrative costs of intercepting delinquent payments under s.49.855") it would not be necessary to include the federal reference in the appropriation definition.

Since s.49.855 (4) states the departments that are to send intercepted delinquent fee revenues to DWD, the current-law references to them in the appropriation language is unnecessary. Since s.20.445 (3) (ja) is proposed to receive all child-support fees, regardless of the means by which they are collected, it is possible that modifying s.20.445 (3) (ja) to include a general reference to "moneys

received under s.49.855 that were withheld for unpaid fees ordered or otherwise owed under s.767.29 (1) (d)" would be adequate to describe both the mechanisms at s.49.855 (4) and (4m) for withholding such fees when delinquent.

Kahler, Pam

From: Fath, Erin
Sent: Tuesday, January 21, 2003 1:22 PM
To: Kahler, Pam
Subject: Draft 1243/P1 will be in and some changes are needed.

Ok Pam - I was wrong, we are including this draft. Sorry for the confusion - at least your work was not in vain!



03-1243/P1



03-1243/P1dn

First, in response to your questions:

- ✓ Balances in (3)(pm) and (3)(ps) should be transferred to (3)(kx)
- ✓ Any balance in (3)(m) should be transferred to (3)(ma)
- ✓ Section 24 - I think the way you have it drafted is Ok - I don't think we should repeal s.25.40(1)(f)2. If this changes, I'll let you know.

I do also have three updates:

- ✓ Change the title of 20.445 (3)(nL) to "Child support local assistance; federal funds"
- ✓ Repeal the appropriation under s.20.445(1)(L) and consolidate its purpose with the appropriation under s.20.445 (3)(ja)
- ✓ DWD requested to change the title of 20.445 (3)(dz) to "Wisconsin Works maintenance-of-effort and other public assistance". This appropriation is really used as maintenance of effort for the Temporary Assistance for Needy Families (TANF) block grant, not just for W-2. Would it be appropriate to call it "Maintenance-of-effort; TANF programs"? I don't know if it's a violation of drafting conventions to use acronyms in the appropriation titles. Otherwise it could get fairly long (Maintenance-of-effort; temporary assistance for needy families programs), which is OK with me if it works for you. Any suggestions? My alternative suggestion would be to just truncate it to "Wisconsin Works and other public assistance".

Thanks Pam!

-Erin

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

From: Fath, Erin
Sent: Friday, January 10, 2003 11:24 AM
To: Kahler, Pam; Malaise, Gordon
Subject: draft 1243/P1

Hi Pam and Gordon,

You both had some questions concerning the draft that dealt with restructuring DWD appropriations (Pam: draft 1243/P1; Gordon: draft 1264/1).

A decision now has been made to not pursue appropriation restructuring for DWD in the budget after all, so these drafts will be "out". Therefore, I won't be answering any outstanding questions on either of these drafts. I just thought I'd let you know so you don't wonder why I'm not getting back to you on your questions. I'm sorry for the extra work you had to do that won't be used.

Pam - at least this way you'll have more time for that W-2 draft!

Thanks,

Erin K. Fath

Wisconsin State Budget Office
(608) 266-8219
Erin.Fath@doa.state.wi.us



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1243/1

PJK&GMM(kjf)

h m is n

P2

NOTE

DOA:.....Fath - BB0295, DWD appropriation restructuring
FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION

SOON
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D-note

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1 AN ACT relating to: the budget.

Insert
A

Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

This bill makes a number of changes to DWD appropriations for economic support. The bill repeals appropriations that are no longer in use and deletes obsolete language from appropriation text; consolidates appropriations for the same or similar purposes and from the same funding source into a single appropriation, reducing the overall number of appropriations; amends an appropriation title to better reflect the ~~appropriation~~ purpose; deletes language from the text of an appropriation to reflect the shifting of a responsibility to DHFS at a previous time; amends the text of some appropriations to reflect actual practice or to add specificity; and authorizes federal funds to be carried over to the next fiscal year, with the funds that are not spent or encumbered lapsing on October 1 of that next fiscal year.

use
twice

FE-S

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

- 2 SECTION 1. 20.435 (3) (kc) of the statutes is amended to read:
- 3 20.435 (3) (kc) *Interagency and intra-agency aids; kinship care and long-term*
- 4 *kinship care.* The amounts in the schedule for payments under s. 48.57 (3m) and (3n).

1 All moneys transferred from the appropriation account under s. 20.445 (3) (md) to
2 this appropriation account shall be credited to this appropriation account.
3 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year
4 is transferred to the appropriation account under s. 20.445 (3) (~~ky~~) (kx).

5 SECTION 2. 20.435 (3) (kd) of the statutes is amended to read:

6 20.435 (3) (kd) *Kinship care and long-term kinship care assessments.* The
7 amounts in the schedule for assessments of kinship care relatives, as defined in s.
8 48.57 (3m) (a) 2., and long-term kinship care relatives, as defined in s. 48.57 (3n) (a)
9 2., who provide care and maintenance for children to determine if those kinship care
10 relatives and long-term kinship care relatives are eligible to receive payments under
11 s. 48.57 (3m) or (3n). All moneys transferred from the appropriation account under
12 s. 20.445 (3) (md) to this appropriation account shall be credited to this appropriation
13 account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30
14 of each year is transferred to the appropriation account under s. 20.445 (3) (~~ky~~) (kx).

Insert 2-14



15 SECTION 3. 20.445 (1) (kr) 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.

16 SECTION 4. 20.445 (1) (kt) 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.

Insert 2-16



17 SECTION 5. 20.445 (1) (ox) 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 6. 20.445 (3) (dc) 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 7. 20.445 (3) (dz) of the statutes is amended to read:

insert 3-2

1 20.445 (3) (dz) ~~Wisconsin works~~ Works and other public assistance
2 administration and benefits. (The amounts in the schedule, less the amounts
3 withheld under s. 49.143 (3), for administration and benefit payments under
4 Wisconsin works Works under ss. 49.141 to 49.161, the learnfare program under s.
5 49.26, and the work experience and job search program for noncustodial parents
6 under s. 49.36, and the food stamp employment and training program under s. 49.13;
7 for payments to ~~counties~~ local governments, organizations, tribal governing bodies,
8 and Wisconsin works Works agencies; for hospital paternity incentive payments
9 under s. 69.14 (1) (cm); for ~~job training services~~ program activities under the
10 workforce attachment and advancement program under s. 49.173; for emergency
11 assistance for families with needy children under s. 49.138; for job access loans under
12 s. 49.147 (6); and for funeral expenses under s. 49.30. Payments may be made from
13 this appropriation ~~to counties~~ for fraud investigation and error reduction under s.
14 49.197 (1m). Moneys appropriated under this paragraph may be used to match
15 federal funds received under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002
16 (1), the department may transfer funds between fiscal years under this paragraph.
17 Notwithstanding ss. 20.001 (3) and 20.002 (1), the department of health and family
18 services shall credit or deposit into this appropriation account funds for the purposes
19 of this appropriation that the department transfers from the appropriation account
20 under s. 20.435 (7) (bc). All funds allocated by the department but not encumbered
21 by December 31 of each year lapse to the general fund on the next January 1 unless
22 transferred to the next calendar year by the joint committee on finance.

insert a → note bud

23 SECTION 8. 20.445 (3) (e) 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.

Insert 4-1

1 SECTION 9. 20.445 (3) (fs) of the statutes is repealed.

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

2 SECTION 10. 20.445 (3) (kx) of the statutes is amended to read:

3 20.445 (3) (kx) *Interagency and intra-agency programs.* All moneys received
4 from other state agencies and all moneys received by the department from the
5 department for the administration of programs and projects relating to economic
6 support for which received, including administration of the food stamp employment
7 and training program under s. 49.13, and for local assistance and aids to individuals
8 and organizations relating to economic support.

9 SECTION 11. 20.445 (3) (ky) 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.

10 SECTION 12. 20.445 (3) (kz) 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.

11 SECTION 13. 20.445 (3) (L) of the statutes is amended to read:

12 20.445 (3) (L) *Welfare Public assistance overpayment recovery and fraud and*
13 *error reduction activities and food stamp sanctions.* All moneys received as the
14 state's share of the recovery of overpayments and incorrect payments under s. 49.191
15 (3) (c), 1997 stats., and s. 49.195, 1997 stats., ~~and all moneys transferred under 2001~~
16 ~~Wisconsin Act 16, section 9258 (2g),~~ for activities to reduce error and fraud under s.
17 49.197 relating to the ~~aid to families with dependent children~~ ^{v strike} program and the
18 Wisconsin ~~works~~ Works program.

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

19 SECTION 14. 20.445 (3) (m) 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.

Aid to Families with Dependent Children

1 **SECTION 15.** 20.445 (3) (ma) of the statutes is amended to read:

2 20.445 (3) (ma) *Federal project aids activities.* All moneys received from the
3 federal government or any of its agencies for specific limited term projects, to be
4 expended as aids to individuals or organizations or as local assistance for the
5 purposes specified, and all moneys received from the federal government or any of
6 its agencies for the state administration of specific limited term projects, to be
7 expended for the purposes specified.

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

8 **SECTION 16.** 20.445 (3) (mb) 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.

9 **SECTION 17.** 20.445 (3) (mc) of the statutes, as affected by 2001 Wisconsin Act
10 16, is amended to read:

11 20.445 (3) (mc) *Federal block grant operations.* The amounts in the schedule,
12 less the amounts withheld under s. 49.143 (3), for the purposes of operating and
13 administering the block grant programs for which the block grant moneys are
14 received and transferring moneys to the appropriation accounts under ss. 20.435 (3)
15 (kx) and (6) (kx) and 20.525 (1) (kb) and (kf). All block grant moneys received for
16 these purposes from the federal government or any of its agencies for the state
17 administration of federal block grants shall be credited to this appropriation
18 account. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may
19 transfer funds between fiscal years under this paragraph. All funds appropriated
20 for a particular fiscal year that are transferred to the next fiscal year and are not
21 spent or encumbered by September 30 of that next fiscal year shall lapse to the
22 general fund on the succeeding October 1.

1 SECTION 18. 20.445 (3) (n) of the statutes is amended to read:

2 20.445 (3) (n) ~~Federal program~~ Child support state operations; federal funds.

3 All moneys received from the federal government ~~or any of its agencies~~ for activities
4 related to child support, including federal funds for any purpose under s. 49.22 or
5 49.227 and for the federal share of any costs associated with receiving and disbursing
6 support and support-related payments, and for the state administration of
7 continuing programs those activities, to be expended for the such purposes specified.

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

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

9 20.445 (3) (na) ~~Federal program aids~~ Refugee assistance; federal funds. All
10 moneys received from the federal government ~~or any of its agencies~~ for continuing
11 programs ~~to be expended as aids to individuals or organizations for the purposes~~
12 specified for refugee assistance and the administration of refugee assistance
13 programs, to be expended for such purposes.

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

Insert 6-14

14 SECTION 20. 20.445 (3) (pm) 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.

15 SECTION 21. 20.445 (3) (ps) 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.

16 SECTION 22. 20.505 (8) (hm) 18dr. 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.

17 SECTION 23. 23.0917 (4m) (a) 2. of the statutes is amended to read:

18 23.0917 (4m) (a) 2. "Federal nontransportation moneys" means moneys
19 received from the federal government that are not deposited in the transportation

1 fund and that are not credited to the ~~appropriations~~ appropriation under ss. s. 20.115
2 (2) (m) and 20.445 (1) (ox).

3 **SECTION 24.** 25.40 (1) (f) 2. of the statutes is amended to read:

4 25.40 (1) (f) 2. Moneys received under s. 106.26 that are deposited in the
5 general fund and ~~credited to the appropriation under s. 20.445 (1) (ox).~~

→ ****NOTE: Should this be repealed instead?

6 **SECTION 25.** 49.138 (1m) (intro.) of the statutes is amended to read:

7 49.138 (1m) (intro.) The department shall implement a program of emergency
8 assistance to needy persons in cases of fire, flood, natural disaster, homelessness or
9 impending homelessness, or energy crisis. The department shall establish the
10 maximum amount of aid to be granted, except for cases of energy crisis, per family
11 member based on the funding available under s. 20.445 (3) ~~(de)~~ (dz) and (md). The
12 department need not establish the maximum amount by rule under ch. 227. The
13 department shall publish the maximum amount and annual changes to it in the
14 Wisconsin administrative register. Emergency assistance provided to needy persons
15 under this section in cases of fire, flood, natural disaster, or energy crisis may only
16 be provided to a needy person once in a 12-month period. Emergency assistance
17 provided to needy persons under this section in cases of homelessness or impending
18 homelessness may be used only to obtain or retain a permanent living
19 accommodation and, except as provided in sub. (2), may only be provided to a needy
20 person once in a 36-month period. For the purposes of this section, a family is
21 considered to be homeless, or to be facing impending homelessness, if any of the
22 following applies:

23 **SECTION 26.** 49.147 (6) (c) of the statutes is amended to read:

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1243/P2ins
PJK ~~8/2/04~~.....

INSERT 2-14

1 SECTION 1. 20.445 (1) (ka) of the statutes is amended to read:
2 20.445 (1) (ka) *Interagency and intra-agency agreements*. All moneys received
3 through contracts or financial agreements from other state agencies for the provision
4 of services to those state agencies and all moneys received by the department from
5 the department for the provision of services to the department, except moneys
6 appropriated under par. (kc) or (L), for the purpose of providing the services.

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; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109.

(END OF INSERT 2-14)

INSERT 2-16

7 SECTION 2. 20.445 (1) (L) 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.

(END OF INSERT 2-16)

INSERT 3-2

8 SECTION 3. 20.445 (3) (dz) of the statutes is amended to read:
9 20.445 (3) (dz) *Wisconsin works and other public assistance administration and*
10 *benefits Temporary Assistance for Needy Families programs; maintenance of effort.*

11 The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for
12 administration and benefit payments under Wisconsin works under ss. 49.141 to
13 49.161, the learnfare program under s. 49.26, the work experience and job search
14 program under s. 49.36, and the food stamp employment and training program under
15 s. 49.13; for payments to counties, tribal governing bodies, and Wisconsin works

1 agencies; for hospital paternity incentive payments under s. 69.14 (1) (cm); for job
 2 training services under the workforce attachment and advancement program under
 3 s. 49.173; and for funeral expenses under s. 49.30. Payments may be made from this
 4 appropriation to counties for fraud investigation and error reduction under s. 49.197
 5 (1m). Moneys appropriated under this paragraph may be used to match federal
 6 funds received under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1),
 7 the department may transfer funds between fiscal years under this paragraph.
 8 Notwithstanding ss. 20.001 (3) and 20.002 (1), the department of health and family
 9 services shall credit or deposit into this appropriation account funds for the purposes
 10 of this appropriation that the department transfers from the appropriation account
 11 under s. 20.435 (7) (bc). All funds allocated by the department but not encumbered
 12 by December 31 of each year lapse to the general fund on the next January 1 unless
 13 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, 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. 772mn, 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; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109.

(END OF INSERT 3-2)

INSERT 4-1

14 SECTION 4. 20.445 (3) (ja) of the statutes is amended to read:
 15 20.445 (3) (ja) *Child support state operations — fees and reimbursements.* All
 16 moneys received from fees charged under s. 49.22 (8), from fees ordered or otherwise
 17 owed under s. 767.29 (1) (d), from fees collected under s. ss. 49.854 (11) (b) and 767.29
 18 (1) (dm) 1m., from reimbursements under s. 108.13 (4) (f), from fees charged and
 19 incentive payments and collections retained under s. 49.22 (7m), and under s. 49.855
 20 (4) from the department of revenue or the department of administration that were

1 withheld by the department of revenue or the internal revenue service for unpaid
 2 fees ordered or otherwise owed under s. 767.29 (1) (d), for costs associated with
 3 receiving and disbursing support and support-related payments, including any
 4 contract costs, and for administering the program under s. 49.22 and all other
 5 purposes specified in s. 49.22.

History: 1971 c. 125 ss. 156, 322 (1); 1971 c. 211, 215; 1971 c. 228 s. 44; 1971 c. 259; 1973 c. 90, 186, 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, 322; 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. 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; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109.

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

(END OF INSERT 4-1)

INSERT 6-14

6 SECTION 5. 20.445 (3) (nL) (title) of the statutes is amended to read:
 7 20.445 (3) (nL) (title) *Federal program Child support local assistance; federal*
 8 *funds.*

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, 322; 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. 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; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109.

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

(END OF INSERT 6-14)

INSERT 8-9

9 SECTION 6. 49.854 (11) (b) of the statutes is amended to read:
 10 49.854 (11) (b) *The department.* The department may assess a collection fee
 11 to recover the department's costs incurred in levying against property under this
 12 section. The department shall determine its costs to be paid in all cases of levy. The
 13 obligor is liable to the department for the amount of the collection fee authorized

1 under this paragraph. Fees collected under this paragraph shall be credited to the
2 appropriation account under s. 20.445 [✓](~~1~~)(~~L~~) [✓](3) [✓](ja).

History: 1997 a. 191; 1999 a. 9; 2001 a. 61.

(END OF INSERT 8-9)

INSERT 8-10

3 [✓]**SECTION 9259. Appropriation changes; workforce development.**

4 (1) FEDERAL PROJECT AIDS TRANSFER. The unencumbered balance in the
5 appropriation account under section 20.445 (3) [✓](m) of the statutes, as affected by this
6 act, is transferred to the appropriation account under section 20.445 [✓](3) [✓](ma) of the
7 statutes, as affected by this act.

(ky),

8 (2) FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM TRANSFER. The
9 unencumbered balances in the appropriation accounts under section 20.445 (3) [✓](pm),
10 and [✓](ps) of the statutes, as affected by this act, are transferred to the appropriation
11 account under section 20.445 [✓](3) [✓](kx) of the statutes, as affected by this act.

(END OF INSERT 8-10)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1243/P2dn

PJK: *kjf*

Date

Erin:

1. The title for s. 20.445 (3) (dz) [✓] is pretty long, but there are some in current law that are even longer. Take a look at the title for s. 20.435 (4) (ah), for example.
2. In addition to the balances in s. 20.445 (3) (pm) [✓] and (ps) [✓], I transferred the balance in s. 20.445 (3) (ky) to s. 20.445 (3) (kx) [✓]. Should "(kx)" be added to s. 49.175 (1) (intro.) since the balances from s. 20.445 (3) (pm) [✓] and (ps) [✓], which were included in s. 49.175 (1) (intro.), were transferred to "(kx)"? (I know that you will be redoing s. 49.175 altogether in another draft.)
3. There does not appear to be a balance in s. 20.445 (1) (L) [✓], so I did not include a balance transfer provision (to s. 20.445 (3) (ja) [✓]). Do we need one?

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.state.wi.us

Erin:

Under s. 20.002 [✓] (3m), the unencumbered balances ~~in~~ ^{if any,} in the appropriations under s. 20.445 (1) (kr) ⁰ and (ox) ^{ox} will lapse to the ^{general} fund on the date of repeal of those appropriations unless the bill specifies otherwise. Do you want to transfer the unencumbered balances in those ^{tions} appropriations to any other appropriations?

GMM

**2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1243/P2insgm
GMM.....

(INSERT A)

✓
EMPLOYMENT

Current law requires DWD to provide a Trade Masters Pilot Program to recognize advanced training and postapprenticeship achievements in three trades, crafts, or businesses, one of which must be in the industrial sector, one in the construction sector, and one in the service sector of the economy. Currently, that program is funded by Indian gaming receipts transferred to DWD. This bill eliminates that program. ✓

Current law requires DWD to administer an Employment Transit Assistance Program under which DWD conducts projects, or provides grants to local public bodies and mass transit systems to conduct projects, to improve access to jobs that are located in outlying suburban and sparsely populated and developed areas that are not adequately served by a mass transit system. Currently, that program is funded in part by federal oil overcharge funds transferred to DWD for the purpose of that program and by other federal funds received for the purpose of that program. This bill eliminates those sources of funding for that program. ✓

(END OF INSERT)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1243/P2dn
PJK:kjf:pg

January 22, 2003

Erin:

1. The title for s. 20.445 (3) (dz) *is* pretty long, but there are some in current law that are even longer. Take a look at the title for s. 20.435 (4) (ah), for example.
2. In addition to the balances in s. 20.445 (3) (pm) and (ps), I transferred the balance in s. 20.445 (3) (ky) to s. 20.445 (3) (kx). Should "(kx)" be added to s. 49.175 (1) (intro.) since the balances from s. 20.445 (3) (pm) and (ps), which were included in s. 49.175 (1) (intro.), were transferred to "(kx)"? (I know that you will be redoing s. 49.175 altogether in another draft.)
3. There does not appear to be a balance in s. 20.445 (1) (L), so I did not include a balance transfer provision (to s. 20.445 (3) (ja)). Do we need one?

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.state.wi.us

Erin:

Under s. 20.002 (3m), the unencumbered balances, if any, in the appropriations under s. 20.445 (1) (kr) and (ox) will lapse to the general fund on the date of repeal of those appropriations unless the bill specifies otherwise. Do you want to transfer the unencumbered balances in those appropriations to any other appropriations?

Gordon M. Malaise
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Kahler, Pam

From: Fath, Erin
Sent: Thursday, January 30, 2003 4:23 PM
To: Kahler, Pam
Subject: LRB draft 1243/P2

Pam,

In answer to your questions on this draft:

- ✓ 2) Yes, please include (3)(kx) under s.49.175 (intro.)
- 3) That's fine - no balance, no need to include language about a transfer.

Also, please make the following changes to the LRB draft 1243/P2, "DWD appropriation restructuring":

- ✓ 1) Change the title of 20.445(3)(pv) to "Electronic benefit transfer" (i.e., delete "Food stamps;") _____ ↳ the title
- 2) Section 9
 - ✓ Under 20.445(3)(dz), delete the reference to hospital paternity incentive payments under s.69.14(1)(cm) [line 2]
 - ✓ In s.69.14(1)(cm), delete reference to the appropriation 20.445(3)(dz); DWD's suggested modification for s.69.14(1)(cm): "~~From the appropriation under s.20.445(3)(dz), the~~ The department of workforce development shall pay the filing party a financial incentive for correctly filing a form within 60 days after the child's birth."

Note: If you feel that there needs to be an explicit reference to an appropriation in DWD for paying the costs under s.69.14(1)(cm), insert the appropriations under s.20.445(3)(a) and 20.445(3)(n) [these are the appropriations from which the payments are actually made]. Both of these appropriations are child support state operations (one is GPR, the other is FED). The Hospital Paternity Incentive program is a child support related program (establishing paternity), thus the purpose is covered under (3)(a) and (3)(n) [as modified in this draft].

Thanks!

-Erin

Erin K. Fath

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