



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1243/P3
PJK&GMM:kjf/pg
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DOA:.....Fath – BB0295, DWD appropriation restructuring

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SOON
(1-30)
D-note

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1 AN ACT relating to: the budget.

Analysis by the Legislative Reference Bureau

EMPLOYMENT

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HEALTH AND HUMAN SERVICES

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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

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

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

1 **SECTION 1.** 20.435 (3) (kc) of the statutes is amended to read:

2 20.435 (3) (kc) *Interagency and intra-agency aids; kinship care and long-term*
3 *kinship care.* The amounts in the schedule for payments under s. 48.57 (3m) and (3n).
4 All moneys transferred from the appropriation account under s. 20.445 (3) (md) to
5 this appropriation account shall be credited to this appropriation account.
6 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year
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4 of services to those state agencies and all moneys received by the department from
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5 needy children under s. 49.138; for job access loans under s. 49.147 (6); and for
6 funeral expenses under s. 49.30. Payments may be made from this appropriation to
7 ~~counties~~ for fraud investigation and error reduction under s. 49.197 (1m). Moneys
8 appropriated under this paragraph may be used to match federal funds received
9 under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department
10 may transfer funds between fiscal years under this paragraph. Notwithstanding ss.
11 20.001 (3) and 20.002 (1), the department of health and family services shall credit
12 or deposit into this appropriation account funds for the purposes of this
13 appropriation that the department transfers from the appropriation account under
14 s. 20.435 (7) (bc). All funds allocated by the department but not encumbered by
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19 **SECTION 12.** 20.445 (3) (ja) of the statutes is amended to read:

20 20.445 (3) (ja) *Child support state operations — fees and reimbursements. All*
21 moneys received from fees charged under s. 49.22 (8), from fees ordered or otherwise

1 owed under s. 767.29 (1) (d), from fees collected under ~~s. ss. 49.854 (11) (b) and 767.29~~
2 (1) (dm) 1m., from reimbursements under s. 108.13 (4) (f), from fees charged and
3 incentive payments and collections retained under s. 49.22 (7m), and under s. 49.855
4 (4) from the department of revenue or the department of administration that were
5 withheld by the department of revenue or the internal revenue service for unpaid
6 fees ordered or otherwise owed under s. 767.29 (1) (d), for costs associated with
7 receiving and disbursing support and support-related payments, including any
8 contract costs, and for administering the program under s. 49.22 and all other
9 purposes specified in s. 49.22.

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

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

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

17 **SECTION 14.** 20.445 (3) (ky) of the statutes is repealed.

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18 **SECTION 15.** 20.445 (3) (kz) of the statutes is repealed.

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19 **SECTION 16.** 20.445 (3) (L) of the statutes is amended to read:

20 20.445 (3) (L) *Welfare Public assistance overpayment recovery and fraud and*
21 *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 (2e)~~, for activities to reduce error and fraud under s.
4 49.197 relating to the ~~aid to families with dependent children~~ Aid to Families with
5 Dependent Children program and the 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.

6 **SECTION 17.** 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.

7 **SECTION 18.** 20.445 (3) (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.

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

14 **SECTION 19.** 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.

15 **SECTION 20.** 20.445 (3) (mc) of the statutes, as affected by 2001 Wisconsin Act
16 16, is amended to read:

17 20.445 (3) (mc) *Federal block grant operations*. The amounts in the schedule,
18 less the amounts withheld under s. 49.143 (3), for the purposes of operating and
19 administering the block grant programs for which the block grant moneys are
20 received and transferring moneys to the appropriation accounts under ss. 20.435 (3)

1 (kx) and (6) (kx) and 20.525 (1) (kb) and (kf). All block grant moneys received for
2 these purposes from the federal government or any of its agencies for the state
3 administration of federal block grants shall be credited to this appropriation
4 account. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may
5 transfer funds between fiscal years under this paragraph. All funds appropriated
6 for a particular fiscal year that are transferred to the next fiscal year and are not
7 spent or encumbered by September 30 of that next fiscal year shall lapse to the
8 general fund on the succeeding October 1.

9 SECTION 21. 20.445 (3) (n) of the statutes is amended to read:

10 20.445 (3) (n) ~~*Federal program*~~ *Child support state operations; federal funds.*

11 All moneys received from the federal government ~~or any of its agencies for~~ activities
12 related to child support, including federal funds for any purpose under s. 49.22 or
13 49.227 and for the federal share of any costs associated with receiving and disbursing
14 support and support-related payments, and for the state administration of
15 ~~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.

16 SECTION 22. 20.445 (3) (na) of the statutes is amended to read:

17 20.445 (3) (na) ~~*Federal program aids*~~ *Refugee assistance; federal funds.* All
18 moneys received from the federal government ~~or any of its agencies for continuing~~
19 ~~programs to be expended as aids to individuals or organizations for the purposes~~
20 specified for refugee assistance and the administration of refugee assistance
21 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.

22 SECTION 23. 20.445 (3) (nL) (title) of the statutes is amended to read:

1 20.445 (3) (nL) (title) ~~*Federal program*~~ *Child support local assistance; federal*
2 *funds.*

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

3 **SECTION 24.** 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.

4 **SECTION 25.** 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.

5 **SECTION 26.** 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.

6 **SECTION 27.** 23.0917 (4m) (a) 2. of the statutes is amended to read:

7 23.0917 (4m) (a) 2. “Federal nontransportation moneys” means moneys
8 received from the federal government that are not deposited in the transportation
9 fund and that are not credited to the ~~appropriations~~ appropriation under ~~ss. s.~~ s. 20.115
10 (2) (m) and ~~20.445 (1) (ox).~~

11 **SECTION 28.** 25.40 (1) (f) 2. of the statutes is amended to read:

12 25.40 (1) (f) 2. Moneys received under s. 106.26 that are deposited in the
13 general fund and ~~credited to the appropriation under s. 20.445 (1) (ox).~~

14 **SECTION 29.** 49.138 (1m) (intro.) of the statutes is amended to read:

15 49.138 (1m) (intro.) The department shall implement a program of emergency
16 assistance to needy persons in cases of fire, flood, natural disaster, homelessness or
17 impending homelessness, or energy crisis. The department shall establish the
18 maximum amount of aid to be granted, except for cases of energy crisis, per family
19 member based on the funding available under s. 20.445 (3) ~~(de)~~ (dz) and (md). The
20 department need not establish the maximum amount by rule under ch. 227. The

1 department shall publish the maximum amount and annual changes to it in the
2 Wisconsin administrative register. Emergency assistance provided to needy persons
3 under this section in cases of fire, flood, natural disaster, or energy crisis may only
4 be provided to a needy person once in a 12-month period. Emergency assistance
5 provided to needy persons under this section in cases of homelessness or impending
6 homelessness may be used only to obtain or retain a permanent living
7 accommodation and, except as provided in sub. (2), may only be provided to a needy
8 person once in a 36-month period. For the purposes of this section, a family is
9 considered to be homeless, or to be facing impending homelessness, if any of the
10 following applies:

11 SECTION 30. 49.147 (6) (c) of the statutes is amended to read:

12 49.147 (6) (c) *Distribution and administration.* From the appropriations under
13 s. 20.445 (3) (e) (dz), (jL), and (md), the department shall distribute funds for job
14 access loans to a Wisconsin ~~works~~ Works agency, which shall administer the loans
15 in accordance with rules promulgated by the department.

16 SECTION 31. 49.175 (1) (intro.) of the statutes is amended to read:

17 49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within
18 the limits of the appropriations under s. 20.445 (3) (a), (cm), ~~(de)~~, (dz), ~~(e)~~, (jL), (k),
19 (L), (mc), (md), and (nL), ~~(pm)~~, and ~~(ps)~~, the department shall allocate the following
20 amounts for the following purposes:

21 SECTION 32. 49.854 (11) (b) of the statutes is amended to read:

22 49.854 (11) (b) *The department.* The department may assess a collection fee
23 to recover the department's costs incurred in levying against property under this
24 section. The department shall determine its costs to be paid in all cases of levy. The
25 obligor is liable to the department for the amount of the collection fee authorized

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Insert 10-2

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).

3 **SECTION 33.** 106.01 (11) of the statutes is repealed.

4 **SECTION 9259. Appropriation changes; workforce development.**

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

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

14 (END)

Insert

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

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INSERT 10-2 ✓

1 **SECTION 1.** 69.14 (1) (cm) of the statutes is amended to read:

2 69.14 (1) (cm) *Information concerning paternity.* For a birth which occurs en
3 route to or at a hospital, the filing party shall give the mother a copy of the pamphlet
4 under s. 69.03 (14). If the child's parents are not married at the time of the child's
5 birth, the filing party shall give the mother a copy of the form prescribed by the state
6 registrar under s. 69.15 (3) (b) 3. The filing party shall ensure that trained,
7 designated hospital staff provide to the child's available parents oral information or
8 an audio or video presentation and written information about the form and the
9 significance and benefits of, and alternatives to, establishing paternity, before the
10 parents sign the form. The filing party shall also provide an opportunity to complete
11 the form and have the form notarized in the hospital. If the mother provides a
12 completed form to the filing party while she is a patient in the hospital and within
13 5 days after the birth, the filing party shall send the form directly to the state
14 registrar. ~~From the appropriation under s. 20.445 (3) (dz),~~ ✓ the The department of
15 workforce development shall pay the filing party a financial incentive for correctly
16 filing a form within 60 days after the child's birth.

History: 1985 a. 315; 1987 a. 413; 1993 a. 27; 1997 a. 27, 191; 2001 a. 16.

(END OF INSERT 10-2)

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

LRB-1243/P3dn
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hmg

Erin:

1. Section 20.445 (3) (pv) [✓] is already titled "Electronic benefits transfer."
2. I don't think it is necessary to add a different appropriation to s. 69.14 (1) (cm). [✓]

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

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FROM THE
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PJK:kmg:ch

January 31, 2003

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LRB-1243/B
PJK&GMM:kjf&kmg:ch

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***NOTE: This is reconciled s. 20.445(3)(a2). This section has been affected by LRB-0190 and LRB-1243, and LRB-1256.

***NOTE: This is reconciled s. 20.445(3)(e). This section has been affected by LRB-1243 and LRB-1256.

1. owed under s. 767.29 (1) (d), from fees collected under ~~s. ss. 49.854 (11) (b) and~~ 767.29
2 (1) (dm) 1m., from reimbursements under s. 108.13 (4) (f), from fees charged and
3 incentive payments and collections retained under s. 49.22 (7m), and under s. 49.855
4 (4) from the department of revenue or the department of administration that were
5 withheld by the department of revenue or the internal revenue service for unpaid
6 fees ordered or otherwise owed under s. 767.29 (1) (d), for costs associated with
7 receiving and disbursing support and support-related payments, including any
8 contract costs, and for administering the program under s. 49.22 and all other
9 purposes specified in s. 49.22.

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

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

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

17 **SECTION 14.** 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.

18 **SECTION 15.** 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.

19 **SECTION 16.** 20.445 (3) (L) of the statutes is amended to read:

20 20.445 (3) (L) *Welfare Public assistance overpayment recovery and fraud and*
21 *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 (2q),~~ for activities to reduce error and fraud under s.
4 49.197 relating to the ~~aid to families with dependent children~~ Aid to Families with
5 Dependent Children program and the 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.

6 SECTION 17. 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.

7 SECTION 18. 20.445 (3) (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.

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

14 SECTION 19. 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.

15 SECTION 20. 20.445 (3) (mc) of the statutes, as affected by 2001 Wisconsin Act
16 16, is amended to read:

17 20.445 (3) (mc) *Federal block grant operations.* The amounts in the schedule,
18 less the amounts withheld under s. 49.143 (3), for the purposes of operating and
19 administering the block grant programs for which the block grant moneys are
20 received and transferring moneys to the appropriation accounts under ss. ^{A-2}20.435 (3)

20



XXXXNOTE: This is reconciled s. 20.445(3)(mc). This section has been affected by LRB-1243 and LRB-1752.

1 (kx) and (6) (kx) ~~and 20.525 (1) (kb) and (kf)~~ All block grant moneys received for
2 these purposes from the federal government or any of its agencies for the state
3 administration of federal block grants shall be credited to this appropriation
4 account. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may
5 transfer funds between fiscal years under this paragraph. All funds appropriated
6 for a particular fiscal year that are transferred to the next fiscal year and are not
7 spent or encumbered by September 30 of that next fiscal year shall lapse to the
8 general fund on the succeeding October 1.

Fifty percent insert 7-11

9 SECTION 21. 20.445 (3) (n) of the statutes is amended to read:

10 20.445 (3) (n) *Federal program Child support state operations; federal funds.*

11 ~~All~~ moneys received from the federal government or any of its agencies for activities
12 related to child support, including federal funds for any purpose under s. 49.22 or
13 49.227 and for the federal share of any costs associated with receiving and disbursing
14 support and support-related payments, and for the state administration of
15 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.

16 SECTION 22. 20.445 (3) (na) of the statutes is amended to read:

17 20.445 (3) (na) *Federal program aids Refugee assistance; federal funds.* All
18 moneys received from the federal government or any of its agencies for continuing
19 programs ~~to be expended as aids to individuals or organizations for the purposes~~
20 specified for refugee assistance and the administration of refugee assistance
21 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.

122 ~~SECTION 23. 20.445 (3) (nL) (title) of the statutes is amended to read.~~

XXXNOTE: This is reconciled s. 20.445(3)(n). This section has been affected by LRB-0279 and LRB-1243.

1 20.445 (3) (nL) (title) *Federal program Child support local assistance; federal*
 2 *funds.*

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

3 **SECTION 24.** 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.

4 **SECTION 25.** 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.

5 **SECTION 26.** 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.

6 **SECTION 27.** 23.0917 (4m) (a) 2. of the statutes is amended to read:

7 23.0917 (4m) (a) 2. "Federal nontransportation moneys" means moneys
 8 received from the federal government that are not deposited in the transportation
 9 fund and that are not credited to the ~~appropriations~~ appropriation under ~~ss. s.~~ s. 20.115
 10 (2) (m) and ~~20.445 (1) (ex).~~

11 **SECTION 28.** 25.40 (1) (f) 2. of the statutes is amended to read:

12 25.40 (1) (f) 2. Moneys received under s. 106.26 that are deposited in the
 13 general fund and ~~credited to the appropriation under s. 20.445 (1) (ex).~~

14 **SECTION 29.** 49.138 (1m) (intro.) of the statutes is amended to read:

15 49.138 (1m) (intro.) The department shall implement a program of emergency
 16 assistance to needy persons in cases of fire, flood, natural disaster, homelessness or
 17 impending homelessness, or energy crisis. The department shall establish the
 18 maximum amount of aid to be granted, except for cases of energy crisis, per family
 19 member based on the funding available under s. 20.445 (3) (~~de~~) (dz) and (md). The
 20 department need not establish the maximum amount by rule under ch. 227. The

1 department shall publish the maximum amount and annual changes to it in the
2 Wisconsin administrative register. Emergency assistance provided to needy persons
3 under this section in cases of fire, flood, natural disaster, or energy crisis may only
4 be provided to a needy person once in a 12-month period. Emergency assistance
5 provided to needy persons under this section in cases of homelessness or impending
6 homelessness may be used only to obtain or retain a permanent living
7 accommodation and, except as provided in sub. (2), may only be provided to a needy
8 person once in a 36-month period. For the purposes of this section, a family is
9 considered to be homeless, or to be facing impending homelessness, if any of the
10 following applies:

11 **SECTION 30.** 49.147 (6) (c) of the statutes is amended to read:

12 49.147 (6) (c) *Distribution and administration.* From the appropriations under
13 s. 20.445 (3) (~~e~~) (dz), (jL), and (md), the department shall distribute funds for job
14 access loans to a Wisconsin ~~works~~ Works agency, which shall administer the loans
15 in accordance with rules promulgated by the department.

16 **SECTION 31.** 49.175 (1) (intro.) of the statutes is amended to read:

17 49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within
18 the limits of the appropriations under s. 20.445 (3) (a), (cm), (~~de~~), (dz), (~~e~~), (jL), (k),
19 (kx), (L), (mc), (md), and (nL), (~~pm~~), and (~~ps~~), the department shall allocate the
20 following amounts for the following purposes:

21 **SECTION 32.** 49.854 (11) (b) of the statutes is amended to read:

22 49.854 (11) (b) *The department.* The department may assess a collection fee
23 to recover the department's costs incurred in levying against property under this
24 section. The department shall determine its costs to be paid in all cases of levy. The
25 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).

3 **SECTION 33.** 69.14 (1) (cm) of the statutes is amended to read:

4 69.14 (1) (cm) *Information concerning paternity.* For a birth which occurs en
5 route to or at a hospital, the filing party shall give the mother a copy of the pamphlet
6 under s. 69.03 (14). If the child's parents are not married at the time of the child's
7 birth, the filing party shall give the mother a copy of the form prescribed by the state
8 registrar under s. 69.15 (3) (b) 3. The filing party shall ensure that trained,
9 designated hospital staff provide to the child's available parents oral information or
10 an audio or video presentation and written information about the form and the
11 significance and benefits of, and alternatives to, establishing paternity, before the
12 parents sign the form. The filing party shall also provide an opportunity to complete
13 the form and have the form notarized in the hospital. If the mother provides a
14 completed form to the filing party while she is a patient in the hospital and within
15 5 days after the birth, the filing party shall send the form directly to the state
16 registrar. ~~From the appropriation under s. 20.445 (3) (dz), the~~ The department of
17 workforce development shall pay the filing party a financial incentive for correctly
18 filing a form within 60 days after the child's birth.

19 **SECTION 34.** 106.01 (11) of the statutes is repealed.

20 **SECTION 9259. Appropriation changes; workforce development.**

21 (1) **FEDERAL PROJECT AIDS TRANSFER.** The unencumbered balance in the
22 appropriation account under section 20.445 (3) (m) of the statutes, as affected by this
23 act, is transferred to the appropriation account under section 20.445 (3) (ma) of the
24 statutes, as affected by this act.

Insert 7-11

be determined according to the formula that already determines the county's share of incentive payments. A county still may not receive incentive payments, however, that exceed its child support program costs and must use the excess incentive payments for the costs of its child support program.

DWD may use its share of any excess incentive payments for activities under its child support enforcement program and for the costs of receiving and disbursing support and support-related payments.

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

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

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

2 20.445 (3) (n) *Federal program operations.* All moneys received from the
3 federal government or any of its agencies for the state administration of continuing
4 programs ~~and 50%~~ of the amount of federal moneys received as child support
5 incentive payments that exceeds the maximum specified in s. 49.24 (2) (b) *and all*
6 expended for the purposes specified.

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

8 20.445 (3) (nL) *Federal program local assistance.* All moneys received from the
9 federal government or any of its agencies for continuing programs, except for 50% of
10 the amount of the federal moneys received as child support incentive payments that
11 exceeds the maximum specified in s. 49.24 (2) (b), to be expended as local assistance
12 for the purposes specified, except that the following amounts shall lapse from this
13 appropriation to the general fund: in each calendar year, 55% of the federal moneys
14 made available to support prosecution of welfare fraud in this state, as determined
15 by the secretary of administration.

16 SECTION 3. 49.22 (7m) of the statutes is amended to read:

(end of ins 7-11)

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

LRB-1243/1dn
PJK:kjf:pg

February 6, 2003

This draft reconciles LRB-0190, LRB-0279, LRB-1243, LRB-1256, and LRB-1752.
All five drafts should continue to appear in the compiled bill.

Pamela J. Kahler
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State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1243/1
PJK&GMM:kjf&kmg:pg

DOA:.....Fath – BB0295, DWD appropriation restructuring

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

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.

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 appropriation titles to better reflect the purposes; 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.

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

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

1 **SECTION 1.** 20.435 (3) (kc) of the statutes is amended to read:

2 20.435 (3) (kc) *Interagency and intra-agency aids; kinship care and long-term*
3 *kinship care.* The amounts in the schedule for payments under s. 48.57 (3m) and (3n).
4 All moneys transferred from the appropriation account under s. 20.445 (3) (md) to
5 this appropriation account shall be credited to this appropriation account.
6 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year
7 is transferred to the appropriation account under s. 20.445 (3) (~~ky~~) (kx).

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

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

1 **SECTION 3.** 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.

7 **SECTION 4.** 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.

8 **SECTION 5.** 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.

9 **SECTION 6.** 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.

10 **SECTION 7.** 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.

11 **SECTION 8.** 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.

12 **SECTION 9.** 20.445 (3) (dz) of the statutes is amended to read:

13 20.445 (3) (dz) ~~Wisconsin works and other public assistance administration and~~
14 ~~benefits~~ Temporary Assistance for Needy Families programs; maintenance of effort.

15 The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for
16 administration and benefit payments under Wisconsin works Works under ss.
17 49.141 to 49.161, the learnfare program under s. 49.26, and the work experience and
18 job search program for noncustodial parents under s. 49.36, ~~and the food stamp~~
19 ~~employment and training program under s. 49.13; for payments to counties~~ local

1 ~~governments, organizations, tribal governing bodies, and Wisconsin works Works~~
2 ~~agencies; for hospital paternity incentive payments under s. 69.14 (1) (cm); for job~~
3 ~~training services program activities under the workforce attachment and~~
4 ~~advancement program under s. 49.173; for emergency assistance for families with~~
5 ~~needy children under s. 49.138; and for funeral expenses under s. 49.30 job access~~
6 ~~loans under s. 49.147 (6). Payments may be made from this appropriation ~~to counties~~~~
7 ~~for fraud investigation and error reduction under s. 49.197 (1m). Moneys~~
8 ~~appropriated under this paragraph may be used to match federal funds received~~
9 ~~under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department~~
10 ~~may transfer funds between fiscal years under this paragraph. Notwithstanding ss.~~
11 ~~20.001 (3) and 20.002 (1), the department of health and family services shall credit~~
12 ~~or deposit into this appropriation account funds for the purposes of this~~
13 ~~appropriation that the department transfers from the appropriation account under~~
14 ~~s. 20.435 (7) (bc). All funds allocated by the department but not encumbered by~~
15 ~~December 31 of each year lapse to the general fund on the next January 1 unless~~
16 ~~transferred to the next calendar year by the joint committee on finance.~~

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

****NOTE: This is reconciled s. 20.445 (3) (dz). This SECTION has been affected by drafts with the following LRB numbers: LRB-0190, LRB-1243, and LRB-1256.

17 **SECTION 10.** 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.

****NOTE: This is reconciled s. 20.445 (3) (e). This SECTION has been affected by drafts with the following LRB numbers: LRB-1243 and LRB-1256.

18 **SECTION 11.** 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.

19 **SECTION 12.** 20.445 (3) (ja) of the statutes is amended to read:

1 20.445 (3) (ja) *Child support state operations — fees and reimbursements.* All
2 moneys received from fees charged under s. 49.22 (8), from fees ordered or otherwise
3 owed under s. 767.29 (1) (d), from fees collected under ~~s.~~ ss. 49.854 (11) (b) and 767.29
4 (1) (dm) 1m., from reimbursements under s. 108.13 (4) (f), from fees charged and
5 incentive payments and collections retained under s. 49.22 (7m), and under s. 49.855
6 (4) from the department of revenue or the department of administration that were
7 withheld by the department of revenue or the internal revenue service for unpaid
8 fees ordered or otherwise owed under s. 767.29 (1) (d), for costs associated with
9 receiving and disbursing support and support-related payments, including any
10 contract costs, and for administering the program under s. 49.22 and all other
11 purposes specified in s. 49.22.

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

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

13 20.445 (3) (kx) *Interagency and intra-agency programs.* All moneys received
14 from other state agencies and all moneys received by the department from the
15 department for the administration of programs and projects relating to economic
16 support for which received, including administration of the food stamp employment
17 and training program under s. 49.13, and for local assistance and aids to individuals
18 and organizations relating to economic support.

19 **SECTION 14.** 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.

20 **SECTION 15.** 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.

21 **SECTION 16.** 20.445 (3) (L) of the statutes is amended to read:

1 20.445 (3) (L) *Welfare Public assistance overpayment recovery and fraud and*
2 *error reduction activities and food stamp sanctions.* All moneys received as the
3 state's share of the recovery of overpayments and incorrect payments under s. 49.191
4 (3) (c), 1997 stats., and s. 49.195, 1997 stats., ~~and all moneys transferred under 2001~~
5 ~~Wisconsin Act 16, section 9258 (2q), for activities to reduce error and fraud under s.~~
6 ~~49.197 relating to the aid to families with dependent children~~ Aid to Families with
7 Dependent Children program and the 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.

8 **SECTION 17.** 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.

9 **SECTION 18.** 20.445 (3) (ma) of the statutes is amended to read:

10 20.445 (3) (ma) *Federal project aids activities.* All moneys received from the
11 federal government or any of its agencies for specific limited term projects, to be
12 expended as aids to individuals or organizations or as local assistance for the
13 purposes specified, and all moneys received from the federal government or any of
14 its agencies for the state administration of specific limited term projects, to be
15 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.

16 **SECTION 19.** 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.

17 **SECTION 20.** 20.445 (3) (mc) of the statutes, as affected by 2001 Wisconsin Act
18 16, is amended to read:

19 20.445 (3) (mc) *Federal block grant operations.* The amounts in the schedule,
20 less the amounts withheld under s. 49.143 (3), for the purposes of operating and

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

****NOTE: This is reconciled s. 20.445 (3) (mc). This SECTION has been affected by
drafts with the following LRB numbers: LRB-1243 and LRB-1752.

11 SECTION 21. 20.445 (3) (n) of the statutes is amended to read:

12 20.445 (3) (n) *Federal program Child support state operations; federal funds.*
13 All Fifty percent of the amount of federal moneys received as child support incentive
14 payments that exceeds the maximum specified in s. 49.24 (2) (b), and all moneys
15 received from the federal government or any of its agencies for activities related to
16 child support, including federal funds for any purpose under s. 49.22 or 49.227 and
17 for the federal share of any costs associated with receiving and disbursing support
18 and support-related payments, and for the state administration of continuing
19 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.

****NOTE: This is reconciled s. 20.445 (3) (n). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0279 and LRB-1243.

20 SECTION 22. 20.445 (3) (na) of the statutes is amended to read:

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

6 **SECTION 23.** 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.

7 **SECTION 24.** 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.

8 **SECTION 25.** 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.

9 **SECTION 26.** 23.0917 (4m) (a) 2. of the statutes is amended to read:

10 23.0917 (4m) (a) 2. “Federal nontransportation moneys” means moneys
11 received from the federal government that are not deposited in the transportation
12 fund and that are not credited to the ~~appropriations~~ appropriation under ~~ss. s.~~ 20.115
13 (2) (m) ~~and 20.445 (1) (ox).~~

14 **SECTION 27.** 25.40 (1) (f) 2. of the statutes is amended to read:

15 25.40 (1) (f) 2. Moneys received under s. 106.26 that are deposited in the
16 general fund ~~and credited to the appropriation under s. 20.445 (1) (ox).~~

17 **SECTION 28.** 49.138 (1m) (intro.) of the statutes is amended to read:

18 49.138 (1m) (intro.) The department shall implement a program of emergency
19 assistance to needy persons in cases of fire, flood, natural disaster, homelessness or
20 impending homelessness, or energy crisis. The department shall establish the

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

14 **SECTION 29.** 49.147 (6) (c) of the statutes is amended to read:

15 49.147 (6) (c) *Distribution and administration.* From the appropriations under
16 s. 20.445 (3) ~~(e)~~ (dz), (jL), and (md), the department shall distribute funds for job
17 access loans to a Wisconsin ~~works~~ Works agency, which shall administer the loans
18 in accordance with rules promulgated by the department.

19 **SECTION 30.** 49.175 (1) (intro.) of the statutes is amended to read:

20 49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within
21 the limits of the appropriations under s. 20.445 (3) (a), (cm), ~~(de)~~, (dz), ~~(e)~~, (jL), (k),
22 ~~(kx)~~, (L), (mc), (md), and (nL), ~~(pm)~~, ~~and~~ ~~(ps)~~, the department shall allocate the
23 following amounts for the following purposes:

24 **SECTION 31.** 49.854 (11) (b) of the statutes is amended to read:

1 49.854 (11) (b) *The department.* The department may assess a collection fee
2 to recover the department's costs incurred in levying against property under this
3 section. The department shall determine its costs to be paid in all cases of levy. The
4 obligor is liable to the department for the amount of the collection fee authorized
5 under this paragraph. Fees collected under this paragraph shall be credited to the
6 appropriation account under s. 20.445 ~~(1) (L)~~ (3) (ja).

7 **SECTION 32.** 69.14 (1) (cm) of the statutes is amended to read:

8 69.14 (1) (cm) *Information concerning paternity.* For a birth which occurs en
9 route to or at a hospital, the filing party shall give the mother a copy of the pamphlet
10 under s. 69.03 (14). If the child's parents are not married at the time of the child's
11 birth, the filing party shall give the mother a copy of the form prescribed by the state
12 registrar under s. 69.15 (3) (b) 3. The filing party shall ensure that trained,
13 designated hospital staff provide to the child's available parents oral information or
14 an audio or video presentation and written information about the form and the
15 significance and benefits of, and alternatives to, establishing paternity, before the
16 parents sign the form. The filing party shall also provide an opportunity to complete
17 the form and have the form notarized in the hospital. If the mother provides a
18 completed form to the filing party while she is a patient in the hospital and within
19 5 days after the birth, the filing party shall send the form directly to the state
20 registrar. ~~From the appropriation under s. 20.445 (3) (dz), the~~ The department of
21 workforce development shall pay the filing party a financial incentive for correctly
22 filing a form within 60 days after the child's birth.

23 **SECTION 33.** 106.01 (11) of the statutes is repealed.

24 **SECTION 9259. Appropriation changes; workforce development.**

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

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

10 (END)