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State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-1256/E

PJK:jld:rs

V. Misner

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refs

DOA:.....Fath - BB0323, Replace community service and trial jobs under  
W-2 with transitional subsidized private sector jobs

FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION

Very soon  
(1-20)  
Date

do not  
for cut

1 AN ACT relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**WISCONSIN WORKS**

This is a preliminary draft. An analysis will be provided in a later version.

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

2 SECTION 1. 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, the work experience and job search program under s. 49.36, and the food

1 stamp employment and training program under s. 49.13; for employer  
2 reimbursements, participant stipends, and education and training costs under  
3 Wisconsin Works under ss. 49.141 to 49.161; for payments to counties, tribal  
4 governing bodies, and Wisconsin works Works agencies; for hospital paternity  
5 incentive payments under s. 69.14 (1) (cm); ~~for job training services under the~~  
6 ~~workforce attachment and advancement program under s. 49.173~~; and for funeral  
7 expenses under s. 49.30. Payments may be made from this appropriation to counties  
8 for fraud investigation and error reduction under s. 49.197 (1m). Moneys  
9 appropriated under this paragraph may be used to match federal funds received  
10 under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department  
11 may transfer funds between fiscal years under this paragraph. Notwithstanding ss.  
12 20.001 (3) and 20.002 (1), the department of health and family services shall credit  
13 or deposit into this appropriation account funds for the purposes of this  
14 appropriation that the department transfers from the appropriation account under  
15 s. 20.435 (7) (bc). All funds allocated by the department but not encumbered by  
16 December 31 of each year lapse to the general fund on the next January 1 unless  
17 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.

18 **SECTION 2.** 20.445 (3) (e) of the statutes is amended to read:

19 20.445 (3) (e) *Job access loans.* Biennially, the amounts in the schedule for job  
20 access loans under s. ~~49.147 (6)~~ 49.1471.

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

1           20.445 (3) (jL) *Job access loan repayments.* All moneys received from  
2    repayments of loans made under s. ~~49.147 (6)~~ 49.1471 for the purpose of making  
3    loans under s. ~~49.147 (6)~~ 49.1471.

4           **SECTION 4.** 20.865 (4) (k) 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 5.** 49.015 (2) of the statutes is amended to read:

6           49.015 (2) **RECIPIENTS OF OTHER AID.** Except as provided in sub. (3), an  
7    individual is not eligible for relief for a month in which the individual has received  
8    aid to families with dependent children under s. 49.19 or supplemental security  
9    income under 42 USC 1381 to 1383c or has participated in a Wisconsin ~~works~~ Works  
10   employment position under s. ~~49.147 (3) to (5)~~, as defined in s. 49.141 (1) (r), or in  
11   which aid to families with dependent children, supplemental security income  
12   benefits, or a Wisconsin ~~works~~ Works employment position is immediately available  
13   to the individual.

14          **SECTION 6.** 49.13 (2) (cm) of the statutes is amended to read:

15          49.13 (2) (cm) The amount of food stamp benefits paid to a recipient who is a  
16    participant in a Wisconsin ~~works~~ Works employment position under s. 49.147 ~~(4)~~  
17    ~~or (5)~~ shall be calculated based on the pre-sanction  
18    benefit amount received s. 49.148, 2001 stats.

Insert 3-18

19          **SECTION 7.** 49.136 (2) (b) of the statutes is amended to read:

20          49.136 (2) (b) The department shall attempt to award grants under this section  
21    to head start agencies designated under 42 USC 9836, employers that provide or  
22    wish to provide child care services for their employees, family day care centers, group  
23    day care centers and day care programs for the children of student parents,

1 organizations that provide child care for sick children, and child care providers that  
2 employ participants or former participants in a Wisconsin works Works employment  
3 position ~~under s. 49.147 (3) to (5), as defined in s. 49.141 (1) (r).~~

4 **SECTION 8.** 49.141 (1) (a) of the statutes is repealed.

5 **SECTION 9.** 49.141 (1) (e) of the statutes is amended to read:

6 49.141 (1) (e) “Job access loan” means a loan administered under s. 49.147 (6)  
7 49.1471.

8 **SECTION 10.** 49.141 (1) (m) of the statutes is amended to read:

9 49.141 (1) (m) “Transitional placement subsidized private sector job” means a  
10 the work component of Wisconsin works Works administered under s. 49.147 (5).

11 **SECTION 11.** 49.141 (1) (n) of the statutes is repealed.

12 **SECTION 12.** 49.141 (1) (o) of the statutes is created to read:

13 49.141 (1) (o) “Unsubsidized employment” means employment for which the  
14 department or a Wisconsin Works agency provides no wage subsidy or  
15 reimbursement to the employer, including self-employment and entrepreneurial  
16 activities.

17 **SECTION 13.** 49.141 (1) (om) of the statutes is created to read:

18 49.141 (1) (om) “Wages” has the meaning given in s. 109.01 (3).

19 **SECTION 14.** 49.141 (1) (p) of the statutes is amended to read:

20 49.141 (1) (p) “Wisconsin works Works” means the ~~assistance~~ employment and  
21 work-support program for families with dependent children low-income adults,  
22 administered under ss. 49.141 to 49.161.

23 **SECTION 15.** 49.141 (1) (r) of the statutes is amended to read:

1 49.141 (1) (r) "Wisconsin works Works employment position" means any job or  
2 placement under s. 49.147 (3) to (5), 2001 stats., or a transitional subsidized private  
3 sector job under s. 49.147.

4 SECTION 16. 49.141 (3) of the statutes is amended to read:

5 49.141 (3) APPLICATIONS. Any individual may apply ~~for any component of to~~  
6 participate in Wisconsin works Works. Application for each ~~component of~~  
7 participation in Wisconsin works Works shall be made on a form prescribed by the  
8 department. The individual shall submit a completed application form to a  
9 Wisconsin works Works agency in the geographical area specified by the department  
10 under s. 49.143 (6) in which the individual lives and in the manner prescribed by the  
11 department.

12 SECTION 17. 49.141 (4) of the statutes is amended to read:

13 49.141 (4) NONENTITLEMENT. Notwithstanding fulfillment of the eligibility  
14 requirements for ~~any component of participation in Wisconsin works Works~~, an  
15 individual is not entitled to services or benefits under Wisconsin works Works.

16 SECTION 18. 49.141 (5) (a) of the statutes is amended to read:

17 49.141 (5) (a) Have the effect of filling a vacancy created by an employer  
18 terminating a regular employee or otherwise reducing its work force for the purpose  
19 of hiring an individual under s. 49.147 (3), (4) ~~or (5)~~.

20 SECTION 19. 49.143 (1) (a) 1. of the statutes is amended to read:

21 49.143 (1) (a) 1. Award a contract, on the basis of a competitive process  
22 approved by the secretary of administration, to any person to administer Wisconsin  
23 works Works as provided in ss. 49.141 to 49.161 in a geographical area determined  
24 by the department under sub. (6). The competitive process shall include cost and  
25 prior experience criteria.

employment

1 SECTION 20. 49.143 (1) (a) 2. of the statutes is amended to read:

2 49.143 (1) (a) 2. Contract with a Wisconsin works Works agency to administer  
3 Wisconsin works Works as provided in ss. 49.141 to 49.161 if that agency has met the  
4 performance standards established by the department under sub. (3), during the  
5 immediately preceding contract period.

6 SECTION 21. 49.143 (2) (a) 2. of the statutes is amended to read:

7 49.143 (2) (a) 2. Identify and encourage employers to provide ~~permanent jobs~~  
8 for persons who are eligible for ~~trial jobs or community service~~ transitional  
9 subsidized private sector jobs.

10 SECTION 22. 49.143 (2) (a) 3. of the statutes is ~~amended to read:~~

11 49.143 (2) (a) 3. Create, and encourage others to create, subsidized jobs for  
12 persons who are eligible for ~~trial jobs or community service~~ transitional subsidized  
13 private sector jobs.

14 SECTION 23. 49.143 (2) (a) 4. of the statutes is amended to read:

15 49.143 (2) (a) 4. Create, and encourage others to create, on-the-job training  
16 sites for persons who are eligible for ~~trial jobs or community service~~ transitional  
17 subsidized private sector jobs.

18 SECTION 24. 49.143 (2) (a) 5. of the statutes is amended to read:

19 49.143 (2) (a) 5. Foster and guide the entrepreneurial efforts of participants  
20 who are eligible for ~~trial jobs or community service~~ transitional subsidized private  
21 sector jobs.

22 SECTION 25. 49.143 (2) (a) 6. of the statutes is amended to read:

23 49.143 (2) (a) 6. Provide mentors, both from its membership and from  
24 recruitment of members of the community, to provide job-related guidance,  
25 including assistance in resolving job-related issues and the provision of job leads or

unsubsidized employment

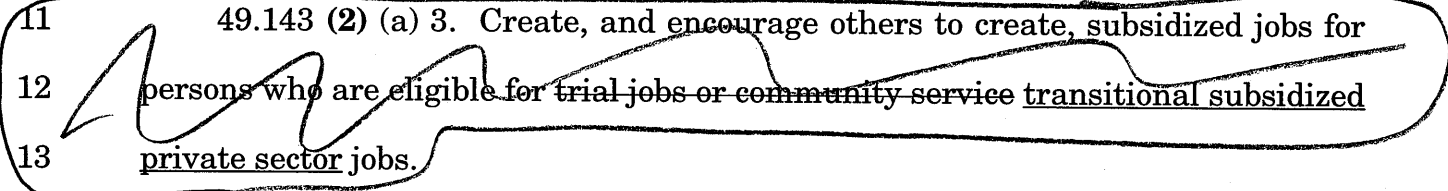
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repealed.

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10



Subsect 7-2

1 references, to persons who are eligible for ~~trial jobs or community service~~ transitional  
2 subsidized private sector jobs.

3 SECTION 26. 49.143 (2) (ct) of the statutes is repealed.

4 SECTION 27. 49.143 (2) (f) of the statutes is renumbered 49.143 (2) (g) and  
5 amended to read:

6 49.143 (2) (g) Perform any other tasks specified by the department in the  
7 contract that the department determines are necessary for the administration of  
8 Wisconsin ~~works~~ Works.

9 SECTION 28. 49.143 (2) (fm) of the statutes is created to read:

10 49.143 (2) (fm) Provide to every participant information about and assistance  
11 in obtaining any work supports for which the participant is eligible, such as child  
12 care, health insurance, and income tax credits and refunds.

13 SECTION 29. 49.143 (3g) (a) (intro.) and 4. of the statutes are consolidated,  
14 renumbered 49.143 (3g) (am) and amended to read:

15 49.143 (3g) (am) The department shall base any performance bonus  
16 calculation that it makes for Wisconsin ~~works~~ Works agencies only on all of the

17 following performance criteria: ~~4. Wages~~ wages and benefits earned by former  
18 participants in Wisconsin ~~works~~ Works employment positions.

19 SECTION 30. 49.143 (3g) (a) 1. of the statutes is repealed.

20 SECTION 31. 49.143 (3g) (a) 2. of the statutes is repealed.

21 SECTION 32. 49.143 (3g) (a) 3. of the statutes is repealed.

22 SECTION 33. 49.143 (3g) (a) 5. of the statutes is repealed.

23 SECTION 34. 49.143 (3g) (a) 6. of the statutes is repealed.

24 SECTION 35. 49.145 (1) of the statutes is amended to read:

in subsidized employment

1 49.145 (1) GENERAL ELIGIBILITY. In order to be eligible for a Wisconsin works  
2 Works employment positions and position or job access loans loan for any month, an  
3 individual shall meet the eligibility requirements under subs. (2) and (3). The  
4 department may promulgate rules establishing additional eligibility criteria and  
5 specifying how eligibility criteria are to be administered. The department may  
6 promulgate rules establishing payment and reporting periods as needed to  
7 administer this subsection.

8 SECTION 36. 49.145 (2) (a) of the statutes is repealed.

9 SECTION 37. 49.145 (2) (b) of the statutes is amended to read:

10 49.145 (2) (b) The individual has attained the age of is at least 18 years of age  
11 but not more than 65 years of age.

12 SECTION 38. 49.145 (2) (h) of the statutes is amended to read:

13 49.145 (2) (h) The individual, for at least 2 weeks immediately ~~before~~ <sup>after</sup> applying, makes  
14 has made a good faith effort, as determined by the Wisconsin works Works agency  
15 on a case-by-case basis, to obtain unsubsidized employment and has not refused any  
16 bona fide offer of <sup>unsubsidized</sup> employment within the 180 days immediately preceding  
17 application.

18 SECTION 39. 49.146 (title) of the statutes is amended to read:

19 49.146 (title) Employer criteria, selection, and reimbursement.

20 SECTION 40. 49.146 of the statutes is renumbered 49.146 (1) and amended to  
21 read:

22 49.146 (1) ELIGIBILITY CRITERIA. To <sup>be</sup> eligible to employ a participant under s.  
23 49.147, an employer must be a corporation described under section 501 (c) (3) or (4)  
24 of the Internal Revenue Code and exempt from taxation under section 501 (a) of the  
25 Internal Revenue Code. The department shall establish by rule additional criteria

Insert 8-17

(f) (hc) The individual



1 that an employer providing a Wisconsin works Works employment position must  
2 meet in order to employ a participant under s. 49.147 (3) to (5). An employer that does  
3 not meet the criteria established under this ~~section~~ subsection is ineligible to receive  
4 ~~any subsidy for any position provided to a participant for reimbursement of costs~~  
5 under sub. (3).

6 SECTION 41. 49.146 (2) of the statutes is created to read:

7 49.146 (2) SELECTION. The department shall request from employers proposals  
8 for employing participants under s. 49.147. The department shall select, and enter  
9 into contracts with, employers that meet the criteria established under sub. (1) and  
10 that demonstrate the ability to do all of the following:

- 11 (a) Create useful transitional subsidized private sector jobs that benefit the
- 12 community.
- 13 (b) Provide effective supervision for participants.
- 14 (c) Manage payroll, taxes, and other financial matters in a responsible manner.
- 15 (d) Coordinate closely and cooperatively with any Wisconsin Works agency
- 16 serving a geographic area in which the employer is located. *Insert 9-16*
- 17 (e) Comply in all respects with the Wisconsin Works program.

18 SECTION 42. 49.146 (3) of the statutes is created to read:

19 49.146 (3) REIMBURSEMENT. An employer that employs a participant under s.  
20 49.147 shall be reimbursed by the department for 100% of the employer's costs that  
21 are attributable to employment of the participant under s. 49.147, including any of  
22 the following:

- 23 (a) Wages.
- 24 (b) Federal social security taxes.
- 25 (c) State and federal unemployment contributions or taxes, *as determined by the department,*  
*if any*

\*\*\*NOTE: This issue is not resolved yet.

(d) Worker's compensation insurance premiums, if any.

(e) Liability insurance premiums, if any.

(f) Supervisory costs and other overhead as specified in the employer's contract with the department.

SECTION 43. 49.1465 of the statutes is created to read:

**49.1465 Education and training. (1) EDUCATIONAL NEEDS ASSESSMENT.** A

Wisconsin Works agency shall conduct an educational needs assessment of each individual who applies for a Wisconsin Works employment position. If the individual and the Wisconsin Works agency determine that the individual needs, or would

benefit from, education or training activities, including a course of study meeting the standards established under s. 115.29 (4) for the granting of a declaration of equivalency of high school graduation, the Wisconsin Works agency shall include

education or training activities in any employability plan developed for the individual. The Wisconsin Works agency shall pay for the education or training services identified in the employability plan to the extent that funds are available.

(2) PROGRAM AND EMPLOYER COORDINATION. A Wisconsin Works agency shall do all of the following:

\*\*\*NOTE: The paragraphs in this subsection come from s. 49.149.

SECTION 44. 49.147 of the statutes is repealed and recreated to read:

**49.147 Wisconsin Works; transitional subsidized private sector jobs.**

(1) JOB OFFERS. (a) Subject to pars. (b) and (c), an individual who applies for a Wisconsin Works employment position and who meets the eligibility requirements under s. 49.145 shall be offered a transitional subsidized private sector job at a

for average for payment

1 reasonably accessible location with one or more employers selected under s. 49.146  
2 (2).

3 (b) Job offers under par. (a) shall be limited by the number of employers selected  
4 under s. 49.146 (2) and the number and types of employment positions available with  
5 each employer, as provided in the employer's contract with the department. If the  
6 number of participants exceeds, or the department determines that the number of  
7 participants will exceed, the number of transitional subsidized private sector jobs  
8 available, the department may do any of the following:

- 9 1. Create waiting lists of participants.
- 10 2. By rule modify program requirements for new participants so as to manage
- 11 the anticipated caseload within existing resources.

12 (c) If the department creates waiting lists under par. (b) 1., the department  
13 shall <sup>arrange for</sup> ~~offer~~ transitional subsidized private sector jobs <sup>be offered to</sup> to participants on waiting lists  
14 in the following order of priority:

15 1. ~~Except as provided in subd. 4. and~~ <sup>par. (d) and</sup> subject to s. 49.152 (3) (a), custodial  
16 parents, in order of priority based on income, giving the highest priority to custodial  
17 parents with the lowest incomes.

18 2. ~~Except as provided in subd. 4. and~~ <sup>par. (d) and</sup> subject to s. 49.152 (3) (a), noncustodial  
19 parents, in order of priority based on income, giving the highest priority to  
20 noncustodial parents with the lowest incomes.

21 3. ~~Except as provided in subd. 4. and~~ <sup>par. (d) and</sup> subject to s. 49.152 (3) (a), participants  
22 not specified under subds. 1. and 2., in order of priority based on income, giving the  
23 highest priority to participants with the lowest incomes.

24 4. Subject to s. 49.152 (3) (a), any participant who was terminated from  
25 employment in a transitional subsidized private sector job under sub. (3) (a) <sup>or</sup> (5)

Subpart 12-3

(g) and who reapplies for participation in a Wisconsin Works employment position after meeting the unsubsidized employment search requirement under s. 49.145 (2).

(h)

(2) JOBS DESCRIPTION. (a) To the extent possible, each transitional subsidized

private sector job shall be designed by the employer, in consultation with the

department, to meet the needs and fit the abilities of the participant to whom the job

is offered. Each transitional subsidized private sector job shall involve the

performance of useful work that benefits the community. Employers offering

transitional subsidized private sector jobs and the department shall consult with

labor unions representing public sector employees on the design of transitional

subsidized private sector jobs

to ensure compliance with s. 49.141(5)

(b) ~~Notwithstanding par. (a)~~ the department may design transitional

subsidized private sector jobs that do any of the following:

or in other supported employment

1. Allow a participant to work in a sheltered workshop, as defined in s. 104.01

(6) if the department determines that the participant is unlikely to be able to obtain or retain employment at a minimum wage.

highly

2. Allow a participant to care for a disabled child or other relative of the participant

severely if the department determines that such an arrangement would be cost-effective for taxpayers

(c) Unless a different number of hours is recommended on a case-by-case basis

by the Wisconsin Works agency in accordance with guidelines established by the

department, each transitional subsidized private sector job shall provide at least 25

hours, but not more than 30 hours, of work per week to allow a participant time to

continue to search for unsubsidized employment, as required under sub. (5).

(3) EMPLOYER-EMPLOYEE RELATIONSHIP AND WAGES. (a) Except as otherwise

provided in this section or in a contract between the department and the employer,

Wisconsin Works agency and the

1 a participant who accepts a transitional subsidized private sector job with an  
 2 employer selected under s. 49.146 (2) is an employee of that employer for all purposes  
 3 and in all respects. The participant shall be supervised in the same manner as the  
 4 employer's other employees, shall be covered under the employer's worker's  
 5 compensation coverage, and shall receive his or her paycheck in the same manner  
 6 as the other employees, with appropriate payroll deductions. A participant working  
 7 in a transitional subsidized private sector job may be terminated from employment  
 8 by the employer, in accordance with guidelines established by the department, for  
 9 misconduct, failure to perform work satisfactorily, or repeated unexcused absences  
 10 from work. A participant who believes that he or she has been wrongfully terminated  
 11 under this subsection from a transitional subsidized private sector job may appeal  
 12 the termination to the department.

13 (13) Each participant working in a transitional subsidized private sector job  
 14 shall be paid by the employer at the prevailing federal minimum wage for hours  
 15 actually worked.

16 (4) PARTICIPATION LIMITS AND REQUIREMENTS. (a) A participant under this section  
 17 may be employed in any one transitional subsidized private sector job for a maximum  
 18 of 6 months, unless granted an extension by the Wisconsin Works agency. Subject  
 19 to the limit in par. (b), a participant may be employed in more than one transitional  
 20 subsidized private sector job, but must reapply to participate after his or her  
 21 ~~eligibility for~~ employment in <sup>a prior</sup> transitional subsidized private sector job  
 22 terminates and must satisfy the unsubsidized employment search requirement  
 23 under s. 49.145 (2) (h) ~~before each reapplication~~.

24 (b) A participant's employment under this section may not exceed a total of 24  
 25 months, which need not be consecutive. The department or, with the approval of the

any of the following applies: fl.

is employed under sub. (2)(b)  
1. or 2. A 2. The participant

1 department, the Wisconsin Works agency may grant an extension of the 24-month  
2 limit on a case-by-case basis if the participant has made all appropriate search  
3 efforts but has been unable to find unsubsidized employment because local labor  
4 market conditions preclude a reasonable job opportunity for that participant, as  
5 determined by a Wisconsin Works agency and approved by the department.

6 (5) UNSUBSIDIZED EMPLOYMENT SEARCH. (a) Except as provided in par. (b), and  
7 except for any time during which the participant is pursuing education or training  
8 under sub. (6), a participant in a Wisconsin Works employment position shall search  
9 for unsubsidized employment throughout his or her participation, including any  
10 time during which the participant is on a waiting list under sub. (1) (c). The  
11 Wisconsin Works agency shall determine, in accordance with guidelines established  
12 by the department, the number of hours that a participant should reasonably spend  
13 searching for unsubsidized employment and shall assist the participant in his or her  
14 search. The department shall define by rule satisfactory search efforts for  
15 unsubsidized employment.

16 (b) A Wisconsin Works agency may grant a participant an exception to the  
17 requirement under par. (a) if the Wisconsin Works agency determines, in accordance  
18 with guidelines established by the department, that ~~the participant~~  
19 ~~will be able to obtain unsubsidized employment.~~

20 (c) If the Wisconsin Works agency determines that a participant working in a  
21 transitional subsidized private sector job is not making satisfactory or good faith  
22 efforts to seek unsubsidized employment, the participant shall be terminated from  
23 his or her employment in the transitional subsidized private sector job. A participant  
24 who believes that he or she has been wrongfully terminated under this subsection  
25 may appeal the termination to the department.

Insert 14-17 ✓

Insert 14-19 ✓

Insert 14-22 ✓

paragraph ✓

NOTE

✓, in consultation with the employer,

1 (6) EDUCATION OR TRAINING SUBSTITUTION. (a) If a participant has been employed  
2 in a transitional subsidized private sector job for at least 2 weeks and the employer  
3 determines that the participant's work performance has been satisfactory, the  
4 participant and the Wisconsin Works agency ~~may agree to substitute for a portion~~  
5 ~~of the participant's work hours and wages, an education or training program~~ under  
6 which all of the following occur: ↑ keep

7 1. The participant enrolls in an education or training program that the  
8 participant and Wisconsin Works agency agree has a high probability of enabling the  
9 participant to acquire skills ~~necessary for~~ <sup>leading to</sup> unsubsidized employment.

10 2. The participant's work hours in the transitional subsidized private sector job  
11 are reduced to <sup>between</sup> 15 <sup>and 20</sup> hours per week.

12 3. The Wisconsin Works agency pays the participant a stipend equal to 90% of  
13 the wages that the participant would have earned in the transitional subsidized  
14 private sector job if his or her hours had not been reduced.

15 (b) A stipend under par. (a) 3. <sup>✓</sup> may not be paid for longer than 3 months, unless  
16 the Wisconsin Works agency recommends a longer period in accordance with  
17 guidelines established by the department. In no case, however, may the stipend be  
18 paid after the participant's ~~eligibility for~~ employment in the transitional subsidized  
19 private sector job terminates under sub. (4)

20 SECTION 45. 49.1471 of the statutes is created to read:

21 49.1471 Wisconsin Works; job access loans. (1) ADDITIONAL ELIGIBILITY  
22 CRITERIA. An individual is eligible to receive a job access loan if, in addition to meeting  
23 the eligibility requirements under s. 49.145, the individual meets all of the following  
24 conditions:

enter into an agreement

1           (a) The individual needs the loan to address an immediate and discrete  
2 financial crisis. The crisis may not be the result of the individual's failure to accept  
3 a bona fide offer of employment or the individual's termination of a job without good  
4 cause.

5           (b) The individual needs the loan to obtain or continue employment.  
6 Fulfillment of this requirement includes a loan that is needed to repair or purchase  
7 a vehicle that is needed to obtain or continue employment.

8           (c) The individual is not in default with respect to the repayment of any  
9 previous job access loan or repayment of any grant or wage overpayments under the  
10 Wisconsin Works program.

11           (d) The individual is not a migrant worker.

12           (2) TERMS. The department shall promulgate rules establishing the terms of  
13 any job access loan, including all of the following:

14           (a) The maximum and minimum loan amounts in any 12-month period.

15           (b) The method of loan disbursement.

16           (c) The terms and conditions of repayment. The rules promulgated under this  
17 paragraph shall provide for repayment by performance of in-kind services. The  
18 rules shall establish criteria that the Wisconsin Works agency shall use to approve  
19 in-kind repayment of loans.

20           (3) DISTRIBUTION AND ADMINISTRATION. From the appropriations under s. 20.445  
21 (3) (e), (jL), and (md), the department shall distribute funds for job access loans to  
22 a Wisconsin Works agency, which shall administer the loans in accordance with rules  
23 promulgated by the department.



1 (4) MINOR CUSTODIAL PARENTS. An individual who would be eligible for a job  
2 access loan under sub. (1), except that the individual has not attained the age of 18,  
3 is eligible under this subsection if the individual meets the following requirements:

4 (a) The individual is in an out-of-home placement or independent living  
5 arrangement supervised by an adult, as defined by the department.

6 (b) The individual has graduated from high school or has met the standards  
7 established by the state superintendent of public instruction for the granting of a  
8 declaration of equivalency of high school graduation under s. 115.29 (4).

9 (c) The individual will be 18 years old within 2 months after applying for the  
10 job access loan.

11 SECTION 46. 49.148 (title) of the statutes is amended to read:

12 49.148 (title) ~~Wisconsin works; wages and~~ Works; custodial parent  
13 benefits.

14 SECTION 47. 49.148 (1) of the statutes is repealed.

15 SECTION 48. 49.148 (1m) (title) of the statutes is repealed.

16 SECTION 49. 49.148 (1m) (a) of the statutes is renumbered 49.148 (1c) and  
17 amended to read:

18 49.148 (1c) MONTHLY GRANT. A person who meets the eligibility requirements

19 under s. 49.145 (2) and (3) and who is a custodial parent of a child who is 12 weeks *plain*

20 ~~6 months~~ old or less and who meets the eligibility requirements under s. 49.145 (2)

21 and (3) may receive a monthly grant of \$673 unless another adult member of the  
22 custodial parent's Wisconsin works Works group is participating in, or is eligible to  
23 participate in, a Wisconsin works Works employment position or is employed in  
24 unsubsidized employment, as defined in s. 49.147 (1) (e). A Wisconsin works Works

a Wisconsin Works

1 agency may not require a participant under this subsection section to participate in  
2 ~~any employment positions~~ position

3 (2) PARTICIPATION EQUIVALENTS. (a) Receipt of a grant under this subsection  
4 section does not constitute participation in a Wisconsin works Works employment  
5 position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (e), (4) (b)  
6 or (5) (b) 2. (4) if the child is born to the participant not more than 10 months after  
7 the date that the participant was first determined to be eligible for assistance under  
8 s. 49.19 or for a Wisconsin works Works employment position.

9 SECTION 50. 49.148 (1m) (b) of the statutes is renumbered 49.148 (2) (b) and  
10 amended to read:

11 49.148 (2) (b) Receipt of a grant under this subsection section constitutes  
12 participation in a Wisconsin works Works employment position for purposes of the  
13 time limits under ss. 49.145 (2) (n) and 49.147 (3) (e), (4) (b) or (5) (b) 2. (4) if the child  
14 is born to the participant more than 10 months after the date that the participant  
15 was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin  
16 works Works employment position unless the child was conceived as a result of a  
17 sexual assault in violation of s. 940.225 (1), (2), or (3) in which the mother did not  
18 indicate a freely given agreement to have sexual intercourse or of incest in violation  
19 of s. 944.06 or 948.06 and that incest or sexual assault has been reported to a  
20 physician and to law enforcement authorities.

21 SECTION 51. 49.148 (3) of the statutes is created to read:

22 49.148 (3) FAMILY FUNCTIONING ACTIVITIES. A person who is eligible for a grant  
23 under this section and who is a custodial parent of a child who is at least 6 weeks old  
24 but not more than 6 months old shall participate in activities related to family  
25 functioning that are recommended by the Wisconsin Works agency. The activities

1 may include health screening for the child and instruction and training in family  
 2 formation, family planning, and parenting skills. The activities required under this  
 3 subsection may be provided through home visits and may be coordinated with  
 4 services provided by the department of health and family services, such as prenatal  
 5 care coordination services and services under the safe and stable families program.

6 SECTION 52. 49.148 (4) of the statutes is renumbered 49.147 (7) and amended  
 7 to read:

8 49.147 (7) DRUG TESTING. (a) A Wisconsin works Works agency shall require  
 9 a participant in a ~~community service job or transitional placement~~ transitional  
 10 subsidized private sector job who, after August 22, 1996, was convicted in any state  
 11 or federal court of a felony that had as an element possession, use, or distribution of  
 12 a controlled substance to submit to a test for use of a controlled substance as a  
 13 condition of continued eligibility. If the test results are positive, the Wisconsin works  
 14 Works agency shall decrease the ~~presanction benefit amount for~~ the that participant by  
 15 up to ~~not more than~~ 15% for not fewer than 12 months, or for the remainder of the  
 16 participant's period of participation in a ~~community service job or transitional~~  
 17 ~~placement~~ if less than 12 months. If, at the end of 12 months, the individual is still  
 18 a participant in a ~~community service job or transitional placement~~ and submits to  
 19 another test for use of a controlled substance and if the results of the test are  
 20 negative, the Wisconsin works Works agency shall discontinue the reduction of work hours under  
 21 this paragraph.

\*\*\*NOTE: How should this be modified since there is no longer a benefit to reduce?

22 (b) The Wisconsin works Works agency may require an individual who tests  
 23 positive for use of a controlled substance under par. (a) to participate in a drug abuse

subsidized private sector jobs

number of hours  
may work

~~part~~ of plain

1

evaluation, assessment, and treatment program ~~as~~ part of the participation

2

requirement under s. 49.147 (4) (as) or (5) (bs). → a condition of employment

3

(c) Paragraph (a) does not apply if the participant was convicted more than 5

4

years prior to the date on which the participant applied or reapplied for a Wisconsin

5

works Works employment position.

6

SECTION 53. 49.149 (intro.) of the statutes is repealed.

7

SECTION 54. 49.149 (1) of the statutes is renumbered 49.1465 (2) (a).

8

SECTION 55. 49.149 (3) of the statutes is renumbered 49.1465 (2) (b).

9

SECTION 56. 49.149 (4) of the statutes is renumbered 49.1465 (2) (c).

10

SECTION 57. 49.15 (3) (a) of the statutes is amended to read:

11

49.15 (3) (a) Unsubsidized employment, ~~as defined in s. 49.147 (1) (e).~~

→

~~\*\*\*NOTE: Awaiting further instructions on s 49.15.~~

12

SECTION 58. 49.151 of the statutes is repealed.

13

SECTION 59. 49.152 (1) of the statutes is amended to read:

14

49.152 (1) PETITION FOR REVIEW. Any individual whose application for any

15

component of Wisconsin works Works is not acted upon by the Wisconsin works

16

Works agency with reasonable promptness after the filing of the application, as

17

defined by the department by rule, or is denied in whole or in part, whose benefit,

18

wage, or stipend is modified or canceled, or who believes that the benefit, wage, or

19

stipend was calculated incorrectly or that the Wisconsin Works employment position

20

in which the individual was placed or which the individual was offered is

21

inappropriate, may petition the Wisconsin works Works agency for a review of such

22

action. Review is unavailable if the action by the Wisconsin works Works agency

23

occurred more than 45 days prior to submission of the petition for review.

24

SECTION 60. 49.152 (3) (a) of the statutes is amended to read:

1           49.152 (3) (a) If, following review under sub. (2), the Wisconsin ~~works~~ Works  
2 agency or the department determines that an individual, whose application for a  
3 Wisconsin ~~works~~ Works employment position was denied based on eligibility, was in  
4 fact eligible, or that the individual was placed in or offered an inappropriate  
5 Wisconsin ~~works~~ Works employment position, the Wisconsin ~~works~~ Works agency  
6 shall ~~place~~ offer the individual in the first available Wisconsin ~~works~~ Works  
7 employment position that is appropriate for that individual, as determined by the  
8 Wisconsin ~~works~~ Works agency or the department. ~~An individual who is placed in~~  
9 ~~a Wisconsin works employment position under this paragraph is eligible for the~~  
10 ~~benefit for that position under s. 49.148 beginning on the date on which the~~  
11 ~~individual begins participation under s. 49.147.~~

12           **SECTION 61.** 49.152 (3) (b) of the statutes is amended to read:

13           49.152 (3) (b) If, following review under sub. (2), the Wisconsin ~~works~~ Works  
14 agency or the department determines that a participant's benefit, wage, or stipend  
15 was improperly modified or canceled, or was calculated incorrectly, the Wisconsin  
16 ~~works~~ Works agency shall restore the benefit, wage, or stipend to the level  
17 determined to be appropriate by the Wisconsin ~~works~~ Works agency or by the  
18 department retroactive to the date on which the benefit, wage, or stipend was first  
19 improperly modified or canceled or incorrectly calculated.

20           **SECTION 62.** 49.155 (1m) (a) 3. of the statutes is amended to read:

21           49.155 (1m) (a) 3. Work in a Wisconsin ~~works~~ Works employment position,  
22 including participation in job search, ~~orientation and training~~ activities under s.  
23 49.147 (2) (a) (5) and in education or training activities under s. 49.1465 or 49.147  
24 (3) (am), (4) (am) or (5) (bm) (6).

25           **SECTION 63.** 49.155 (1m) (a) 3. of the statutes is amended to read:

1           49.155 (1m) (a) 3. Work in a Wisconsin ~~works~~ Works employment position,  
2 including participation in job search, ~~orientation and training~~ activities under s.  
3 49.147 (2) ~~(a)~~ (5) and in education or training activities under s. 49.1465 or 49.147  
4 (3) ~~(am)~~, (4) ~~(am)~~ or (5) ~~(bm)~~ (6).

5           **SECTION 64.** 49.159 of the statutes is repealed.

6           **SECTION 65.** 49.173 of the statutes is repealed.

7           **SECTION 66.** 49.175 (1) (n) of the statutes is amended to read:

8           49.175 (1) (n) *Job access loans.* For job access loans under s. ~~49.147 (6)~~ 49.1471,  
9 \$600,000 in each fiscal year.

10          **SECTION 67.** 49.175 (1) (u) of the statutes is repealed.

11          **SECTION 68.** 49.179 of the statutes is repealed.

12          **SECTION 69.** 49.26 (1) (e) of the statutes is amended to read:

13          49.26 (1) (e) For an individual who is a recipient of aid under s. 49.19, or whose  
14 custodial parent is a participant under s. 49.147 ~~(3) to (5)~~, who is the parent with  
15 whom a dependent child lives and who is subject to the school attendance  
16 requirement under par. (ge), the department shall make a monthly payment to the  
17 individual or the child care provider for the month's child care costs in an amount  
18 based on need with the maximum amount per child equal to the lesser of the actual  
19 cost of the care or the rate established under s. 49.155 (6) if the individual  
20 demonstrates the need to purchase child care services in order to attend school and  
21 those services are available from a child care provider.

22          **SECTION 70.** 49.26 (1) (g) (intro.) of the statutes is amended to read:

23          49.26 (1) (g) (intro.) An individual who is a dependent child in a Wisconsin  
24 ~~works~~ Works group that includes a participant under s. 49.147 (3), (4) or (5) or who

Insert 22-5

Insert 22-11

1 is a recipient of aid under s. 49.19 is subject to the school attendance requirement  
2 under par. (ge) if all of the following apply:

3 SECTION 71. 49.26 (1) (h) 1s. b. of the statutes is amended to read:

4 49.26 (1) (h) 1s. b. An individual who is a dependent child in a Wisconsin works  
5 Works group that includes a participant under s. 49.147 (3), (4) or (5) and who fails  
6 to meet the school attendance requirement under par. (ge) is subject to a monthly  
7 sanction.

8 SECTION 72. 49.26 (1) (hm) of the statutes is amended to read:

9 49.26 (1) (hm) The department may require consent to the release of school  
10 attendance records, under s. 118.125 (2) (e), as a condition of eligibility for benefits  
11 participation under s. 49.147 (3) to (5) or aid under s. 49.19.

Insert 23-12

12 ~~SECTION 73. 49.32 (4) of the statutes is repealed.~~

13 SECTION 74. 49.36 (2) of the statutes is amended to read:

14 49.36 (2) The department may contract with any county, tribal governing body,  
15 or Wisconsin works Works agency to administer a work experience and job training  
16 program for parents who are not custodial parents and who fail to pay child support  
17 or to meet their children's needs for support as a result of unemployment or  
18 underemployment. The program may provide the kinds of work experience and job  
19 training services available from the program under s. 49.193, 1997 stats., or s. 49.147  
20 (3) or, 2001 stats., s. 49.147 (4), 2001 stats., or s. 49.147. The program may also  
21 include job search and job orientation activities. The department shall fund the  
22 program from the appropriation under s. 20.445 (3) (dz).

Insert 23-22

23 SECTION 75. 49.96 of the statutes is amended to read:

24 49.96 Assistance ~~grants~~ <sup>grants</sup> exempt from levy. All grants of aid to families with  
25 dependent children, payments made under ss. s. 48.57 (3m) or (3n), 49.148 (1) (b) 1.

wages and stipends paid under s. 49.147,

Insert 24-4

1 or (e) or (1m) or 49.149 to 49.159, 49.155, or 49.157, payments made for social  
2 services, cash benefits paid by counties under s. 59.53 (21), and benefits under s.  
3 49.77 or federal Title XVI, are exempt from every tax, and from execution,  
4 garnishment, attachment, and every other process and shall be inalienable.

5 SECTION 76. 71.07 (2dj) (am) 4h. of the statutes is amended to read:

6 71.07 (2dj) (am) 4h. Modify section 51 (a) of the internal revenue code so that  
7 the amount of the credit is 25% of the qualified first-year wages if the wages are paid  
8 to an applicant for a Wisconsin works Works employment position for service either  
9 in an unsubsidized position or in a trial job under s. 49.147 (3), 2001 stats., and so  
10 that the amount of the credit is 20% of the qualified first-year wages if the wages are  
11 not paid to such an applicant.

12 SECTION 77. 71.07 (2dx) (a) 5. of the statutes is amended to read:

13 71.07 (2dx) (a) 5. "Member of a targeted group" means a person who resides  
14 in an empowerment zone, or an enterprise community, that the U.S. government  
15 designates, a person who is employed in an unsubsidized job but meets the eligibility  
16 requirements under s. 49.145 (2) and (3) for a Wisconsin works Works employment  
17 position, ~~a person who is employed in a trial job, as defined in s. 49.141 (1) (n),~~ a  
18 person who is eligible for child care assistance under s. 49.155, a person who is a  
19 vocational rehabilitation referral, an economically disadvantaged youth, an  
20 economically disadvantaged veteran, a supplemental security income recipient, a  
21 general assistance recipient, an economically disadvantaged ex-convict, a qualified  
22 summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as  
23 defined in 29 USC 2801 (9), or a food stamp recipient; if the person has been certified  
24 in the manner under sub. (2dj) (am) 3. by a designated local agency, as defined in sub.  
25 (2dj) (am) 2.



1           **SECTION 78.** 71.07 (2dx) (b) 2. of the statutes is amended to read:

2           71.07 (2dx) (b) 2. The amount determined by multiplying the amount  
3 determined under s. 560.785 (1) (b) by the number of full-time jobs created in a  
4 development zone and filled by a member of a targeted group and by then subtracting  
5 the subsidies paid under s. 49.147 (3) (a) for those jobs.

6           **SECTION 79.** 71.07 (2dx) (b) 3. of the statutes is amended to read:

7           71.07 (2dx) (b) 3. The amount determined by multiplying the amount  
8 determined under s. 560.785 (1) (c) by the number of full-time jobs created in a  
9 development zone and not filled by a member of a targeted group and by then  
10 subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

11           **SECTION 80.** 71.07 (2dx) (b) 4. of the statutes is amended to read:

12           71.07 (2dx) (b) 4. The amount determined by multiplying the amount  
13 determined under s. 560.785 (1) (bm) by the number of full-time jobs retained, as  
14 provided in the rules under s. 560.785, excluding jobs for which a credit has been  
15 claimed under sub. (2dj), in an enterprise development zone under s. 560.797 and for  
16 which significant capital investment was made and by then subtracting the  
17 subsidies paid under s. 49.147 (3) (a) for those jobs.

18           **SECTION 81.** 71.07 (2dx) (b) 5. of the statutes is amended to read:

19           71.07 (2dx) (b) 5. The amount determined by multiplying the amount  
20 determined under s. 560.785 (1) (c) by the number of full-time jobs retained, as  
21 provided in the rules under s. 560.785, excluding jobs for which a credit has been  
22 claimed under sub. (2dj), in a development zone and not filled by a member of a  
23 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) for  
24 those jobs.

25           **SECTION 82.** 71.28 (1dj) (am) 4h. of the statutes is amended to read:

1           71.28 (1dj) (am) 4h. Modify section 51 (a) of the internal revenue code so that  
2 the amount of the credit is 25% of the qualified first-year wages if the wages are paid  
3 to an applicant for a Wisconsin works Works employment position for service either  
4 in an unsubsidized position or in a trial job under s. 49.147 (3), 2001 stats., and so  
5 that the amount of the credit is 20% of the qualified first-year wages if the wages are  
6 not paid to such an applicant.

7           **SECTION 83.** 71.28 (1dx) (a) 5. of the statutes is amended to read:

8           71.28 (1dx) (a) 5. “Member of a targeted group” means a person who resides  
9 in an empowerment zone, or an enterprise community, that the U.S. government  
10 designates, a person who is employed in an unsubsidized job but meets the eligibility  
11 requirements under s. 49.145 (2) and (3) for a Wisconsin works Works employment  
12 position, ~~a person who is employed in a trial job, as defined in s. 49.141 (1) (n), a~~  
13 ~~person who is eligible for child care assistance under s. 49.155, a person who is a~~  
14 ~~vocational rehabilitation referral, an economically disadvantaged youth, an~~  
15 ~~economically disadvantaged veteran, a supplemental security income recipient, a~~  
16 ~~general assistance recipient, an economically disadvantaged ex-convict, a qualified~~  
17 ~~summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as~~  
18 ~~defined in 29 USC 2801 (9), or a food stamp recipient; if the person has been certified~~  
19 ~~in the manner under sub. (1dj) (am) 3. by a designated local agency, as defined in sub.~~  
20 (1dj) (am) 2.

21           **SECTION 84.** 71.28 (1dx) (b) 2. of the statutes is amended to read:

22           71.28 (1dx) (b) 2. The amount determined by multiplying the amount  
23 determined under s. 560.785 (1) (b) by the number of full-time jobs created in a  
24 development zone and filled by a member of a targeted group ~~and by then subtracting~~  
25 ~~the subsidies paid under s. 49.147 (3) (a) for those jobs.~~

1           **SECTION 85.** 71.28 (1dx) (b) 3. of the statutes is amended to read:

2           71.28 (1dx) (b) 3. The amount determined by multiplying the amount  
3 determined under s. 560.785 (1) (c) by the number of full-time jobs created in a  
4 development zone and not filled by a member of a targeted group ~~and by then~~  
5 ~~subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.~~

6           **SECTION 86.** 71.28 (1dx) (b) 4. of the statutes is amended to read:

7           71.28 (1dx) (b) 4. The amount determined by multiplying the amount  
8 determined under s. 560.785 (1) (bm) by the number of full-time jobs retained, as  
9 provided in the rules under s. 560.785, excluding jobs for which a credit has been  
10 claimed under sub. (1dj), in an enterprise development zone under s. 560.797 and for  
11 which significant capital investment was made ~~and by then subtracting the~~  
12 ~~subsidies paid under s. 49.147 (3) (a) for those jobs.~~

13           **SECTION 87.** 71.28 (1dx) (b) 5. of the statutes is amended to read:

14           71.28 (1dx) (b) 5. The amount determined by multiplying the amount  
15 determined under s. 560.785 (1) (c) by the number of full-time jobs retained, as  
16 provided in the rules under s. 560.785, excluding jobs for which a credit has been  
17 claimed under sub. (1dj), in a development zone and not filled by a member of a  
18 targeted group ~~and by then subtracting the subsidies paid under s. 49.147 (3) (a) for~~  
19 ~~those jobs.~~

20           **SECTION 88.** 71.47 (1dj) (am) 4h. of the statutes is amended to read:

21           71.47 (1dj) (am) 4h. Modify section 51 (a) of the internal revenue code so that  
22 the amount of the credit is 25% of the qualified first-year wages if the wages are paid  
23 to an applicant for a Wisconsin ~~works~~ Works employment position for service either  
24 in an unsubsidized position or in a trial job under s. 49.147 (3), 2001 stats., and so

1 that the amount of the credit is 20% of the qualified first-year wages if the wages are  
2 not paid to such an applicant.

3 **SECTION 89.** 71.47 (1dx) (a) 5. of the statutes is amended to read:

4 71.47 (1dx) (a) 5. “Member of a targeted group” means a person who resides  
5 in an empowerment zone, or an enterprise community, that the U.S. government  
6 designates, a person who is employed in an unsubsidized job but meets the eligibility  
7 requirements under s. 49.145 (2) and (3) for a Wisconsin works Works employment  
8 position, ~~a person who is employed in a trial job, as defined in s. 49.141 (1) (n), a~~  
9 person who is eligible for child care assistance under s. 49.155, a person who is a  
10 vocational rehabilitation referral, an economically disadvantaged youth, an  
11 economically disadvantaged veteran, a supplemental security income recipient, a  
12 general assistance recipient, an economically disadvantaged ex-convict, a qualified  
13 summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as  
14 defined in 29 USC 2801 (9), or a food stamp recipient; if the person has been certified  
15 in the manner under sub. (1dj) (am) 3. by a designated local agency, as defined in sub.  
16 (1dj) (am) 2.

17 **SECTION 90.** 71.47 (1dx) (b) 2. of the statutes is amended to read:

18 71.47 (1dx) (b) 2. The amount determined by multiplying the amount  
19 determined under s. 560.785 (1) (b) by the number of full-time jobs created in a  
20 development zone and filled by a member of a targeted group ~~and by then subtracting~~  
21 ~~the subsidies paid under s. 49.147 (3) (a) for those jobs.~~

22 **SECTION 91.** 71.47 (1dx) (b) 3. of the statutes is amended to read:

23 71.47 (1dx) (b) 3. The amount determined by multiplying the amount  
24 determined under s. 560.785 (1) (c) by the number of full-time jobs created in a

1 development zone and not filled by a member of a targeted group ~~and by then~~  
2 ~~subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.~~

3 **SECTION 92.** 71.47 (1dx) (b) 4. of the statutes is amended to read:

4 71.47 (1dx) (b) 4. The amount determined by multiplying the amount  
5 determined under s. 560.785 (1) (bm) by the number of full-time jobs retained, as  
6 provided in the rules under s. 560.785, excluding jobs for which a credit has been  
7 claimed under sub. (1dj), in an enterprise development zone under s. 560.797 and for  
8 which significant capital investment was made ~~and by then subtracting the~~  
9 ~~subsidies paid under s. 49.147 (3) (a) for those jobs.~~

10 **SECTION 93.** 71.47 (1dx) (b) 5. of the statutes is amended to read:

11 71.47 (1dx) (b) 5. The amount determined by multiplying the amount  
12 determined under s. 560.785 (1) (c) by the number of full-time jobs retained, as  
13 provided in the rules under s. 560.785, excluding jobs for which a credit has been  
14 claimed under sub. (1dj), in a development zone and not filled by a member of a  
15 targeted group ~~and by then subtracting the subsidies paid under s. 49.147 (3) (a) for~~  
16 ~~those jobs.~~

17 **SECTION 94.** 71.54 (2) (a) (intro.) of the statutes is amended to read:

18 71.54 (2) (a) (intro.) Property taxes accrued or rent constituting property taxes  
19 accrued shall be reduced by one-twelfth for each month or portion of a month for  
20 which the claimant received relief from any county under s. 59.53 (21) equal to or in  
21 excess of \$400, participated in Wisconsin works Works under s. 49.147 (4) ~~or (5) or~~  
22 ~~49.148 (1m),~~ or received assistance under s. 49.19, except assistance received:

23 **SECTION 95.** 102.07 (17m) of the statutes is amended to read:

1           102.07 (17m) A participant in a ~~trial~~ transitional subsidized private sector job  
2 under s. 49.147 (3) is an employee of any employer under this chapter for whom the  
3 participant is performing service at the time of the injury.

4           **SECTION 96.** 102.07 (18) of the statutes is repealed.

5           **SECTION 97.** 102.29 (8m) of the statutes is amended to read:

6           102.29 (8m) No participant in a community service job under s. 49.147 (4), 2001  
7 stats., or a transitional placement under s. 49.147 (5), 2001 stats., who, under s.  
8 49.147 (4) (c), 2001 stats., or s. 49.147 (5) (c), 2001 stats., is provided worker's  
9 compensation coverage by a Wisconsin ~~works~~ Works agency, as defined under s.  
10 49.001 (9), and who makes a claim for compensation under this chapter may make  
11 a claim or maintain an action in tort against the employer who provided the  
12 community service job or transitional placement from which the claim arose.

13           **SECTION 98.** 115.347 (2) of the statutes is amended to read:

14           115.347 (2) Whenever a school district that is located in whole or in part in a  
15 county that has converted to the client assistance for reemployment and economic  
16 support data system submits a report under sub. (1) in the prescribed format, the  
17 department of workforce development shall determine which children enrolled in the  
18 school district are members of Wisconsin ~~works~~ Works groups participating under  
19 s. 49.147 (3) ~~to~~ (5) or of families receiving aid to families with dependent children or  
20 food stamps and shall provide the information to the school board as soon thereafter  
21 as possible. The school board shall use the information to directly certify children  
22 as eligible for free or reduced-price meals served by the school district under federal  
23 school nutrition programs, pursuant to 42 USC 1758 (b) (2) (C) (ii) and (iii).

24           **SECTION 99.** 115.45 (3m) (a) 2. of the statutes is amended to read:

1 115.45 (3m) (a) 2. "Low-income pupil" means a pupil for whom aid to families  
2 with dependent children is being received under s. 49.19 or a pupil who is a member  
3 of a Wisconsin ~~works~~ Works group, as defined in s. 49.141 (1) (s), with a member who  
4 is participating in Wisconsin ~~works~~ Works under s. 49.147 (3) to (5).

5 SECTION 100. 119.82 (1) (a) 2. of the statutes is amended to read:

6 119.82 (1) (a) 2. Is receiving aid to families with dependent children under s.  
7 49.19 or is a member of a Wisconsin ~~works~~ Works group, as defined in s. 49.141 (1)  
8 (s), with a member who is participating in Wisconsin ~~works~~ Works under s. 49.147  
9 (3) to (5).

10 SECTION 101. 120.13 (27m) of the statutes is amended to read:

11 120.13 (27m) TRANSPORTATION OF INDIGENT PUPILS. Provide transportation to  
12 and from school for indigent pupils who reside in the school district and who are not  
13 required to be transported under s. 121.54. In this subsection, "indigent pupils"  
14 means pupils who are eligible for free lunches or reduced-price lunches under 42  
15 USC 1758 or who are members of a Wisconsin ~~works~~ Works group, as defined in s.  
16 49.141 (1) (s), with a member who is participating in Wisconsin ~~works~~ Works under  
17 s. 49.147 (3) to (5) or any combination thereof, as determined by the school board.  
18 If a school board determines to provide transportation under this subsection, there  
19 shall be reasonable uniformity in the transportation furnished such pupils whether  
20 they attend public or private schools. The cost of transporting pupils under this  
21 subsection may not be included in the school district's shared cost under s. 121.07 (6)

22 (a).

23 SECTION 102. 230.04 (13) of the statutes is repealed.

24 SECTION 103. 230.147 of the statutes is repealed.

25 SECTION 104. 767.47 (6) (a) of the statutes is amended to read:

Insert 31-22

Insert 31-24 ✓





2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1256/P2ins  
PJK:jds

INSERT 3-18

Works ✓

1 SECTION 1. 49.13 (2) (cm) of the statutes is amended to read:  
2 49.13 (2) (cm) The amount of food stamp benefits paid to a recipient who is a  
3 participant in a Wisconsin ~~works~~ employment position under s. 49.147 (4) or (5) shall  
4 be calculated based on the ~~pre-sanction benefit amount received s. 49.148~~  
5 participant's gross wages and stipend, if any, under s. 49.147, ~~including age~~  
6 ~~16666666~~ under s. 49.147 (7), if relevant. as reduced

History: 2001 a. 16 ss. 1656ui, 1656tjm to 1656tp, 1656uu.

(END OF INSERT 3-18)

INSERT 7-2

7 SECTION 2. 49.143 (2) (bg) of the statutes is created to read:  
8 49.143 (2) (bg) In addition to providing job search assistance under s. 49.147  
9 (5) (a) to participants in Wisconsin Works employment positions, provide job search  
10 assistance, upon request, to participants on a waiting list under s. 49.147 (1) (b)1. and  
11 to custodial parents who are under the age of 18.

(END OF INSERT 7-2)

INSERT 8-17

12 SECTION 3. 49.145 (2) (i) of the statutes is amended to read:  
13 49.145 (2) (i) The individual is not receiving supplemental security income  
14 under 42 USC 1381 to 1383c or state supplemental payments under s. 49.77 and, if  
15 the individual is a dependent child, the custodial parent of the individual does not  
16 receive a payment on behalf of the individual under s. 49.775. The department may  
17 require an individual who receives wages or a stipend under s. 49.147 or benefits  
18 under s. 49.148 and who has applied for supplemental security income under 42 USC



INSERT 8-17 cont

1 1381 to 1383c to authorize the federal social security administration to reimburse the  
 2 department for the wages reimbursed on behalf of, or the stipend paid to, the  
 3 individual under s. 49.147 or the benefits paid to the individual under s. 49.148  
 4 during the period that the individual was entitled to supplemental security income  
 5 benefits to the extent that retroactive supplemental security income benefits are  
 6 made available to the individual.

History: 1995 a. 289; 1997 a. 27, 191, 237, 283; 1999 a. 9; 2001 a. 6.

7 SECTION 4. 49.145 (2) (s) of the statutes is amended to read:

8 49.145 (2) (s) The individual assigns to the state any right of the individual or  
 9 of any dependent child of the individual to support or maintenance from any other  
 10 person, including any right to amounts accruing during the time that any Wisconsin  
 11 ~~works~~ Works wages, stipend, or benefit is paid to the individual. If a minor who is  
 12 a beneficiary of any Wisconsin ~~works~~ Works wages, stipend, or benefit is also the  
 13 beneficiary of support under a judgment or order that includes support for one or  
 14 more children ~~not receiving a benefit who are not beneficiaries~~ under Wisconsin  
 15 ~~works~~ Works, any support payment made under the judgment or order is assigned  
 16 to the state during the period that the minor is a beneficiary of the Wisconsin ~~works~~  
 17 Works wages, stipend or benefit in the amount that is the proportionate share of the  
 18 minor ~~receiving the benefit who is the beneficiary~~ under Wisconsin ~~works~~ Works,  
 19 except as otherwise ordered by the court on the motion of a party. Amounts assigned  
 20 to the state under this paragraph remain assigned to the state until the amount due  
 21 to the federal government has been recovered. No amount of support that begins to  
 22 accrue after the individual ceases to receive the wages, stipend, or benefits under  
 23 Wisconsin ~~works~~ Works may be considered assigned to this state. Except as provided  
 24 in s. 49.1455, any money received by the department in a month under an



ins 8-17 cont.

1 assignment to the state under this paragraph for an individual applying for or  
 2 participating in Wisconsin ~~works~~ Works shall be paid to the individual applying for  
 3 or participating in Wisconsin ~~works~~ Works. The department shall pay the federal  
 4 share of support assigned under this paragraph as required under federal law or  
 5 waiver.

History: 1995 a. 289; 1997 a. 27, 191, 237, 283; 1999 a. 9; 2001 a. 16✓

6 **SECTION 5.** 49.145 (3) (b) 1. of the statutes is amended to read:

7 49.145 (3) (b) 1. All earned and unearned income of the individual, except any  
 8 amount received under section 32 of the Internal Revenue Code, as defined in s. 71.01  
 9 (6), any amount received under s. 71.07 (9e), any payment made by an employer  
 10 under section 3507 of the Internal Revenue Code, as defined in s. 71.01 (6), any  
 11 student financial aid received under any federal or state program, any scholarship  
 12 used for tuition and books, any wages or stipend received under s. 49.147✓, and any  
 13 assistance received under s. 49.148. In determining the earned and unearned  
 14 income of the individual, the Wisconsin works agency may not include income earned  
 15 by a dependent child of the individual.

History: 1995 a. 289; 1997 a. 27, 191, 237, 283; 1999 a. 9; 2001 a. 16.

(END OF INSERT 8-17)

**INSERT 9-16**

16 <sup>NOFI</sup> in moving participants employed by the employer under s. 49.147 ✓ into stable  
 17 unsubsidized employment ✓ as quickly as possible (NO FI)

(END OF INSERT 9-16)

**INSERT 12-3**



Ins. 12-3

1 (X) (d) The department may, if the department determines that it is appropriate,  
2 arrange for a transitional subsidized private sector job<sup>✓</sup> to be offered to a participant  
3 in a different priority from the priority set forth in par. (c). → 1. to 3<sup>✓</sup>

(END OF INSERT 12-3)

INSERT 13-6

4 wof<sup>1</sup> The department<sup>✓</sup> may require an employer to provide a sick leave benefit to a  
5 participant.

(END OF INSERT 13-6)

INSERT 14-17

6 wof<sup>1</sup> any of the following applies: ✓  
7 (X) 1. The participant is employed under sub. (2) (b) 1. or 2. ✓  
8 (X) 2. back to p. 14 (NO #)

(END OF INSERT 14-17)

INSERT 14-19

9 wof<sup>1</sup> has made all appropriate search efforts but has been unable to find  
10 unsubsidized employment because local labor market conditions preclude a  
11 reasonable job opportunity for that participant (NO #)

(END OF INSERT 14-19)

INSERT 14-22

12 wof<sup>1</sup> after having been given appropriate notice, as defined by the<sup>✓</sup> department, by  
13 the Wisconsin Works agency

(END OF INSERT 14-22)

INSERT 22-5

↓

June 22-5

1 SECTION 6. 49.161 (1) of the statutes is amended to read:

2 49.161 (1) ~~TRIAL JOBS WAGE, STIPEND, OR GRANT~~ OVERPAYMENTS. Notwithstanding  
3 s. 49.96, the department shall recover an overpayment of wages paid under s. 49.147  
4 (3) (c) from the individual who received the wages, an overpayment of a stipend paid  
5 under s. 49.147 (6) from the individual who received the stipend, and and  
6 overpayment of benefits paid under s. 49.148 (1) (a) from an the individual who  
7 receives received the benefits paid under s. 49.148 (1) (a). ~~The value of the benefit~~  
8 ~~liable for recovery under this subsection may not exceed the amount that the~~  
9 ~~department paid in wage subsidies with respect to that participant while the~~  
10 ~~participant was ineligible to participate.~~ <sup>plain</sup> The department shall promulgate rules  
11 establishing policies and procedures for ~~administering~~ this subsection.

administering

History: 1995 a. 289; 1997 a. 27; 1999 a. 9.

12 SECTION 7. 49.161 (2) of the statutes is repealed.

13 SECTION 8. 49.161 (3) (intro.) of the statutes is amended to read:

14 49.161 (3) OVERPAYMENTS CAUSED BY INTENTIONAL PROGRAM VIOLATIONS. (intro.)  
15 If an overpayment under sub. (1) ~~or (2)~~ is the result of an intentional violation of ss.  
16 49.141 to 49.161 or of rules promulgated by the department under those sections, the  
17 department shall recover the overpayment by deducting an amount from the stipend  
18 received under s. 49.147 (6) or the benefits received under s. 49.148 (1) (a), (b) or (c)  
19 or by directing the participant's employer to deduct an amount from the participant's  
20 wages paid under s. 49.147 (3) (c) until the overpayment is recovered. <sup>plain</sup> The amount  
21 to be deducted each month may not exceed the following:

History: 1995 a. 289; 1997 a. 27; 1999 a. 9.

22 SECTION 9. 49.161 (3) (a) of the statutes is amended to read:



1 49.161 (3) (a) For intentional program violations resulting in an overpayment  
2 that is less than \$300, 10% of the amount of the monthly stipend, wages, or benefit  
3 payment.

History: 1995 a. 289; 1997 a. 27; 1999 a. 9.

\*\*\*\*NOTE: Please review this section closely. You may want something different.  
The language under current law does not work real well for wages.

(END OF INSERT 22-5)

INSERT 22-11

4 SECTION 10. 49.195 (title) of the statutes is amended to read:

5 49.195 (title) Recovery of aid to families with dependent children and  
6 Wisconsin ~~works benefits~~ Works payments.

History: 1977 c. 29; 1981 c. 93, 317; 1983 a. 27; 1985 a. 29; 1985 a. 332 s. 251 (1); 1987 a. 27, 307; 1989 a. 31, 96, 173; 1993 a. 16; 1995 a. 27, 289; 1997 a. 27; 1999 a. 9, 185; 2001 a. 109.

7 SECTION 11. 49.195 (1) of the statutes is amended to read:

8 49.195 (1) If any parent individual at the time of receiving aid under s. 49.19

9 or a benefit under s. 49.148, 49.155, or 49.157 or at any time thereafter acquires

10 property by gift, inheritance, sale of assets, court judgment, or settlement of any

11 damage claim, or by winning a lottery or prize, the county granting such aid, or the

12 Wisconsin ~~works~~ Works agency granting such a benefit, may sue the parent on behalf

13 of the department to recover the value of that portion of the aid or of the, wages,

14 stipend, or benefit which that does not exceed the amount of the property so acquired.

15 The value of the aid, wages, stipend, or benefit liable for recovery under this section

16 may not include the value of work performed by a member of the family in a

17 community work experience program under s. 46.215 (1) (o), 1991 stats., s. 46.22 (1)

18 (b) 11., 1991 stats., or s. 49.50 (7j) (d), 1991 stats., or in a community work experience

19 component under s. 49.193 (6), 1997 stats. During the life of the parent the 10-year

20 statute of limitations may be pleaded in defense against any suit for recovery under

arranging for such wages or

wages or a stipend under s. 49.147

individual

INSERT 22-11  
CONT

1 this section; and if such property is his or her homestead it shall be exempt from  
 2 execution on the judgment of recovery until his or her death or sale of the property,  
 3 whichever occurs first. Notwithstanding the foregoing restrictions and limitations,  
 4 where if the aid, wage, stipend, or benefit recipient is deceased, a claim may be filed  
 5 against any property in his or her estate and the statute of limitations specified in  
 6 s. 859.02 shall be exclusively applicable. The court may refuse to render judgment  
 7 or allow the claim in any case where a parent, spouse, or child is dependent on the  
 8 property for support, and the court in rendering judgment shall take into account the  
 9 current family budget requirement as fixed by the U.S. department of labor for the  
 10 community or as fixed by the authorities of the community in charge of public  
 11 assistance. The records of aid, wages, stipend, or benefits paid kept by the county,  
 12 by the department, or by the Wisconsin ~~works~~ Works agency are prima facie evidence  
 13 of the value of the aid, wages, stipend, or benefits ~~furnished~~ paid. Liability under this  
 14 section shall extend to any parent or stepparent whose family receives aid under s.  
 15 49.19 or benefits under s. 49.148, 49.155, or 49.157 during the period that he or she  
 16 is a member of the same household, but his or her liability is limited to such period.  
 17 This section does not apply to medical and health assistance payments for which  
 18 recovery is prohibited or restricted by federal law or regulation.

wages or a stipend under s. 49.147

History: 1977 c. 29; 1981 c. 93, 317; 1983 a. 27; 1985 a. 29; 1985 a. 332 s. 251 (1); 1987 a. 27, 307; 1989 a. 31, 96, 173; 1993 a. 16; 1995 a. 27, 289; 1997 a. 27; 1999 a. 9, 185; 2001 a. 109.

SECTION 12. 49.195 (3) of the statutes is amended to read:

20 49.195 (3) A county, tribal governing body, or Wisconsin ~~works~~ Works agency  
 21 or the department shall determine whether an overpayment has been made under  
 22 s. ~~49.19~~, ~~(49.147)~~, 49.148, 49.155, ~~or~~ 49.157 and, if so, the amount of the overpayment.  
 23 The county, tribal governing body, or Wisconsin ~~works~~ Works agency or the  
 24 department shall provide notice of the overpayment to the liable person. The



INSERT 22-11  
cont

1 department shall give that person an opportunity for a review following the  
 2 procedure specified under s. 49.152, if the person received the overpayment under  
 3 s. 49.141 to 49.161, and for a hearing under ch. 227. Notwithstanding s. 49.96, the  
 4 department shall promptly recover all overpayments made under s. ~~49.19~~ 49.147  
 5 49.148, 49.155, or 49.157 that have not already been received under s. 49.161 or 49.19  
 6 (17) and shall promulgate rules establishing policies and procedures to administer  
 7 this subsection. The rules shall include notification procedures similar to those  
 8 established for child support collections.

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only

History: 1977 c. 29; 1981 c. 93, 317; 1983 a. 27; 1985 a. 29; 1985 a. 332 s. 251 (1); 1987 a. 27, 307; 1989 a. 31, 96, 173; 1993 a. 16; 1995 a. 27, 289; 1997 a. 27; 1999 a. 9, 185; 2001 a. 109.

9 SECTION 13. 49.22 (6) of the statutes is amended to read:

10 49.22 (6) The department shall establish, pursuant to federal and state laws,  
 11 rules, and regulations, a uniform system of fees for services provided under this  
 12 section to individuals not receiving aid under s. 46.261, 49.19, or 49.47; wages or  
 13 stipends under s. 49.147; benefits under s. 49.148, 49.155, or 49.79; foster care  
 14 maintenance payments under 42 USC 670 to 679a; or kinship care payments under  
 15 s. 48.57 (3m) or long-term kinship care payments under s. 48.57 (3n). The system  
 16 of fees may take into account an individual's ability to pay. Any fee paid and collected  
 17 under this subsection may be retained by the county providing the service except for  
 18 the fee specified in 42 USC 653 (e) (2) for federal parent locator services.

History: 1975 c. 82; 1977 c. 26, 29, 203, 418; 1979 c. 196, 221; 1981 c. 20, 93; 1983 a. 27; 1985 a. 29 ss. 861m to 866, 2390 to 2399; 1987 a. 27; 1987 a. 332 s. 64; 1987 a. 399, 403, 413; 1989 a. 31; 1991 a. 39; 1993 a. 16, 481; 1995 a. 27 ss. 2128m to 2134, 9126 (19), 9130 (4); 1995 a. 77, 187, 201, 225, 289; 1995 a. 404 ss. 39 to 43, 45, 46, 48, 173, 174; Stats. 1995 s. 49.22; 1997 a. 27, 105, 191, 237; 1999 a. 32; 2001 a. 16.

(END OF INSERT 22-11)

INSERT 23-12

19 SECTION 14. 49.30 (1) (intro.) of the statutes is amended to read:

20 49.30 (1) (intro.) Except as provided in sub. (1m), if any recipient of wages or  
 21 a stipend under s. 49.147 or of benefits under s. 49.148, 49.46, or 49.77, or under 42





INSERT 23-12 cont

1 USC 1381 to 1385 in effect on May 8, 1980, dies and the estate of the deceased  
2 recipient is insufficient to pay the funeral, burial, and cemetery expenses of the  
3 deceased recipient, the county or applicable tribal governing body or organization  
4 responsible for burial of the recipient shall pay, to the person designated by the  
5 county department under s. 46.215, 46.22, or 46.23 or applicable tribal governing  
6 body or organization responsible for the burial of the recipient, all of the following:

7 History: 1973 c. 147, 333; 1975 c. 39, 224; 1979 c. 206; 1981 ~~c.~~ 20; 1985 a. 29, 176, 332; 1989 a. 31, 239; 1995 a. 27, 289; 1997 a. 27; 1999 a. 9; 2001 a. 16.

8 **SECTION 15.** 49.32 (4) of the statutes is repealed.

9 **SECTION 16.** 49.32 (9) (a) <sup>✓</sup>of the statutes is amended to read:

10 49.32 (9) (a) Each county department under s. 46.215, 46.22, or 46.23  
11 administering aid to families with dependent children shall maintain a monthly  
12 report at its office showing the names of all persons receiving aid to families with  
13 dependent children together with the amount paid during the preceding month.  
14 Each Wisconsin ~~works~~ Works agency administering Wisconsin ~~works~~ <sup>✓</sup>Works under  
15 ss. 49.141 to 49.161 shall maintain a monthly report at its office showing the names  
16 of all persons receiving wages or stipends <sup>✓</sup> under s. 49.147 or benefits under s. 49.148  
17 together with the amount paid during the preceding month. Nothing in this  
18 paragraph shall be construed to authorize or require the disclosure in the report of  
19 any information ~~(, including names, amounts of aid, or otherwise)~~ other information,  
20 pertaining to adoptions, or aid furnished for the care of children in foster homes or  
treatment foster homes under s. 46.261 or 49.19 (10).

21 History: 1995 a. 27 ss. 2035 to 2037, 2276d, 2805 to 2809, 2927 to 2930, 3146 to 3149; 1995 a. 289, 361, 370, 404; 1997 a. 27, 35, 237, 252, 283; 2001 a. 16.

22 **SECTION 17.** 49.32 (10) (b) of the statutes is amended to read:

23 49.32 (10) (b) If a law enforcement officer believes, on reasonable grounds, that  
24 a warrant has been issued and is outstanding for the arrest of a Wisconsin ~~works~~  
Works participant, the law enforcement officer may request that a law enforcement



1 officer be notified when the participant appears to obtain his or her stipend or  
2 benefits under the Wisconsin ~~works~~ Works program. At the request of a law  
3 enforcement officer under this paragraph, an employee of a Wisconsin ~~works~~ Works  
4 agency who disburses stipends or benefits may notify a law enforcement officer when  
5 the participant appears to obtain ~~Wisconsin works~~ his or her stipend or benefits.

History: 1995 a. 27 ss. 2035 to 2037, 2276d, 2805 to 2809, 2927 to 2930, 346 to 3149; 1995 a. 289, 361, 370, 404; 1997 a. 27, 35, 237, 252, 283; 2001 a. 16.

6 SECTION 18. 49.32 (10m) (a) of the statutes is amended to read:

7 49.32 (10m) (a) A county department, relief agency under s. 49.01 (3m) or  
8 Wisconsin ~~works~~ Works agency shall, upon request, and after providing the notice to the  
9 recipient required by this paragraph, release the current address of a recipient of  
10 relief under s. 49.01 (3), aid to families with dependent children or benefits under s.  
11 49.148 to a person, the person's attorney or an employee or agent of that attorney, if  
12 the person is a party to a legal action or proceeding in which the recipient is a party  
13 or a witness, unless the person is a respondent in an action commenced by the  
14 recipient under s. 813.12, 813.122, 813.123, 813.125 or 813.127. If the person is a  
15 respondent in an action commenced by the recipient under s. 813.12, 813.122,  
16 813.123, 813.125 or 813.127, the county department, relief agency or Wisconsin  
17 ~~works~~ Works agency may not release the current address of the recipient. No county  
18 department, relief agency or Wisconsin ~~works~~ Works agency may release an address under  
19 this paragraph until 21 days after the address has been requested. A person  
20 requesting an address under this paragraph shall be required to prove his or her  
21 identity and his or her participation as a party in a legal action or proceeding in which  
22 the recipient is a party or a witness by presenting a copy of the pleading or a copy of  
23 the subpoena for the witness. The person shall also be required to sign a statement  
24 setting forth his or her name, address and the reasons for making the request and

Wages or a stipend under s. 49.147



INSERT 23-12  
COTT

1 indicating that he or she understands the provisions of par. (b) with respect to the  
 2 use of the information obtained. The statement shall be made on a form prescribed  
 3 by the department and shall be sworn and notarized. Within 7 days after an address  
 4 has been requested under this paragraph, the county department, relief agency<sup>or</sup>  
 5 Wisconsin ~~works~~ <sup>works</sup> agency shall mail to each recipient whose address has been  
 6 requested a notification of that fact on a form prescribed by the department. The  
 7 form shall also include the date on which the address was requested, the name and  
 8 address of the person who requested the disclosure of the address, the reason that  
 9 the address was requested<sup>and</sup> a statement that the address will be released to the  
 10 person who requested the address no sooner than 21 days after the date on which the  
 11 request for the address was made. County departments, relief agencies<sup>and</sup>  
 12 Wisconsin ~~works~~ <sup>works</sup> agencies shall keep a record of each request for an address under  
 13 this paragraph. works

History: 1995 a. 27 ss. 2035 to 2037, 2276d, 2805 to 2809, 2927 to 2930, 3146 to 3149; 1995 a. 289, 361, 370, 404; 1997 a. 27, 35, 237, 252, 283; 2001 a. 16.  
 (END OF INSERT 23-12)

INSERT 23-12

14 SECTION 19. 49.95 (4m) (a) of the statutes is amended to read:  
 15 49.95 (4m) (a) Without legal authority, sends or brings a person to a county,  
 16 tribal governing body, or municipality or advises a person to go to a county, tribal  
 17 governing body, or municipality for the purpose of obtaining relief funded by a relief  
 18 block grant, wages, a stipend, or benefits under the Wisconsin ~~works~~ <sup>Works</sup> program  
 19 under ss. 49.141 to 49.161, aid to families with dependent children under s. 49.19,  
 20 medical assistance under subch. IV, or food stamps under 7 USC 2011 to 2029.

History: 1971 c. 182; 1977 c. 303; 1981 c. 20; 1981 c. 79 s. 17; 1981 c. 390 s. 252; 1983 a. 368; 1985 a. 29 ss. 1002 to 1004, 3200 (23); 1987 a. 27, 403; 1991 a. 39, 316,  
 322; 1995 a. 27 ss. 2771 to 2779, 2781 to 2784, 3220; Stats. 1995 s. 49.95; 1995 a. 289; 1997 a. 283; 2001 a. 109.  
 21 SECTION 20. 49.95 (11) of the statutes is amended to read:



INSERT 23-22  
cont

1 49.95 (11) "Public assistance" as used in this section includes relief funded by  
2 a relief block grant and wages, a stipend, or benefits under ss. 49.141 to 49.161.

History: 1971 c. 182; 1977 c. 303; 1981 c. 20; 1981 c. 79 s. 17; 1981 c. 390 s. 252; 1983 a. 368; 1985 a. 29 ss. 1002 to 1004, 3200 (23); 1987 a. 27, 403; 1991 a. 39, 316, 322; 1995 a. 27 ss. 2771 to 2779, 2781 to 2784, 3220; Stats. 1995 s. 49.95; 1995 a. 289; 1997 a. 283; 2001 a. 109.

(END OF INSERT 23-22)

INSERT 24-4

3 SECTION 21. 59.53 (5) (a) of the statutes is amended to read:

4 59.53 (5) (a) The board shall contract with the department of workforce  
5 development to implement and administer the child and spousal support and  
6 establishment of paternity and the medical support liability programs provided for  
7 by Title IV of the federal social security act. The board may designate by board  
8 resolution any office, officer, board, department, or agency, except the clerk of circuit  
9 court, as the county child support agency. The board or county child support agency  
10 shall implement and administer the programs in accordance with the contract with  
11 the department of workforce development. The attorneys responsible for support  
12 enforcement under sub. (6) (a), circuit court commissioners, and all other county  
13 officials shall cooperate with the county and the department of workforce  
14 development as necessary to provide the services required under the programs. The  
15 county shall charge the fee established by the department of workforce development  
16 under s. 49.22 for services provided under this paragraph to persons not receiving

17 wages <sup>or</sup> ~~a stipend~~ benefits under s. 49.148 <sup>or</sup> ~~49.155~~ <sup>or</sup> ~~assistance~~ <sup>or</sup> 49.157 under s. 46.261,  
18 49.19, or 49.47.

History: 1995 a. 201 ss. 151, 153, 169, 413, 188, 192, 198, 201 to 206, 208, 217, 229, 234, 237, 241, 334, 362, 364, 436, 453; 1995 a. 225 ss. 164, 170; 1995 a. 279 s. 7; 1995 a. 289 s. 217; 1995 a. 404 ss. 184, 186; 1997 a. 3, 27, 35, 41, 191, 252; 1999 a. 150 s. 672; 2001 a. 61.

(END OF INSERT 24-4)

INSERT 31-22

under  
s. 49.147



ins 31-22

2.  
1  
2  
3

**SECTION 22.** 227.01 (13) (zL) of the statutes is created to read:  
227.01 (13) (zL) Establishes guidelines under s. 49.147 (2) (a), (3) (a), (5) (a) or (b) or (6) (b) for transitional subsidized private sector jobs under Wisconsin Works.

(END OF INSERT 31-22)

**INSERT 31-24**

**SECTION 23.** 767.045 (1) (c) 1. of the statutes is amended to read:

767.045 (1) (c) 1. Aid is provided under s. 46.261, 48.57 (3m) or (3n), 49.19, or 49.45 on behalf of the child, or wages or a stipend are paid to or benefits are provided to the child's custodial parent under ss. 49.141 to 49.161, but the state and its delegate under s. 49.22 (7) are barred by a statute of limitations from commencing an action under s. 767.45 on behalf of the child.

History: Sup. Ct. Order, 50Wis. 2d vii (1971); 1977 c. 105, 299; 1979 c. 32, ss. 50, 92 (4); 1979 c. 196; 1979 c. 352 s. 39; Stats. 1979 s. 767.045; 1987 a. 355; Sup. Ct. Order, 151 Wis. 2d xxv (1989); 1993 a. 16, 481; 1995 a. 27, 201, 289, 404; 1997 a. 105, 191; 1999 a. 9; 2001 a. 61.

**SECTION 24.** 767.075 (1) (c) of the statutes is amended to read:

767.075 (1) (c) Whenever aid under s. 46.261, 48.57 (3m) or (3n), 49.19, or 49.45 is provided on behalf of a dependent child or wages or a stipend are paid to or benefits are provided to the child's custodial parent under ss. 49.141 to 49.161.

History: 1977 c. 418; 1979 c. 32 s. 50; 1979 c. 352 s. 39; Stats. 1979 s. 767.075; 1983 a. 27 s. 2202 (57); 1987 a. 413; 1989 a. 31; 1993 a. 326, 481; 1995 a. 27 s. 9126 (19); 1995 a. 201, 275, 289, 404; 1997 a. 35, 105.

**SECTION 25.** 767.075 (1) (cm) of the statutes is amended to read:

767.075 (1) (cm) Whenever aid under s. 46.261, 48.57 (3m) or (3n), 49.19 or 49.45 has, in the past, been provided on behalf of a dependent child, or wages or a stipend have ~~been~~ <sup>been</sup> in the past, paid to or benefits have, in the past, been provided to the child's custodial parent under ss. 49.141 to 49.161, and the child's family is eligible for continuing child support services under 45 CFR 302.33.

History: 1977 c. 418; 1979 c. 32 s. 50; 1979 c. 352 s. 39; Stats. 1979 s. 767.075; 1983 a. 27 s. 2202 (57); 1987 a. 413; 1989 a. 31; 1993 a. 326, 481; 1995 a. 27 s. 9126 (19); 1995 a. 201, 275, 289, 404; 1997 a. 35, 105.

**SECTION 26.** 767.15 (1) of the statutes is amended to read:



INSERT 31-24  
cont

1           767.15 (1) In any action affecting the family in which either party is a recipient  
 2 of wages, a stipend, or benefits under ss. 49.141 to 49.161 or aid under s. 46.261,  
 3 49.19, or 49.45, each party shall, either within 20 days after making service on the  
 4 opposite party of any motion or pleading requesting the court or circuit court  
 5 commissioner to order, or to modify a previous order, relating to child support,  
 6 maintenance, or family support, or before filing the motion or pleading in court, serve  
 7 a copy of the motion or pleading upon the county child support agency under s. 59.53  
 8 (5) of the county in which the action is begun.

History: 1977 c. 418; 1979 c. 32 s. 50; 1979 c. 196; 1979 c. 352 s. 39; Stats. 1979 s. 767.15; 1983 a. 27; 1987 a. 413; 1995 a. 27 s. 9126 (19); 1995 a. 201, 289, 404; 1997 a. 27, 35; 2001 a. 61.

9           **SECTION 27. 767.24 (6) (c)** of the statutes is amended to read:

10           767.24 (6) (c) In making an order of joint legal custody and periods of physical  
 11 placement, the court may specify one parent as the primary caretaker of the child and  
 12 one home as the primary home of the child, for the purpose of determining eligibility  
 13 for aid under s. 49.19 or wages ~~or~~ a stipend ~~or~~ benefits under ss. 49.141 to 49.161 or  
 14 for any other purpose the court considers appropriate.

History: 1971 c. 149, 157, 211; 1975 c. 39, 122, 200, 283; 1977 c. 105, 418; 1979 c. 32 ss. 50, 92 (4); 1979 c. 196; Stats. 1979 s. 767.24; 1981 c. 391; 1985 a. 70, 176; 1987 a. 332 s. 64; 1987 a. 355, 364, 383, 403; 1989 a. 56 s. 259; 1989 a. 359; 1991 a. 32; 1993 a. 213, 446, 481; 1995 a. 77, 100, 275, 289, 343, 375; 1997 a. 35, 191; 1999 a. 9; 2001 a. 109.

(END OF INSERT 31-24)

INSERT 32-16

15           **SECTION 28. 814.61 (13)** of the statutes is amended to read:

16           814.61 (13) SUPPORT OR MAINTENANCE PETITION. For the cost of court services,  
 17 whenever a person not receiving wages or a stipend under s. 49.147, benefits under  
 18 s. 49.148 ~~or~~ 49.155 ~~or~~ or 49.157 or aid under s. 49.19, 49.46, 49.465, 49.468, or 49.47 files a  
 19 petition requesting child support, maintenance, or family support payments, \$10 in



INSERT  
32-16 CONT

1 addition to any other fee required under this section. This subsection does not apply  
2 to a petition filed by the state or its delegate.

History: 1981 c. 317; 1983 a. 27; 1983 a. 189 s. 329 (28); 1983 a. 228, 447, 538; 1985 a. 29, 169; 1987 a. 27 ss. 2143p, 3202 (24); 1987 a. 144, 355, 399; 1989 a. 31; 1989 a. 56 s. 259; 1989 a. 191; 1991 a. 39, 221, 269; 1993 a. 16, 319, 326, 481, 491; 1995 a. 27, 201, 224, 269, 279, 289, 306; 1997 a. 27, 35, 285; 1999 a. 9, 71; 2001 a. 109.

3 **SECTION 9159. Nonstatutory provisions; workforce development.**

4 (1) COMMUNITY REINVESTMENT FUNDS. The department of workforce  
5 development may not pay out to Wisconsin Works agencies any community  
6 reinvestment funds earned under contracts that were entered into under section  
7 49.143 of the statutes and that had terms beginning on January 1, 2000, and ending  
8 on December 31, 2001.

\*\*\*\*NOTE: To Editor: Should I add "as affected by this act" after "statutes"? The contracts would have been entered into under s. 49.143 not as affected by this act.

9 (2) WISCONSIN WORKS TRANSITIONAL PROVISIONS.

10 (a) *Wisconsin Works agency contracts.* Notwithstanding section 49.143 (1) of  
11 the statutes, as affected by this act, and SECTION 9459 (1) of this act, the department  
12 of workforce development and a Wisconsin Works agency may agree to extend, on a  
13 month-to-month basis, until no later than ~~July~~ <sup>June 30</sup> 2004, a contract entered into  
14 under section 49.143 (1) of the statutes that has a term ending on December 31, 2003.

15 (b) *Waiver of certain participant requirements.* Notwithstanding sections  
16 49.141 to 49.161 of the statutes, as affected by this act, and SECTION 9459 (1) of this  
17 act, the department of workforce development may waive any reapplication  
18 requirement and the requirement under section 49.145 (2) (h) as affected by this act,  
19 to seek unsubsidized employment <sup>with respect to</sup> ~~for~~ an individual <sup>of the statutes</sup> ~~if~~ all of the following apply:

- 20 1. The individual is a participant in ~~the~~ Wisconsin Works ~~Program~~ on the date  
21 on which sections 49.141 to 49.161 of the statutes, as affected by this act, are  
22 implemented under paragraph (c) in the geographical area under section 49.143 (6)  
23 of the statutes in which the individual resides.



INSERT 32-16  
CONT

1           2. The individual wishes to participate in a transtitional subsidized private  
2 sector job under section 49.147<sup>✓</sup> of the statutes, as affected by this act.

3           (c) *Implementation.*<sup>✓</sup> Notwithstanding SECTION 9459 (1)<sup>ar.</sup> of this act, the  
4 department of workforce development may implement ~~the~~ Wisconsin Works  
5 ~~Program~~ under sections 49.141 to 49.161 of the statutes, as affected by this act, for  
6 one or more counties or other geographical areas under section 49.143 (6)<sup>✓</sup> of the  
7 statutes on a date that is later than January 1, 2004, but not later than July 1, 2004.  
8 The department of workforce development shall publish a notice in the Wisconsin  
9 Administrative Register<sup>✓</sup> that states the date on which ~~the~~ Wisconsin Works ~~Program~~  
10 under sections 49.141 to 49.161 of the statutes, as affected by this act, is implemented  
11 in each county or geographical area in which the department implements ~~the~~  
12 ~~program~~ after January 1, 2004. → Wisconsin Works

13           (3) USES FOR OTHER FEDERAL FUNDING.<sup>✓</sup> The department of workforce  
14 development shall investigate ways in which federal funding other than Temporary  
15 Assistance for Needy Families<sup>✓</sup> block grants, including but not limited to Workforce  
16 Investment Act<sup>✓</sup> funding, may be used by the state to create a more seamless system  
17 of employment and education and training services for low-income adults in the  
18 state. The department of workforce development shall submit a report on the  
19 findings of its investigation to the department of administration<sup>✓</sup> no later than  
20 December 31, 2003.

(END OF INSERT 32-16)

INSERT 32-21

21           **SECTION 9359. Initial applicability; workforce development.**



1

(1) WISCONSIN WORKS ~~PROGRAM~~ The treatment of sections ??..?? (??) of the statutes first applies to ????.

2

\*\*\*\*NOTE: This is just a place holder for now. I need to assess each section in the draft, once it is processed and the sections are in order.

3

**SECTION 9459. Effective dates; workforce development.**

4

(1) WISCONSIN WORKS ~~PROGRAM~~ The treatment of sections ??..?? (??) of the statutes takes effect on January 1, 2004.

5

\*\*\*\*NOTE: I will add the necessary sections after this draft is processed and they are in order.

(END OF INSERT 32-21)

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

LRB-1256/P2dn

PJK:jls

date

Jld

Erin:

1. This draft does not yet have an analysis or an initial applicability provision for the W-2 changes. I am working on those now. Since so many sections have been added to this version, I wanted you to review the draft first to see if you need any changes. Thanks.

2. Also, please review especially carefully how I have amended ss. 49.145 (2) (i) and (s) and (3) (b) 1., 49.195 (1) and 49.32 (10) (b) to make sure that you want them amended in this manner or amended at all.

3. In general, I added "benefits under s. 49.157" wherever "benefits under s. 49.148<sup>or</sup> and 49.155" appeared in the statutes that I was amending.

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

## Kahler, Pam

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**From:** Fath, Erin  
**Sent:** Thursday, January 23, 2003 4:42 PM  
**To:** Kahler, Pam  
**Subject:** RE: W-2

January 1, 2004.

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

**From:** Kahler, Pam  
**Sent:** Thursday, January 23, 2003 3:23 PM  
**To:** Fath, Erin  
**Subject:** W-2

Erin - I forgot to ask about the effective date for adding the new jobs - same as budget or January 1, 2004?  
Pam

## Kahler, Pam

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**From:** Fath, Erin  
**Sent:** Monday, January 20, 2003 4:26 PM  
**To:** Kahler, Pam  
**Subject:** RE: W-2 draft

Pam,  
We have reviewed the sections you noted, below, and agree with you. Let's not add wages under s. 49.147 to these sections.

Thanks,  
-Erin

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

**From:** Kahler, Pam  
**Sent:** Friday, January 17, 2003 1:30 PM  
**To:** Fath, Erin  
**Subject:** RE: W-2 draft

Thanks, Erin. To narrow your review a bit, the sections that I found questionable were: 49.145 (2) (i) and 49.195 (1). The rest seemed reasonable, if sometimes hard to amend! ✓ ✓

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

**From:** Fath, Erin  
**Sent:** Friday, January 17, 2003 1:23 PM  
**To:** Kahler, Pam  
**Subject:** RE: W-2 draft

Pam I'll look over the individual sections again, but I agree with you in general (and I think David R would also) that we wouldn't want to repay wages they earned and were taxed on for items that involve acquiring property, etc. I'll confirm as soon as I get a chance to look it over more closely. I may not get to it until this weekend (I will likely be in both days, so if you're in and have questions, you may as well call me).

FYI - In our meeting yesterday, I said I would send you information some the non-stat language that we'd like to put in the draft:

We'd like to include a provision that directs the Department to investigate ways to utilize other (non-TANF) federal funding, including, but not limited to, Workforce Investment Act funding, to create a more seamless system of employment and education/training services to all low-income adults in the state. For now, let's require the Dept. to report to DOA on their finding by December 31, 2003. This reporting date may change or the requirement may come out, but let's at least get it in there.

If you've got questions about this provision, please call me.

-Erin

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

**From:** Kahler, Pam  
**Sent:** Friday, January 17, 2003 9:55 AM  
**To:** Fath, Erin  
**Subject:** W-2 draft

Hi, Erin:

Sorry to bug you about this again, but as I was adding the sections listed in no. 12 of my D-note to the draft and amending them, it struck me that it doesn't make sense (to me, anyway) to add wages under s. 49.147 to all of them. Many of the sections deal with recouping benefits paid if the participant acquires property or something like that. Does it make sense to require someone to repay wages that they have actually worked for and even paid taxes on? It seems like the only one to benefit from that would be the employer who got free labor. Adding stipends make more sense, though, since they are in the nature of a grant. Let me know what you (Jenny and David) think. Thanks.