

Attached ... small DOA compile draft
(LRB-2025/P1)
containing additional drafts added to
LRB-1992
during the re-draft from “/P3” to “/P4”.

2003 DRAFTING REQUEST

Bill

Received: **02/11/2003**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Reference Bureau**

By/Representing:

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

Drafter: **chanaman**

May Contact:

Addl. Drafters:

Subject: **State Finance - bud generally**

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Compile for insert for budget bill

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman		lrb_compile				
	02/11/2003						

FE Sent For:

<END>



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-2025/P1

PK/MG/RC/JTK/RM:kg/cs/wj:ch

MASTER COPY

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

INSERTS
XX PJK
XX MGG
&
XX RAC

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

This compile is a supplement to the Biennial Budget Bill 03-1922 compile. It contains the following DOA drafts: 03-1256, 03-2012, and 03-2020.

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

INSERT 130-12-Compile

2 *-2012/1.1* SECTION 1. 20.370 (1) (fe) 1. of the statutes is is renumbered 20.370

3 (1) (fe) and amended to read:

4 20.370 (1) (fe) From the general fund, a sum sufficient in fiscal year 1993-94
5 and in each fiscal year thereafter that equals the sum of the amount certified in that
6 fiscal year under s. 71.10 (5) (h) 3. for the previous fiscal year and the amounts
7 received under par. (gr) in that fiscal year for the purposes of the endangered
8 resources program, as defined in s. 71.10 (5) (a) 2. The amount appropriated under
9 this subdivision may not exceed \$500,000 in a fiscal year, except that the amount
10 appropriated under this subdivision in fiscal year 2001-02 2003-04 may not exceed

INSERT
130-12-compliance

1 \$482,500 \$312,200 and the amount appropriated under this subdivision in fiscal
2 year ~~2002-03~~ 2004-05 may not exceed \$475,000 \$364,000.

3 *~~2012/1.2~~* ~~SECTION 2.~~ 20.370 (1) (fe) 1m. of the statutes is repealed.
* * BJD NOTE

4 *~~2012/1.3~~* ~~SECTION 3.~~ 20.370 (1) (fe) 2. of the statutes is repealed.

~~*-1256/5.1* SECTION 4.~~ ^{ARI PJK} 20.445 (3) (dz) of the statutes, as affected by 2003

IN 5
166-20
RJK

Wisconsin Act (this act), is amended to read:

20.445 (3) (dz) *Temporary Assistance for Needy Families programs;*
8 *maintenance of effort.* The amounts in the schedule, less the amounts withheld
9 under s. 49.143 (3), for administration, employer reimbursements, participant
10 stipends, education and training costs, and benefit payments under Wisconsin
11 Works under ss. 49.141 to 49.161, the learnfare program under s. 49.26, and the work
12 experience program for custodial parents under s. 49.36; for payments to local
13 governments, organizations, tribal governing bodies, and Wisconsin Works agencies;
14 for program activities under the workforce attachment and advancement program
15 under s. 49.173; for emergency assistance for families with needy children under s.
16 49.138; and for job access loans under s. ~~49.147(6)~~ 49.1471. Payments may be made
17 from this appropriation to counties for fraud investigation and error reduction under
18 s. 49.197 (1m). Moneys appropriated under this paragraph may be used to match
19 federal funds received under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002
20 (1), the department may transfer funds between fiscal years under this paragraph.
21 Notwithstanding ss. 20.001 (3) and 20.002 (1), the department of health and family
22 services shall credit or deposit into this appropriation account funds for the purposes
23 of this appropriation that the department transfers from the appropriation account
24 under s. 20.435 (7) (bc). All funds allocated by the department but not encumbered

1 by December 31 of each year lapse to the general fund on the next January 1 unless
2 transferred to the next calendar year by the joint committee on finance.

END OF
INS 166-20

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

3 ***-1256/5.2* SECTION 5.** ^{ARC 2 PJK} 20.445 (3) (jL) of the statutes, as affected by 2003
4 Wisconsin Act (this act), is amended to read:

INS 167-18 PJK

5 20.445 (3) (jL) *Job access loan repayments.* All moneys received from
6 repayments of loans made under s. ~~49.147 (6)~~ 49.1471, and from the department of
7 revenue under s. 71.93 for delinquent job access loan repayments certified under s.
8 49.85, for the purpose of making loans under s. ~~49.147 (6)~~ 49.1471.

***NOTE: This is reconciled s. 20.445 (3) (jL). This SECTION has been affected by drafts with the following LRB numbers: LRB-0229 and LRB-1256.

9 ***-1256/5.3* SECTION 6.** 49.015 (2) of the statutes is amended to read:
10 49.015 (2) RECIPIENTS OF OTHER AID. Except as provided in sub. (3), an
11 individual is not eligible for relief for a month in which the individual has received
12 aid to families with dependent children under s. 49.19 or supplemental security
13 income under 42 USC 1381 to 1383c or has participated in a Wisconsin ~~works~~ Works
14 employment position ~~under s. 49.147 (3) to (5), as defined in s. 49.141 (1) (r), or in~~
15 which aid to families with dependent children, supplemental security income
16 benefits, or a Wisconsin ~~works~~ Works employment position is immediately available
17 to the individual.

INS
350-210
PSK

18 ***-1256/5.4* SECTION 7.** 49.13 (2) (cm) of the statutes is amended to read:
19 49.13 (2) (cm) The amount of food stamp benefits paid to a recipient who is a
20 participant in a Wisconsin ~~works~~ Works employment position under s. 49.147 (4) or
21 (5) shall be calculated based on the pre-sanction benefit amount received under s.
22 49.148. The amount of food stamp benefits paid to a recipient who is a participant

1 in a Wisconsin Works employment position under s. 49.147 (3m) shall be calculated
2 based on the participant's gross wages under s. 49.148 (1) (am) and stipend, if any,
3 under s. 49.147 (3m) (g), as reduced under s. 49.148 (4), if relevant.

4 ***-1256/5.5* SECTION 8.** 49.136 (2) (b) of the statutes is amended to read:

5 49.136 (2) (b) The department shall attempt to award grants under this section
6 to head start agencies designated under 42 USC 9836, employers that provide or
7 wish to provide child care services for their employees, family day care centers, group
8 day care centers and day care programs for the children of student parents,
9 organizations that provide child care for sick children, and child care providers that
10 employ participants or former participants in a Wisconsin ~~works~~ Works employment
11 position under s. 49.147 (3) to (5), as defined in s. 49.141 (1) (r).

12 ***-1256/5.6* SECTION 9.** 49.141 (1) (e) of the statutes is amended to read:

1w-5
13 20
350-20
14 PJK

13 49.141 (1) (e) "Job access loan" means a loan administered under s. 49.147 (6)
14 49.1471.

15 ***-1256/5.7* SECTION 10.** 49.141 (1) (mc) of the statutes is created to read:

16 49.141 (1) (mc) "Transitional subsidized private sector job" means a work
17 component of Wisconsin Works administered under s. 49.147 (3m).

18 ***-1256/5.8* SECTION 11.** 49.141 (1) (o) of the statutes is created to read:

19 49.141 (1) (o) "Unsubsidized employment" means employment for which the
20 department or a Wisconsin Works agency provides no wage subsidy or
21 reimbursement to the employer, including self-employment and entrepreneurial
22 activities.

23 ***-1256/5.9* SECTION 12.** 49.141 (1) (om) of the statutes is created to read:

24 49.141 (1) (om) "Wages" has the meaning given in s. 109.01 (3).

25 ***-1256/5.10* SECTION 13.** 49.141 (4) of the statutes is amended to read:

1 49.141 (4) NONENTITLEMENT. Notwithstanding fulfillment of the eligibility
2 requirements for any component of Wisconsin ~~works~~ Works, an individual is not
3 entitled to ~~services, employment,~~ or benefits under Wisconsin ~~works~~ Works.

4 ***-1256/5.11*** SECTION 14. 49.141 (5) (a) of the statutes is amended to read:

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

8 ***-1256/5.12*** SECTION 15. 49.143 (2) (a) 4. of the statutes is amended to read:

9 49.143 (2) (a) 4. Create, and encourage others to create, on-the-job training
10 sites for persons who are eligible for trial jobs, transitional subsidized private sector
11 jobs, or community service jobs.

12 ***-1256/5.13*** SECTION 16. 49.143 (2) (a) 5. of the statutes is amended to read:

13 49.143 (2) (a) 5. Foster and guide the entrepreneurial efforts of participants
14 who are eligible for trial jobs, transitional subsidized private sector jobs, or
15 community service jobs.

16 ***-1256/5.14*** SECTION 17. 49.143 (2) (a) 6. of the statutes is amended to read:

17 49.143 (2) (a) 6. Provide mentors, both from its membership and from
18 recruitment of members of the community, to provide job-related guidance,
19 including assistance in resolving job-related issues and the provision of job leads or
20 references, to persons who are eligible for trial jobs, transitional subsidized private
21 sector jobs, or community service jobs.

22 ***-1256/5.15*** SECTION 18. 49.143 (2) (f) of the statutes is renumbered 49.143

23 (2) (g) and amended to read:

1 49.143 (2) (g) Perform any other tasks specified by the department in the
2 contract that the department determines are necessary for the administration of
3 Wisconsin ~~works~~ Works.

4 ***-1256/5.16*** SECTION 19. 49.143 (2) (fm) of the statutes is created to read:

5 49.143 (2) (fm) Provide to every participant in a transitional subsidized private
6 sector job information about and assistance in obtaining any work supports for which
7 the participant is eligible, such as child care, health insurance, and income tax
8 credits and refunds.

9 ***-1256/5.17*** SECTION 20. 49.143 (3g) (a) 4. of the statutes is amended to read:

10 49.143 (3g) (a) 4. Wages and benefits earned in unsubsidized employment by
11 former participants in Wisconsin ~~works~~ Works employment positions.

12 ***-1256/5.18*** SECTION 21. 49.145 (1) of the statutes is amended to read:

13 49.145 (1) GENERAL ELIGIBILITY. In order to be eligible for a Wisconsin ~~works~~
14 Works employment ~~positions and position or job access loans loan~~ for any month, an
15 individual shall meet the eligibility requirements under subs. (2) and (3). The
16 department may promulgate rules establishing additional eligibility criteria and
17 specifying how eligibility criteria are to be administered. The department may
18 promulgate rules establishing payment and reporting periods as needed to
19 administer this subsection.

20 ***-1256/5.19*** SECTION 22. 49.145 (2) (i) of the statutes is amended to read:

21 49.145 (2) (i) The individual is not receiving supplemental security income
22 under 42 USC 1381 to 1383c or state supplemental payments under s. 49.77 and, if
23 the individual is a dependent child, the custodial parent of the individual does not
24 receive a payment on behalf of the individual under s. 49.775. The department may
25 require an individual who receives a stipend under s. 49.147 (3m) (g) or benefits

1 under s. 49.148 and who has applied for supplemental security income under 42 USC
2 1381 to 1383c to authorize the federal social security administration to reimburse the
3 department for the stipend paid to the individual under s. 49.147 (3m) (g) or the
4 benefits paid to the individual under s. 49.148 during the period that the individual
5 was entitled to supplemental security income benefits to the extent that retroactive
6 supplemental security income benefits are made available to the individual.

7 *~~1256/5.20~~* SECTION 23. 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 stipend or benefit is paid to the individual. If a minor who is a
12 beneficiary of any Wisconsin ~~works~~ Works stipend or benefit is also the beneficiary
13 of support under a judgment or order that includes support for one or more children
14 ~~not receiving a benefit who are not beneficiaries~~ under Wisconsin ~~works~~ Works, any
15 support payment made under the judgment or order is assigned to the state during
16 the period that the minor is a beneficiary of the Wisconsin ~~works~~ Works stipend or
17 benefit in the amount that is the proportionate share of the minor receiving the
18 benefit who is the beneficiary under Wisconsin ~~works~~ Works, except as otherwise
19 ordered by the court on the motion of a party. Amounts assigned to the state under
20 this paragraph remain assigned to the state until the amount due to the federal
21 government has been recovered. No amount of support that begins to accrue after
22 the individual ceases to receive the stipend or benefits under Wisconsin works Works
23 may be considered assigned to this state. Except as provided in s. 49.1455, any money
24 received by the department in a month under an assignment to the state under this
25 paragraph for an individual applying for or participating in Wisconsin ~~works~~ Works

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

4 ***-1256/5.21* SECTION 24.** 49.145 (3) (b) 1. of the statutes is amended to read:

5 49.145 (3) (b) 1. All earned and unearned income of the individual, except any
6 amount received under section 32 of the Internal Revenue Code, as defined in s. 71.01
7 (6), any amount received under s. 71.07 (9e), any payment made by an employer
8 under section 3507 of the Internal Revenue Code, as defined in s. 71.01 (6), any
9 student financial aid received under any federal or state program, any scholarship
10 used for tuition and books, any wages received under s. 49.148 (1) (am) or stipend
11 received under s. 49.147 (3m) (g), and any assistance received under s. 49.148. In
12 determining the earned and unearned income of the individual, the Wisconsin works
13 agency may not include income earned by a dependent child of the individual.

14 ***-1256/5.22* SECTION 25.** 49.146 (title) of the statutes is amended to read:

15 **49.146 (title) Employer criteria and selection.**

16 ***-1256/5.23* SECTION 26.** 49.146 of the statutes is renumbered 49.146 (1) and
17 amended to read:

18 49.146 (1) ELIGIBILITY CRITERIA. ~~The Subject to sub. (2), the~~ department shall
19 establish by rule criteria that an employer providing a Wisconsin works Works
20 employment position must meet in order to employ a participant under s. 49.147 (3)
21 to (5). An employer that does not meet the criteria established under this ~~section~~
22 subsection is ineligible to receive any subsidy or reimbursement of costs for any
23 position provided to a participant.

24 ***-1256/5.24* SECTION 27.** 49.146 (2) of the statutes is created to read:

1 49.146 (2) SELECTION OF EMPLOYERS FOR TRANSITIONAL SUBSIDIZED JOBS. To be
2 eligible to employ a participant under s. 49.147 (3m), an employer must be selected
3 by the department under this subsection. The department shall request from
4 employers proposals for employing participants under s. 49.147 (3m). The
5 department shall select, and enter into contracts with, employers that meet the
6 criteria established under sub. (1) and that demonstrate the ability to do all of the
7 following:

8 (a) Create useful transitional subsidized private sector jobs.

9 (b) Provide effective supervision for participants.

10 (c) Manage payroll, taxes, and other financial matters in a responsible manner.

11 (d) Coordinate closely and cooperatively with a Wisconsin Works agency in
12 moving participants employed by the employer under s. 49.147 (3m) into stable
13 unsubsidized employment as quickly as possible.

14 (e) Comply in all respects with the Wisconsin Works program.

15 *~~1256/5.25~~* **SECTION 28.** 49.1465 of the statutes is created to read:

16 **49.1465 Education and training. (1) EDUCATIONAL NEEDS ASSESSMENT.** A
17 Wisconsin Works agency shall conduct an educational needs assessment of each
18 individual who applies for a Wisconsin Works employment position. If the individual
19 and the Wisconsin Works agency determine that the individual needs, or would
20 benefit from, education or training activities, including a course of study meeting the
21 standards established under s. 115.29 (4) for the granting of a declaration of
22 equivalency of high school graduation, the Wisconsin Works agency shall include
23 education or training activities in any employability plan developed for the
24 individual. The Wisconsin Works agency shall pay, or arrange for payment, for the

1 education or training services identified in the employability plan to the extent that
2 funds are available.

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

5 *-1256/5.26* SECTION 29. 49.147 (title) of the statutes is amended to read:

6 49.147 (title) Wisconsin ~~works~~ Works; work programs and job access
7 loans.

8 *-1256/5.27* SECTION 30. 49.147 (1) of the statutes is repealed.

9 *-1256/5.28* SECTION 31. 49.147 (1m) of the statutes is repealed.

10 *-1256/5.29* SECTION 32. 49.147 (2) (a) 1. of the statutes is amended to read:

11 49.147 (2) (a) 1. An individual who applies for a Wisconsin ~~works~~ Works
12 employment position may be required by the Wisconsin ~~works~~ Works agency to
13 search for unsubsidized employment during the period that his or her application is
14 being processed as a condition of eligibility. ~~A Subject to sub. (3m) (f) 2.,~~ a participant
15 in a Wisconsin ~~works~~ Works employment position shall search for unsubsidized
16 employment throughout his or her participation. The department shall define by
17 rule satisfactory search efforts for unsubsidized employment.

18 *-1256/5.30* SECTION 33. 49.147 (3) (a) of the statutes is amended to read:

19 49.147 (3) (a) *Administration.* A Wisconsin ~~works~~ Works agency shall
20 administer a trial job program as part of its administration of the Wisconsin ~~works~~
21 Works program to improve the employability of individuals who are not otherwise
22 able to obtain unsubsidized employment, as determined by the Wisconsin ~~works~~
23 Works agency, by providing work experience and training to assist them to move
24 promptly into unsubsidized employment. In determining an appropriate placement
25 for a participant, a Wisconsin ~~works~~ Works agency shall give priority to placement

1 under this subsection over placements under subs. (3m), (4), and (5). The Wisconsin
2 works Works agency shall pay a wage subsidy to an employer that employs a
3 participant under this subsection and agrees to make a good faith effort to retain the
4 participant as a permanent unsubsidized employee after the wage subsidy is
5 terminated. The wage subsidy may not exceed \$300 per month for full-time
6 employment of a participant. For less than full-time employment of a participant
7 during a month, the wage subsidy may not exceed a dollar amount determined by
8 multiplying \$300 by a fraction, the numerator of which is the number of hours
9 worked by the participant in the month and the denominator of which is the number
10 of hours which would be required for full-time employment in that month.

11 *~~1256/5.31~~* **SECTION 34.** 49.147 (3m) of the statutes is created to read:

12 49.147 (3m) TRANSITIONAL SUBSIDIZED PRIVATE SECTOR JOBS. (a) *Administration.*

13 1. A Wisconsin Works agency shall administer a transitional subsidized private
14 sector job program as part of its administration of the Wisconsin Works program to
15 improve the employability of individuals who are not otherwise able to obtain
16 unsubsidized employment, as determined by the Wisconsin Works agency. If a
17 Wisconsin Works agency determines for a participant that a placement under sub.
18 (3) is inappropriate, or that an appropriate trial job is unavailable, and that a
19 placement under either this subsection or sub. (4) is appropriate, the participant
20 shall be allowed to choose between a placement under this subsection and a
21 placement under sub. (4), to the extent of the availability of appropriate transitional
22 subsidized private sector jobs and community service jobs. A placement under this
23 subsection shall be given priority over placements under sub. (5).

24 2. If a participant chooses a placement under this subsection, a Wisconsin
25 Works agency shall arrange for a transitional subsidized private sector job, if

1 available, to be offered to the participant at a reasonably accessible location with one
2 or more employers selected under s. 49.146 (2). Job offers under this subsection shall
3 be limited by the number of employers selected under s. 49.146 (2) and the number
4 and types of employment positions available with each employer, as provided in the
5 employer's contract with the department.

6 3. An employer that employs a participant under this subsection shall be
7 reimbursed by the department for up to 100% of the employer's costs that are
8 attributable to employment of the participant, as determined by the department,
9 including any of the following:

- 10 a. Wages.
- 11 b. Federal social security taxes.
- 12 c. State and federal unemployment contributions or taxes, if any.
- 13 d. Worker's compensation insurance premiums, if any.
- 14 e. Liability insurance premiums, if any.
- 15 f. Supervisory costs and other overhead as specified in the employer's contract
16 with the department.

17 (b) *Jobs description.* 1. To the extent possible, each transitional subsidized
18 private sector job shall be designed by the employer, in consultation with the
19 Wisconsin Works agency and the department, to meet the needs and fit the abilities
20 of the participant to whom the job is offered. Each transitional subsidized private
21 sector job shall involve the performance of useful work. Employers offering
22 transitional subsidized private sector jobs and the department shall consult with
23 labor unions representing public sector employees on the design of transitional
24 subsidized private sector jobs to ensure compliance with s. 49.141 (5).

1 2. The department may design transitional subsidized private sector jobs that
2 do any of the following:

3 a. Allow a participant to work in supported employment, if the Wisconsin
4 Works agency determines that the participant is highly unlikely to be able to obtain
5 or retain unsubsidized employment at a minimum wage.

6 b. Allow a participant to care for a severely disabled child or other relative of
7 the participant, if the Wisconsin Works agency determines that such an
8 arrangement would be cost-effective for taxpayers.

9 (c) *Required hours.* Unless a different number of hours is recommended on a
10 case-by-case basis by the Wisconsin Works agency in accordance with guidelines
11 established by the department, each transitional subsidized private sector job shall
12 provide at least 25 hours, but not more than 30 hours, of work per week to allow a
13 participant time to continue to search for unsubsidized employment, as required
14 under par. (f).

15 (d) *Employer-employee relationship.* 1. Except as otherwise provided in this
16 subsection or in a contract between the department and the employer, a participant
17 who accepts a transitional subsidized private sector job with an employer selected
18 under s. 49.146 (2) is an employee of that employer for all purposes and in all
19 respects. The participant shall be supervised in the same manner as the employer's
20 other employees, shall be covered under the employer's worker's compensation
21 coverage, and shall receive his or her paycheck in the same manner as the employer's
22 other employees, with appropriate payroll deductions. The department may require
23 an employer to provide a sick leave benefit to a participant in a transitional
24 subsidized private sector job.

1 2. A participant working in a transitional subsidized private sector job may be
2 terminated from employment by the employer, in accordance with guidelines
3 established by the department, for misconduct, failure to perform work
4 satisfactorily, or repeated unexcused absences from work. A participant who
5 believes that he or she has been wrongfully terminated under this subdivision from
6 a transitional subsidized private sector job may appeal the termination to the
7 department.

8 (e) *Time-limited participation.* A participant under this subsection may be
9 employed in any one transitional subsidized private sector job for a maximum of 6
10 months, unless granted an extension by the Wisconsin Works agency. A participant
11 may be employed in more than one transitional subsidized private sector job, and at
12 the conclusion of each assignment under this subsection, the Wisconsin Works
13 agency shall reassess the individual's employability. A participant's employment
14 under this subsection may not exceed 24 months, which need not be consecutive. The
15 department or, with the approval of the department, the Wisconsin Works agency
16 may grant an extension of the 24-month limit on a case-by-case basis if any of the
17 following applies:

- 18 1. The participant is employed under par. (b) 2. a. or b.
19 2. The participant has made all appropriate job search efforts but has been
20 unable to find unsubsidized employment because local labor market conditions
21 preclude a reasonable job opportunity for that participant, as determined by a
22 Wisconsin Works agency and approved by the department.

23 (f) *Unsubsidized employment search.* 1. Except as provided in subd. 2., a
24 participant in a transitional subsidized private sector job shall search for
25 unsubsidized employment throughout his or her participation, including any time

1 during which the participant is pursuing education or training under par. (g). The
2 Wisconsin Works agency shall determine, in accordance with guidelines established
3 by the department, the number of hours that a participant in a transitional
4 subsidized private sector job should reasonably spend searching for unsubsidized
5 employment.

6 2. A Wisconsin Works agency may grant a participant in a transitional
7 subsidized private sector job an exception to the requirement under subd. 1. if any
8 of the following applies:

9 a. The participant is employed under par. (b) 2. a. or b.

10 b. The Wisconsin Works agency determines, in accordance with guidelines
11 established by the department, that the participant has made all appropriate job
12 search efforts but has been unable to find unsubsidized employment because local
13 labor market conditions preclude a reasonable job opportunity for that participant.

14 3. If the Wisconsin Works agency determines that a participant working in a
15 transitional subsidized private sector job is not making satisfactory or good faith
16 efforts to seek unsubsidized employment after having been given appropriate notice
17 by the Wisconsin Works agency, as defined by the department, the participant shall
18 be terminated from his or her employment in the transitional subsidized private
19 sector job. A participant who believes that he or she has been wrongfully terminated
20 under this subdivision may appeal the termination to the department.

21 (g) *Education or training substitution.* 1. If a participant has been employed
22 in a transitional subsidized private sector job for at least 2 weeks and the employer
23 determines that the participant's work performance has been satisfactory, the
24 participant and the Wisconsin Works agency, in consultation with the employer, may
25 enter into an agreement under which all of the following occur:

1 a. The participant enrolls in an education or training program that the
2 participant and Wisconsin Works agency agree has a high probability of enabling the
3 participant to acquire skills leading to unsubsidized employment.

4 b. The participant's work hours in the transitional subsidized private sector job
5 are reduced to between 15 and 20 hours per week.

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

9 2. A stipend under subd. 1. c. may not be paid for longer than 3 months, unless
10 the Wisconsin Works agency recommends a longer period in accordance with
11 guidelines established by the department. In no case, however, may the stipend be
12 paid after the participant's employment in the transitional subsidized private sector
13 job terminates.

14 ***-1256/5.32* SECTION 35.** 49.147 (4) (a) of the statutes is amended to read:

15 49.147 (4) (a) *Administration.* A Wisconsin ~~works~~ Works agency shall
16 administer a community service job program as part of its administration of
17 Wisconsin ~~works~~ Works to improve the employability of an individual who is not
18 otherwise able to obtain employment, as determined by the Wisconsin ~~works~~ Works
19 agency, by providing work experience and training, if necessary, to assist the
20 individual to move promptly into unsubsidized public or private employment or a
21 trial job. In determining an appropriate placement for a participant, a Wisconsin
22 ~~works~~ Works agency shall give placement under this subsection priority over
23 placements under sub. (5). If a Wisconsin Works agency determines that placement
24 is appropriate for a participant under either this subsection or sub. (3m), the
25 participant shall be allowed to choose between a placement under this subsection

1 and a placement under sub. (3m), to the extent of the availability of appropriate
2 transitional subsidized private sector jobs and community service jobs. Community
3 service jobs shall be limited to projects that the department determines would serve
4 a useful public purpose or projects the cost of which is partially or wholly offset by
5 revenue generated from such projects. After each 6 months of an individual's
6 participation under this subsection and at the conclusion of each assignment under
7 this subsection, a Wisconsin ~~works~~ Works agency shall reassess the individual's
8 employability.

9 ***-1256/5.33*** SECTION 36. 49.147 (5) (a) 3. of the statutes is amended to read:

10 49.147 (5) (a) 3. The Wisconsin ~~works~~ Works agency determines that the
11 individual is incapable of performing a trial job, transitional subsidized private
12 sector job, or community service job.

13 ***-1256/5.34*** SECTION ^{AR PJK 3} (37). 49.147 (6) of the statutes, as affected by 2003
14 Wisconsin Act (this act), is renumbered 49.1471, and 49.1471 (title), (1) (c), (2) (c),
15 (3m) (b) and (4) (intro.), as renumbered, are amended to read:

16 **49.1471 (title) Job Wisconsin Works; job access loan loans.**

17 (1) (c) The individual is not in default with respect to the repayment of any
18 previous job access loan or repayment of any grant ~~or~~, wage, or stipend overpayments
19 under ~~this section~~ Wisconsin Works.

20 (2) (c) The terms and conditions of repayment. The rules promulgated under
21 this ~~subdivision~~ paragraph shall provide for repayment by performance of in-kind
22 services. The rules shall establish criteria that the Wisconsin ~~works~~ Works agency
23 shall use to approve in-kind repayment of loans.

1 **(3m)** (b) ~~Subdivision 1. Paragraph (a)~~ applies to delinquent repayments
2 existing on or after the effective date of this ~~subdivision paragraph~~ [revisor inserts
3 date], regardless of when the loan was made or when the delinquency accrued.

 ***NOTE: This is reconciled s. 49.1471 (3m) (b). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0229 and LRB-1256.

4 **(4)** MINOR CUSTODIAL PARENTS. (intro.) An individual who would be eligible for
5 a job access loan under ~~par. (a) sub. (1)~~, except that the individual has not attained
6 the age of 18, is eligible under this ~~paragraph subsection~~ if the individual meets the
7 following requirements:

1245
3 51-12
10
PJK

8 ***-1256/5.35*** SECTION 38. 49.148 (1) (intro.) of the statutes is amended to read:
 49.148 (1) BENEFIT LEVELS AND WAGES FOR PARTICIPANTS IN EMPLOYMENT
 POSITIONS. (intro.) A participant in a Wisconsin ~~works~~ Works employment position
11 shall receive the following benefits or wages:

12 ***-1256/5.36*** SECTION 39. 49.148 (1) (am) of the statutes is created to read:
13 49.148 (1) (am) *Transitional subsidized private sector jobs*. For a participant
14 in a transitional subsidized private sector job, the prevailing federal minimum wage
15 for hours actually worked, paid by the participant's employer.

16 ***-1256/5.37*** SECTION 40. 49.148 (1) (b) 1. of the statutes is amended to read:
17 49.148 (1) (b) 1. Except as provided in subd. 1m., for a participant in a
18 community service job under s. 49.147 (4), a monthly grant of \$673, paid by the
19 Wisconsin ~~works~~ Works agency. For every hour that the participant misses work or
20 education or training activities without good cause, the grant amount shall be
21 reduced by \$5.15. Good cause shall be determined by the financial and employment
22 planner in accordance with rules promulgated by the department. Good cause shall
23 include required court appearances for a victim of domestic abuse. If a participant

1 in a community service job under s. 49.147 (4) is required to work fewer than 30 hours
2 per week because the participant has unsubsidized employment, ~~as defined in s.~~
3 ~~49.147 (1) (e)~~, the grant amount under this paragraph shall equal the amount
4 specified under subd. 1m. minus \$5.15 for each hour that the participant misses work
5 or education or training activities without good cause.

6 ***-1256/5.38* SECTION 41.** 49.148 (1m) (a) of the statutes is amended to read:

7 49.148 (1m) (a) A person who meets the eligibility requirements under s.
8 49.145 (2) and (3) and who is a custodial parent of a child who is 12 weeks 6 months
9 ~~old or less and who meets the eligibility requirements under s. 49.145 (2) and (3)~~ may
10 receive a monthly grant of \$673 unless another adult member of the custodial
11 parent's Wisconsin works Works group is participating in, or is eligible to participate
12 in, a Wisconsin works Works employment position or is employed in unsubsidized
13 employment, ~~as defined in s. 49.147 (1) (e)~~. A Wisconsin works Works agency may
14 not require a participant under this subsection to participate in any Wisconsin Works
15 employment positions. ~~Receipt of a grant under this subsection does not constitute~~
16 ~~participation in a Wisconsin works employment position for purposes of the time~~
17 ~~limits under s. 49.145 (2) (n) or 49.147 (3) (c), (4) (b) or (5) (b) 2. if the child is born~~
18 ~~to the participant not more than 10 months after the date that the participant was~~
19 ~~first determined to be eligible for assistance under s. 49.19 or for a Wisconsin works~~
20 ~~employment position.~~

21 ***-1256/5.39* SECTION 42.** 49.148 (1m) (b) of the statutes is renumbered 49.148
22 (1m) (b) 2. and amended to read:

23 49.148 (1m) (b) 2. Receipt of a grant under this subsection constitutes
24 participation in a Wisconsin works Works employment position for purposes of the
25 time limits under ss. 49.145 (2) (n) and 49.147 (3) (c), (3m) (e), (4) (b), or (5) (b) 2. if

1 the child is born to the participant more than 10 months after the date that the
2 participant was first determined to be eligible for assistance under s. 49.19 or for a
3 Wisconsin ~~works~~ Works employment position unless the child was conceived as a
4 result of a sexual assault in violation of s. 940.225 (1), (2), or (3) in which the mother
5 did not indicate a freely given agreement to have sexual intercourse or of incest in
6 violation of s. 944.06 or 948.06 and that incest or sexual assault has been reported
7 to a physician and to law enforcement authorities.

8 ***-1256/5.40* SECTION 43.** 49.148 (1m) (b) 1. of the statutes is created to read:

9 49.148 (1m) (b) 1. Receipt of a grant under this subsection does not constitute
10 participation in a Wisconsin Works employment position for purposes of the time
11 limits under s. 49.145 (2) (n) or 49.147 (3) (c), (3m) (e), (4) (b), or (5) (b) 2. if the child
12 is born to the participant not more than 10 months after the date that the participant
13 was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin
14 Works employment position.

15 ***-1256/5.41* SECTION 44.** 49.148 (4) (a) of the statutes is amended to read:

16 49.148 (4) (a) A Wisconsin ~~works~~ Works agency shall require a participant in
17 a transitional subsidized private sector job, community service job, or transitional
18 placement who, after August 22, 1996, was convicted in any state or federal court of
19 a felony that had as an element possession, use, or distribution of a controlled
20 substance to submit to a test for use of a controlled substance as a condition of
21 continued eligibility. If the test results are positive, the Wisconsin ~~works~~ Works
22 agency shall decrease the presanction benefit amount for ~~that a participant in a~~
23 community service job or a transitional placement not more than 15%, and shall
24 decrease the number of hours that a participant in a transitional subsidized private
25 sector job may work by up to 15%, for not fewer than 12 months, or for the remainder

1 of the participant's period of participation in a transitional subsidized private sector
2 job, community service job, or transitional placement, if less than 12 months. If, at
3 the end of 12 months, the individual is still a participant in a transitional subsidized
4 private sector job, community service job, or transitional placement and submits to
5 another test for use of a controlled substance and if the results of the test are
6 negative, the Wisconsin works Works agency shall discontinue the reduction in
7 benefits or work hours under this paragraph.

8 ***-1256/5.42*** SECTION 45. 49.148 (4) (b) of the statutes is amended to read:

9 49.148 (4) (b) The Wisconsin works Works agency may require an individual
10 who tests positive for use of a controlled substance under par. (a) to participate in a
11 drug abuse evaluation, assessment, and treatment program as part of the
12 participation requirement under s. 49.147 (4) (as) or (5) (bs) or as a condition of
13 employment in the transitional subsidized private sector job.

14 ***-1256/5.43*** SECTION 46. 49.149 (intro.) of the statutes is repealed.

15 ***-1256/5.44*** SECTION 47. 49.149 (1) of the statutes is renumbered 49.1465 (2)
16 (a).

17 ***-1256/5.45*** SECTION 48. 49.149 (3) of the statutes is renumbered 49.1465 (2)
18 (b).

19 ***-1256/5.46*** SECTION 49. 49.149 (4) of the statutes is renumbered 49.1465 (2)
20 (c).

21 ***-1256/5.47*** SECTION 50. 49.15 (3) (a) of the statutes is amended to read:

22 49.15 (3) (a) Unsubsidized employment, ~~as defined in s. 49.147 (1) (e).~~

23 ***-1256/5.48*** SECTION 51. 49.152 (1) of the statutes is amended to read:

24 49.152 (1) PETITION FOR REVIEW. Any individual whose application for any
25 component of Wisconsin works Works is not acted upon by the Wisconsin works

SECTION 51

1 Works agency with reasonable promptness after the filing of the application, as
2 defined by the department by rule, or is denied in whole or in part, whose benefit,
3 wage, or stipend is modified or canceled, or who believes that the benefit, wage, or
4 stipend was calculated incorrectly or that the Wisconsin Works employment position
5 in which the individual was placed or the transitional subsidized private sector job
6 that the individual was offered is inappropriate, may petition the Wisconsin ~~works~~
7 Works agency for a review of such action. Review is unavailable if the action by the
8 Wisconsin ~~works~~ Works agency occurred more than 45 days prior to submission of
9 the petition for review.

10 ***-1256/5.49*** SECTION 52. 49.152 (3) (a) of the statutes is amended to read:

11 49.152 (3) (a) If, following review under sub. (2), the Wisconsin ~~works~~ Works
12 agency or the department determines that an individual, whose application for a
13 Wisconsin ~~works~~ Works employment position was denied based on eligibility, was in
14 fact eligible, or that the individual was placed in an inappropriate Wisconsin ~~works~~
15 Works employment position or offered an inappropriate transitional subsidized
16 private sector job, the Wisconsin ~~works~~ Works agency shall place the individual in
17 the first available Wisconsin ~~works~~ Works employment position, or offer the
18 individual the first available transitional subsidized private sector job, that is
19 appropriate for that individual, as determined by the Wisconsin ~~works~~ Works agency
20 or the department. An individual who is placed in a Wisconsin works employment
21 position under this paragraph is eligible for the benefit for that position under s.
22 49.148 beginning on the date on which the individual begins participation under s.
23 49.147.

24 ***-1256/5.50*** SECTION 53. 49.152 (3) (b) of the statutes is amended to read:

1 49.152 (3) (b) If, following review under sub. (2), the Wisconsin ~~works~~ Works
 2 agency or the department determines that a participant's benefit, wage, or stipend
 3 was improperly modified or canceled, or was calculated incorrectly, the Wisconsin
 4 ~~works~~ Works agency shall restore the benefit, wage, or stipend to the level
 5 determined to be appropriate by the Wisconsin ~~works~~ Works agency or by the
 6 department retroactive to the date on which the benefit, wage, or stipend was first
 7 improperly modified or canceled or incorrectly calculated.

(END INSERT 351-12 PJK)

8 *-1256/5.51* SECTION 54. 49.155 (1m) (a) 3. of the statutes is amended to read:

9 49.155 (1m) (a) 3. Work in a Wisconsin ~~works~~ Works employment position,
 10 including participation in job search, orientation and training activities under s.
 11 49.147 (2) (a) or (3m) (f) and in education or training activities under s. 49.1465 or
 12 49.147 (3) (am), (3m) (g), (4) (am), or (5) (bm).

13 *-1256/5.52* SECTION 55. 49.161 (4) of the statutes is created to read:

14 49.161 (4) TRANSITIONAL SUBSIDIZED PRIVATE SECTOR JOBS OVERPAYMENTS. The
 15 department shall by rule specify a process for recovering an overpayment of wages
 16 paid under s. 49.148 (1) (am) or an overpayment of a stipend paid under s. 49.147
 17 (3m) (g), including an overpayment caused by an intentional violation of ss. 49.141
 18 to 49.161 or of rules promulgated under those sections, that permits an employer to
 19 recover a wage overpayment from the individual to whom the wage was paid and that
 20 requires the department to recover from an employer any overpayment of a
 21 reimbursement paid by the department to the employer.

22 *-1256/5.53* SECTION 56. 49.1635 (1) of the statutes is amended to read:

23 49.1635 (1) To the extent permitted under federal law and subject to sub. (2),
 24 from the appropriation under s. 20.445 (3) (md) the department shall may distribute
 25 funds to the Wisconsin Trust Account Foundation in an amount equal up to the

INS
353-11
PJK

SECTION 56

1 amount received by the foundation from private donations, but not to exceed
2 \$100,000 in each a fiscal year. Except as provided in sub. (4), funds distributed under
3 this subsection may be used only for the provision of legal services to individuals who
4 are eligible for temporary assistance for needy families under 42 USC 601 et seq. and
5 whose incomes are at or below 200% of the poverty line.

INS
356721
PJK

6 *-1256/5.54* SECTION 57. ^{AR PJK Q} 49.175 (1) (n) of the statutes, as affected by 2003

Wisconsin Act (this act), is amended to read:

49.175 (1) (n) *Job access loans.* For job access loans under s. 49.147 (6) 49.1471,
9 \$200,000 in each fiscal year.

****NOTE: This is reconciled s. 49.175 (1) (n). This SECTION has been affected by
drafts with the following LRB numbers: LRB-1256 and LRB-1752.

INS
360-17
12
PJK

10 *-1256/5.55* SECTION 58. 49.195 (title) of the statutes is amended to read:

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

13 *-1256/5.56* SECTION 59. 49.195 (1) of the statutes is amended to read:

14 49.195 (1) If any parent at the time of receiving aid under s. 49.19, a stipend
15 under s. 49.147 (3m) (g), or a benefit under s. 49.148, 49.155, or 49.157, or at any time
16 thereafter, acquires property by gift, inheritance, sale of assets, court judgment, or
17 settlement of any damage claim, or by winning a lottery or prize, the county granting
18 such aid, or the Wisconsin works Works agency granting such a stipend or benefit,
19 may sue the parent on behalf of the department to recover the value of that portion
20 of the aid ~~or of the stipend, or benefit which that~~ does not exceed the amount of the
21 property so acquired. The value of the aid, stipend, or benefit liable for recovery
22 under this section may not include the value of work performed by a member of the
23 family in a community work experience program under s. 46.215 (1) (o), 1991 stats.,

1 s. 46.22 (1) (b) 11., 1991 stats., or s. 49.50 (7j) (d), 1991 stats., or in a community work
2 experience component under s. 49.193 (6), 1997 stats. During the life of the parent,
3 the 10-year statute of limitations may be pleaded in defense against any suit for
4 recovery under this section; and if such property is his or her homestead it shall be
5 exempt from execution on the judgment of recovery until his or her death or sale of
6 the property, whichever occurs first. Notwithstanding the foregoing restrictions and
7 limitations, where if the aid, stipend, or benefit recipient is deceased, a claim may
8 be filed against any property in his or her estate and the statute of limitations
9 specified in s. 859.02 shall be exclusively applicable. The court may refuse to render
10 judgment or allow the claim in any case where a parent, spouse, or child is dependent
11 on the property for support, and the court in rendering judgment shall take into
12 account the current family budget requirement as fixed by the U.S. department of
13 labor for the community or as fixed by the authorities of the community in charge of
14 public assistance. The records of aid, stipend, or benefits paid kept by the county, by
15 the department, or by the Wisconsin ~~works~~ Works agency are prima facie evidence
16 of the value of the aid, stipend, or benefits ~~furnished~~ paid. Liability under this
17 section shall extend to any parent or stepparent whose family receives aid under s.
18 49.19, a stipend under s. 49.147 (3m) (g), or benefits under s. 49.148, 49.155, or
19 49.157 during the period that he or she is a member of the same household, but his
20 or her liability is limited to such period. This section does not apply to medical and
21 health assistance payments for which recovery is prohibited or restricted by federal
22 law or regulation.

23 *~~1256/5.57~~* **SECTION 60.** 49.195 (3) of the statutes is amended to read:

24 49.195 (3) A county, tribal governing body, or Wisconsin ~~works~~ Works agency
25 or the department shall determine whether an overpayment has been made under

1 s. ~~49.19~~ 49.147 (3m) (g), 49.148, 49.155 ~~or~~, 49.157, or 49.19 and, if so, the amount of
 2 the overpayment. The county, tribal governing body, or Wisconsin works Works
 3 agency or the department shall provide notice of the overpayment to the liable
 4 person. The department shall give that person an opportunity for a review following
 5 the procedure specified under s. 49.152, if the person received the overpayment
 6 under s. 49.141 to 49.161, and for a hearing under ch. 227. Notwithstanding s. 49.96,
 7 the department shall promptly recover all overpayments made under s. ~~49.19~~ 49.147
 8 (3m) (g), 49.148, 49.155 ~~or~~, 49.157, or 49.19 that have not already been received under
 9 s. 49.161 or 49.19 (17) and shall promulgate rules establishing policies and
 10 procedures to administer this subsection. The rules shall include notification
 11 procedures similar to those established for child support collections.

12 ***-1256/5.58* SECTION 61.** 49.22 (6) of the statutes is amended to read:

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

22 ***-1256/5.59* SECTION 62.** 49.26 (1) (g) (intro.) of the statutes is amended to
 23 read:

NS
362-12
24
PJK
25

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

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

3 ***-1256/5.60* SECTION 63.** 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), (3m), (4), or (5) and who
6 fails to meet the school attendance requirement under par. (ge) is subject to a
7 monthly sanction.

8 ***-1256/5.61* SECTION 64.** 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.

12 ***-1256/5.62* SECTION 65.** 49.32 (4) of the statutes is repealed.

13 ***-1256/5.63* SECTION 66.** 49.32 (9) (a) of the statutes is amended to read:

14 49.32 (9) (a) Each county department under s. 46.215, 46.22, or 46.23
15 administering aid to families with dependent children shall maintain a monthly
16 report at its office showing the names of all persons receiving aid to families with
17 dependent children together with the amount paid during the preceding month.
18 Each Wisconsin ~~works~~ Works agency administering Wisconsin ~~works~~ Works under
19 ss. 49.141 to 49.161 shall maintain a monthly report at its office showing the names
20 of all persons receiving stipends under s. 49.147 (3m) (g) or benefits or wages under
21 s. 49.148 together with the amount paid during the preceding month. Nothing in this
22 paragraph shall be construed to authorize or require the disclosure in the report of
23 any information (~~, including names, amounts of aid, or otherwise~~) other information,
24 pertaining to adoptions, or aid furnished for the care of children in foster homes or
25 treatment foster homes under s. 46.261 or 49.19 (10).

INS
362-
24
PJK

1 *~~1256/5.64~~* SECTION 67. 49.32 (10) (b) of the statutes is amended to read:

2 49.32 (10) (b) If a law enforcement officer believes, on reasonable grounds, that
3 a warrant has been issued and is outstanding for the arrest of a Wisconsin ~~works~~
4 Works participant, the law enforcement officer may request that a law enforcement
5 officer be notified when the participant appears to obtain his or her stipend or
6 benefits under the Wisconsin ~~works~~ Works program. At the request of a law
7 enforcement officer under this paragraph, an employee of a Wisconsin ~~works~~ Works
8 agency who disburses stipends or benefits may notify a law enforcement officer when
9 the participant appears to obtain ~~Wisconsin works~~ his or her stipend or benefits.

10 *~~1256/5.65~~* SECTION 68. 49.32 (10m) (a) of the statutes is amended to read:

11 49.32 (10m) (a) A county department, relief agency under s. 49.01 (3m), or
12 Wisconsin ~~works~~ Works agency shall, upon request, and after providing the notice
13 to the recipient required by this paragraph, release the current address of a recipient
14 of relief under s. 49.01 (3), aid to families with dependent children, a stipend under
15 s. 49.147 (3m) (g), or benefits or wages under s. 49.148 to a person, the person's
16 attorney, or an employee or agent of that attorney, if the person is a party to a legal
17 action or proceeding in which the recipient is a party or a witness, unless the person
18 is a respondent in an action commenced by the recipient under s. 813.12, 813.122,
19 813.123, 813.125, or 813.127. If the person is a respondent in an action commenced
20 by the recipient under s. 813.12, 813.122, 813.123, 813.125, or 813.127, the county
21 department, relief agency, or Wisconsin ~~works~~ Works agency may not release the
22 current address of the recipient. No county department, relief agency, or Wisconsin
23 ~~works~~ Works agency may release an address under this paragraph until 21 days after
24 the address has been requested. A person requesting an address under this
25 paragraph shall be required to prove his or her identity and his or her participation

1 as a party in a legal action or proceeding in which the recipient is a party or a witness
2 by presenting a copy of the pleading or a copy of the subpoena for the witness. The
3 person shall also be required to sign a statement setting forth his or her name,
4 address, and the reasons for making the request and indicating that he or she
5 understands the provisions of par. (b) with respect to the use of the information
6 obtained. The statement shall be made on a form prescribed by the department and
7 shall be sworn and notarized. Within 7 days after an address has been requested
8 under this paragraph, the county department, relief agency, or Wisconsin ~~works~~
9 Works agency shall mail to each recipient whose address has been requested a
10 notification of that fact on a form prescribed by the department. The form shall also
11 include the date on which the address was requested, the name and address of the
12 person who requested the disclosure of the address, the reason that the address was
13 requested, and a statement that the address will be released to the person who
14 requested the address no sooner than 21 days after the date on which the request for
15 the address was made. County departments, relief agencies, and Wisconsin ~~works~~
16 Works agencies shall keep a record of each request for an address under this
17 paragraph.

18 *-1256/5.66* SECTION 69. 49.36 (2) of the statutes is amended to read:

19 49.36 (2) The department may contract with any county, tribal governing body,
20 or Wisconsin ~~works~~ Works agency to administer a work experience and job training
21 program for parents who are not custodial parents and who fail to pay child support
22 or to meet their children's needs for support as a result of unemployment or
23 underemployment. The program may provide the kinds of work experience and job
24 training services available from the program under s. 49.193, 1997 stats., or s. 49.147
25 (3), (3m), or (4). The program may also include job search and job orientation

INS
365
PJK

1 activities. The department shall fund the program from the appropriation under s.
2 20.445 (3) (dz).

3 *-1256/5.67* SECTION 70. 49.785 (1) (intro.) of the statutes, as affected by 2003

Wisconsin Act (this act), is amended to read:

IN > 4 12
404-5 BIA
PJK

49.785 (1) (intro.) Except as provided in sub. (1m), if any recipient of a stipend
6 under s. 49.147 (3m) (g) or of benefits or wages under s. 49.148, 49.46, or 49.77, or
7 under 42 USC 1381 to 1385 in effect on May 8, 1980, dies and the estate of the
8 deceased recipient is insufficient to pay the funeral, burial, and cemetery expenses
9 of the deceased recipient, the county or applicable tribal governing body or
10 organization responsible for burial of the recipient shall pay, to the person
11 designated by the county department under s. 46.215, 46.22, or 46.23 or applicable
12 tribal governing body or organization responsible for the burial of the recipient, all
13 of the following:

****NOTE: This is reconciled s. 49.785 (1) (intro.). This SECTION has been affected
by drafts with the following LRB numbers: LRB-0190 and LRB-1256.

NS 14
40510
PJK
16

-1256/5.68 SECTION (71) ^{AR PJK5} 49.85 (1) of the statutes, as affected by 2003

Wisconsin Act (this act), is amended to read:

49.85 (1) DEPARTMENT NOTIFICATION REQUIREMENT. If a county department under
17 s. 46.215, 46.22, or 46.23 or a governing body of a federally recognized American
18 Indian tribe or band determines that the department of health and family services
19 may recover an amount under s. 49.497 or that the department of workforce
20 development may recover an amount under s. 49.161, 49.195 (3), or 49.793, or collect
21 an amount under s. ~~49.147 (6) (em)~~ 49.1471 (3m), the county department or
22 governing body shall notify the affected department of the determination. If a
23 Wisconsin works agency determines that the department of workforce development

1 may recover an amount under s. 49.161 or 49.195 (3), or collect an amount under s.
2 ~~49.147 (6) (em)~~ 49.1471 (3m), the Wisconsin works agency shall notify the
3 department of workforce development of the determination.

****NOTE: This is reconciled s. 49.85 (1). This SECTION has been affected by drafts with the following LRB numbers: LRB-0229 and LRB-1256.

IN →
405-
20
PJK

4 ~~*-1256/5.69*~~ ^{A.R. PJK} SECTION ~~(72)~~ 49.85 (2) (b) of the statutes, as affected by 2003
5 Wisconsin Act (this act), is amended to read:

6 49.85 (2) (b) At least annually, the department of workforce development shall
7 certify to the department of revenue the amounts that, based on the notifications
8 received under sub. (1) and on other information received by the department of
9 workforce development, the department of workforce development has determined
10 that it may recover under ss. 49.161, 49.195 (3), and 49.793, and collect under s.
11 ~~49.147 (6) (em)~~ 49.1471 (3m), except that the department of workforce development
12 may not certify an amount under this subsection unless it has met the notice
13 requirements under sub. (3) and unless its determination has either not been
14 appealed or is no longer under appeal.

****NOTE: This is reconciled s. 49.85 (2) (b). This SECTION has been affected by drafts with the following LRB numbers: LRB-0229 and LRB-1256.

IN S
406-
PJK

15 ~~*-1256/5.70*~~ ^{A.R. PJK} SECTION ~~(73)~~ 49.85 (3) (b) 1. of the statutes, as affected by 2003
16 Wisconsin Act (this act), is amended to read:

17 49.85 (3) (b) 1. Inform the person that the department of workforce
18 development intends to certify to the department of revenue an amount that the
19 department of workforce development has determined to be due under s. 49.161,
20 49.195 (3), or 49.793, or to be delinquent under a repayment agreement for a loan
21 under s. ~~49.147 (6)~~ 49.1471, for setoff from any state tax refund that may be due the
22 person.

****NOTE: This is reconciled s. 49.85 (3) (b) 1. This SECTION has been affected by drafts with the following LRB numbers: LRB-0229 and LRB-1256.

INS
406-24
PJK

1 ***-1256/5.71* SECTION 74.** 49.95 (4m) (a) of the statutes is amended to read:

2 49.95 (4m) (a) Without legal authority, sends or brings a person to a county,
3 tribal governing body, or municipality or advises a person to go to a county, tribal
4 governing body, or municipality for the purpose of obtaining relief funded by a relief
5 block grant, wages, a stipend, or benefits under the Wisconsin works Works program
6 under ss. 49.141 to 49.161, aid to families with dependent children under s. 49.19,
7 medical assistance under subch. IV, or food stamps under 7 USC 2011 to 2029.

8 ***-1256/5.72* SECTION 75.** 49.95 (11) of the statutes is amended to read:

9 49.95 (11) "Public assistance" as used in this section includes relief funded by
10 a relief block grant and wages, a stipend, or benefits under ss. 49.141 to 49.161.

11 ***-1256/5.73* SECTION 76.** 49.96 of the statutes is amended to read:

12 **49.96 Assistance grants exempt from levy.** All grants of aid to families with
13 dependent children, stipends paid under s. 49.147 (3m) (g), payments made under
14 ss. s. 48.57 (3m) or (3n), 49.148 (1) (b) 1. or (c) or (1m) or 49.149 to 49.159, 49.155, or
15 49.157, payments made for social services, cash benefits paid by counties under s.
16 59.53 (21), and benefits under s. 49.77 or federal Title XVI, are exempt from every
17 tax, and from execution, garnishment, attachment, and every other process and shall
18 be inalienable.

19 ***-1256/5.74* SECTION 77.** 59.53 (5) (a) of the statutes is amended to read:

INS
432-18
PJK

20 59.53 (5) (a) The board shall contract with the department of workforce
21 development to implement and administer the child and spousal support and
22 establishment of paternity and the medical support liability programs provided for
23 by Title IV of the federal social security act. The board may designate by board

1 resolution any office, officer, board, department, or agency, except the clerk of circuit
 2 court, as the county child support agency. The board or county child support agency
 3 shall implement and administer the programs in accordance with the contract with
 4 the department of workforce development. The attorneys responsible for support
 5 enforcement under sub. (6) (a), circuit court commissioners, and all other county
 6 officials shall cooperate with the county and the department of workforce
 7 development as necessary to provide the services required under the programs. The
 8 county shall charge the fee established by the department of workforce development
 9 under s. 49.22 for services provided under this paragraph to persons not receiving
 10 a stipend under s. 49.147 (3m) (g), benefits or wages under s. 49.148 or 49.155, or
 11 assistance under s. 46.261, 49.19, or 49.47.

INS
466-
21
PJK

12 ***-1256/5.75* SECTION 78.** ^{AR. PJK 8} 71.93 (1) (a) 4. of the statutes, as affected by 2003
 13 Wisconsin Act (this act), is amended to read:
 14 71.93 (1) (a) 4. An amount that the department of workforce development may
 15 recover under s. 49.161, 49.195 (3), or 49.793, or may collect under s. ~~49.147 (6) (em)~~
 16 49.1471 (3m), if the department of workforce development has certified the amount
 17 under s. 49.85.

****NOTE: This is reconciled s. 71.93 (1) (a) 4. This SECTION has been affected by drafts with the following LRB numbers: LRB-0229 and LRB-1256.

INS
563-
13
PJK

18 ***-1256/5.76* SECTION 79.** 102.07 (17m) of the statutes is amended to read:
 19 102.07 (17m) A participant in a trial job under s. 49.147 (3) or a transitional
 20 subsidized private sector job under s. 49.147 (3m) is an employee of any employer
 21 under this chapter for whom the participant is performing service at the time of the
 22 injury.

INS
705-13
PJK

23 ***-1256/5.77* SECTION 80.** 227.01 (13) (zL) of the statutes is created to read:



1 227.01 (13) (zL) Establishes guidelines under s. 49.147 (3m) (c), (d) 2., (f) 1. or
2 2. b., or (g) 2. for transitional subsidized private sector jobs under Wisconsin Works.

INS ✓
795-13
PSK

3 *-1256/5.78* SECTION 81. 767.045 (1) (c) 1. of the statutes is amended to read:
4 767.045 (1) (c) 1. Aid is provided under s. 46.261, 48.57 (3m) or (3n), 49.19, or
5 49.45 on behalf of the child, or wages or a stipend are paid to or benefits are provided
6 to the child's custodial parent under ss. 49.141 to 49.161, but the state and its
7 delegate under s. 49.22 (7) are barred by a statute of limitations from commencing
8 an action under s. 767.45 on behalf of the child.

INS
795-17
PSK

9 *-1256/5.79* SECTION ~~82~~ ⁸¹ 767.075 (1) (c) of the statutes, as affected by 2003
10 Wisconsin Act (this act), is amended to read:

Adin

11 767.075 (1) (c) Whenever aid under s. 46.261, 48.57 (3m) or (3n), 49.19, or 49.45
12 is provided on behalf of a dependent child or wages or a stipend are paid to or benefits
13 are provided to the child's custodial parent under s. 49.79 or under ss. 49.141 to
14 49.161.

***NOTE: This is reconciled s. 767.075 (1) (c). This SECTION has been affected by drafts with the following LRB numbers: LRB-0015 and LRB-1256.

15 *-1256/5.80* SECTION 83. 767.075 (1) (cm) of the statutes is amended to read:
16 767.075 (1) (cm) Whenever aid under s. 46.261, 48.57 (3m) or (3n), 49.19, or
17 49.45 has, in the past, been provided on behalf of a dependent child, or wages or a
18 stipend have, in the past, been paid to or benefits have, in the past, been provided
19 to the child's custodial parent under ss. 49.141 to 49.161, and the child's family is
20 eligible for continuing child support services under 45 CFR 302.33.

21 *-1256/5.81* SECTION 84. 767.15 (1) of the statutes is amended to read:
22 767.15 (1) In any action affecting the family in which either party is a recipient
23 of wages, a stipend, or benefits under ss. 49.141 to 49.161 or aid under s. 46.261,

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

7 *~~1256/5.82~~* SECTION 85. 767.24 (6) (c) of the statutes is amended to read:

8 767.24 (6) (c) In making an order of joint legal custody and periods of physical
9 placement, the court may specify one parent as the primary caretaker of the child and
10 one home as the primary home of the child, for the purpose of determining eligibility
11 for aid under s. 49.19 or wages, a stipend, or benefits under ss. 49.141 to 49.161 or
12 for any other purpose the court considers appropriate.

13 *~~1256/5.83~~* SECTION 86. 767.47 (6) (a) of the statutes is amended to read:

14 767.47 (6) (a) Whenever the state brings the action to determine paternity
15 pursuant to an assignment under s. 46.261, 48.57 (3m) (b) 2. or (3n) (b) 2., 49.19 (4)
16 (h) 1., or 49.45 (19), or receipt of a stipend under s. 49.147 (3m) (g) or benefits or wages
17 under s. 49.148; 49.155, or 49.157 or 49.159, the natural mother of the child may not
18 be compelled to testify about the paternity of the child if it has been determined that
19 the mother has good cause for refusing to cooperate in establishing paternity as
20 provided in 42 USC 602 (a) (26) (B) and the federal regulations promulgated
21 pursuant to this statute, as of July 1, 1981, and pursuant to any rules promulgated
22 by the department which define good cause in accordance with the federal
23 regulations, as authorized by 42 USC 602 (a) (26) (B) in effect on July 1, 1981.

24 *~~1256/5.84~~* SECTION 87. 767.47 (6) (b) of the statutes is amended to read:

INS
796-10
PSK

1 767.47 (6) (b) Nothing in par. (a) prevents the state from bringing an action to
 2 determine paternity pursuant to an assignment under s. 48.57 (3m) (b) 2. or (3n) (b)
 3 2., 49.19 (4) (h) 1., or 49.45 (19), or receipt of a stipend under s. 49.147 (3m) (g) or
 4 benefits or wages under s. 49.148, 49.155, or 49.157 or 49.159, where evidence other
 5 than the testimony of the mother may establish the paternity of the child.

✓
INS
801-
19
PJK9

6 ***-1256/5.85* SECTION 88.** 814.61 (13) of the statutes is amended to read:

7 814.61 (13) SUPPORT OR MAINTENANCE PETITION. For the cost of court services,
 8 whenever a person not receiving a stipend under s. 49.147 (3m) (g), benefits or wages
 9 under s. 49.148 or 49.155, or aid under s. 49.19, 49.46, 49.465, 49.468, or 49.47 files
 10 a petition requesting child support, maintenance, or family support payments, \$10
 11 in addition to any other fee required under this section. This subsection does not
 12 apply to a petition filed by the state or its delegate.

✓
INS
841-24
RAC

13 ***-2020/2.9101*** ~~SECTION 9101. Nonstatutory provisions;~~
 14 ~~administration.~~

(15)

15 (1) TRANSITIONAL FUNDING OF HOUSING OPERATIONS. Notwithstanding the
 16 requirement under section 20.001 (3) (a) of the statutes that annual appropriations
 17 are expendable only up to the amount shown in the schedule and only for the fiscal
 18 year for which made, and notwithstanding the requirement under section 20.001 (3)
 19 (b) of the statutes that biennial appropriations are expendable only up to the total
 20 amount shown in the schedule for both years and only for the biennium for which
 21 made, during the period that begins on the effective date of this subsection and ends
 22 on the 30th day after the effective date of this subsection, the annual and biennial
 23 appropriations to the department of administration under section 20.505 (7) of the
 24 statutes provided for the 2002–03 fiscal year shall remain in effect until the 30th day
 25 after the effective date of this subsection, except that, for the annual appropriations,

1 the department of administration may not expend or encumber more than
2 one-twelfth of the amounts appropriated for the 2002-03 fiscal year from each such
3 appropriation and, for the biennial appropriations, the department of
4 administration may not expend or encumber more than one-twelfth of the amounts
5 shown in the schedule for the 2002-03 fiscal year from each such appropriation.

6 ***-2020/2.9115*** SECTION 9115. ~~Nonstatutory provisions; electronic~~
7 ~~government.~~

8 (1) FUNDING OF OPERATIONS AND PROGRAMS AT THE DEPARTMENT OF ELECTRONIC
9 GOVERNMENT. Notwithstanding the requirement under section 20.001 (3) (a) of the
10 statutes that annual appropriations are expendable only up to the amount shown in
11 the schedule and only for the fiscal year for which made, during the period that
12 begins on the effective date of this subsection and ends on the 30th day after the
13 effective date of this subsection, the annual appropriations to the department of
14 electronic government under section 20.530 of the statutes provided for the 2002-03
15 fiscal year shall remain in effect until the 30th day after the effective date of this
16 subsection, except that the department of electronic government may not expend or
17 encumber more than one-twelfth of the amounts appropriated for the 2002-03 fiscal
18 year from each appropriation.

19 ***-2020/2.9118*** SECTION 9118. ~~Nonstatutory provisions; employment~~
20 ~~relations.~~

21 (1) FUNDING OF OPERATIONS AND PROGRAMS AT THE DEPARTMENT OF EMPLOYMENT
22 RELATIONS. Notwithstanding the requirement under section 20.001 (3) (a) of the
23 statutes that annual appropriations are expendable only up to the amount shown in
24 the schedule and only for the fiscal year for which made, during the period that
25 begins on the effective date of this subsection and ends on the 30th day after the

✓
LWS
848-15
RAC

✓
LWS
850-5
RAC

1 effective date of this subsection, the annual appropriations to the department of
2 employment relations under section 20.512 of the statutes provided for the 2002–03
3 fiscal year shall remain in effect until the 30th day after the effective date of this
4 subsection, except that the department of employment relations may not expend or
5 encumber more than one-twelfth of the amounts appropriated for the 2002–03 fiscal
6 year from each appropriation.

7 ~~*1256/5.9159*~~ SECTION 9159. ~~Nonstatutory provisions; workforce~~
8 ~~development.~~

IN
883
4
BTK

9 (1) COMMUNITY REINVESTMENT FUNDS. The department of workforce
10 development may not pay to Wisconsin Works agencies any community
11 reinvestment funds earned under contracts that were entered into under section
12 49.143 of the statutes and that had terms beginning on January 1, 2000, and ending
13 on December 31, 2001.

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

22 (3) STUDY ON ASSISTANCE WITH LABOR MARKET PARTICIPATION. The department of
23 workforce development shall conduct a study to determine the best ways to assist
24 low-income custodial parents and other at-risk low-income adults in entering and
25 successfully participating in the labor market. The department of workforce

Keep numbers - ~~original~~ and use 3 times

1 development is encouraged, in conducting the study, to consult with other state
2 agencies, public and private organizations, and individuals with expertise in the
3 subject area. The department of workforce development shall, no later than June 30,
4 2004, submit a report on the results of the study, including the department's findings
5 and recommendations, to the legislature in the manner provided in section 13.172
6 (2) of the statutes and to the governor.

7 ***-1256/5.9359*** SECTION 9359. Initial applicability; workforce
8 development.

INS ✓
914-
25
PSK

9 (1) CARETAKER OF NEWBORN INFANT. The treatment of section 49.148 (1m) (a) of
10 the statutes first applies to all of the following:

11 (a) Persons who are receiving benefits under section 49.148 (1m) of the statutes
12 on the effective date of this paragraph.

13 (b) Persons who are determined, on the effective date of this paragraph, to be
14 eligible to receive benefits under section 49.148 (1m) of the statutes.

15 ***-1256/5.9459*** SECTION 9459. Effective dates; workforce development.

INS ✓
929-
16
PSK

16 (1) WISCONSIN WORKS. The treatment of sections 20.445 (3) (dz) (by SECTION 4)
17 and (jL) (by SECTION 5), 49.015 (2), 49.13 (2) (cm), 49.136 (2) (b), 49.141 (1) (e), (mc),
18 (o), and (om), (4), and (5) (a), 49.143 (2) (a) 4., 5., and 6., (f), and (fm) and (3g) (a) 4.,
19 49.145 (1), (2) (i) and (s), and (3) (b) 1., 49.1465, 49.147 (title), (1), (1m), (2) (a) 1., (3)
20 (a), (3m), (4) (a), (5) (a) 3., and (6) (by SECTION 37), 49.148 (1) (intro.), (am), and (b)
21 1., (1m) (a), and (4) (a) and (b), 49.149 (intro.), (1), (3), and (4), 49.15 (3) (a), 49.152
22 (1) and (3) (a) and (b), 49.155 (1m) (a) 3., 49.161 (4), 49.175 (1) (n) (by SECTION 57),
23 49.179, 49.195 (title), (1), and (3), 49.22 (6), 49.26 (1) (g) (intro.), (h) 1s. b., and (hm),
24 49.32 (4), (9) (a), (10) (b), and (10m) (a), 49.36 (2), 49.85 (1) (by SECTION 71), (2) (b) (by
25 SECTION 72), and (3) (b) 1. (by SECTION 73), 49.95 (4m) (a) and (11), 49.96, 59.53 (5) (a),

check
A.R.
PSK1

A.R.
PSK4

A.R.
PSK6

A.R.
PSK7

comma

SECTION 9459

A.R. PJK 8
↓

1 71.93 (1) (a) 4. (by SECTION (78) 102.07 (17m), 227.01 (13) (zL), 767.045 (1) (c) 1.,
2 767.075 (1) (c) (by SECTION (82) and (cm), 767.15 (1), 767.24 (6) (c), 767.47 (6) (a) and
3 (b), and 814.61 (13) of the statutes, the renumbering and amendment of sections
4 49.146 and 49.148 (1m) (b) of the statutes, the amendment of sections 49.146 (title)
5 and 49.785 (1) (intro.) of the statutes, the creation of sections 49.146 (2) and 49.148
6 (1m) (b) 1. of the statutes, and SECTION 9359 (1) take effect on January 1, 2004.

A.R. PJK 9 ✓

~~(END)~~

A.R.
PJK 10 ✓

7