



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - PLEASE DO NOT REMOVE FROM DRAFTING FILE

Date Transfer Requested: 07/25/2007 (Per: GMM)



 Appendix A ... Part 05 of 07

 The 2007 drafting file for LRB 07-1267/P1

has been transferred to the drafting file for

2007 LRB 07-1261

 The attached 2005 draft was incorporated into the new 2007 draft listed above. For research purposes, this cover sheet and the complete drafting file were transferred, as a separate appendix, to the 2007 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

This is a preliminary draft for the new Department of Children and Families, which is made up of some parts of DHFS and some parts of DWD. This draft includes only DWD's sections and will be compiled with LRB-1261, which will contain DHFS's sections.

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

2 **SECTION 1.** 13.101 (6) (a) of the statutes is amended to read:

3 13.101 (6) (a) As an emergency measure necessitated by decreased state
4 revenues and to prevent the necessity for a state tax on general property, the
5 committee may reduce any appropriation made to any board, commission,
6 department, or the University of Wisconsin System, or to any other state agency or
7 activity, by such amount as it deems feasible, not exceeding 25% of the
8 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and

1 (cr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (af),
2 (aq), (ar), and (au), 20.435 (6) (a) and (7) (da), and ~~20.445 (3)~~ 20.437 (2) (a) and (dz)
3 or for forestry purposes under s. 20.370 (1), or any other moneys distributed to any
4 county, city, village, town, or school district. Appropriations of receipts and of a sum
5 sufficient shall for the purposes of this section be regarded as equivalent to the
6 amounts expended under such appropriations in the prior fiscal year which ended
7 June 30. All functions of said state agencies shall be continued in an efficient
8 manner, but because of the uncertainties of the existing situation no public funds
9 should be expended or obligations incurred unless there shall be adequate revenues
10 to meet the expenditures therefor. For such reason the committee may make
11 reductions of such appropriations as in its judgment will secure sound financial
12 operations of the administration for said state agencies and at the same time
13 interfere least with their services and activities.

14 **SECTION 2.** 13.63 (1) (am) of the statutes is amended to read:

15 13.63 (1) (am) If an individual who applies for a license under this section does
16 not have a social security number, the individual, as a condition of obtaining that
17 license, shall submit a statement made or subscribed under oath or affirmation to the
18 board that the individual does not have a social security number. The form of the
19 statement shall be prescribed by the department of ~~workforce development~~ children
20 and families. A license issued in reliance upon a false statement submitted under
21 this paragraph is invalid.

22 **SECTION 3.** 13.63 (1) (b) of the statutes is amended to read:

23 13.63 (1) (b) Except as provided under par. (am), the board shall not issue a
24 license to an applicant who does not provide his or her social security number. The
25 board shall not issue a license to an applicant or shall revoke any license issued to

1 a lobbyist if the department of revenue certifies to the board that the applicant or
2 lobbyist is liable for delinquent taxes under s. 73.0301. The board shall refuse to
3 issue a license or shall suspend any existing license for failure of an applicant or
4 licensee to pay court-ordered payments of child or family support, maintenance,
5 birth expenses, medical expenses or other expenses related to the support of a child
6 or former spouse or failure of an applicant or licensee to comply, after appropriate
7 notice, with a subpoena or warrant issued by the department of ~~workforce~~
8 development children and families or a county child support agency under s. 59.53
9 (5) and related to paternity or child support proceedings, as provided in a
10 memorandum of understanding entered into under s. 49.857. No application may
11 be disapproved by the board except an application for a license by a person who is
12 ineligible for licensure under this subsection or s. 13.69 (4) or an application by a
13 lobbyist whose license has been revoked under this subsection or s. 13.69 (7) and only
14 for the period of such ineligibility or revocation.

15 **SECTION 4.** 13.64 (2) of the statutes is amended to read:

16 13.64 (2) The registration shall expire on December 31 of each even-numbered
17 year. Except as provided in sub. (2m), the board shall refuse to accept a registration
18 statement filed by an individual who does not provide his or her social security
19 number. The board shall refuse to accept a registration statement filed by an
20 individual or shall suspend any existing registration of an individual for failure of
21 the individual or registrant to pay court-ordered payments of child or family
22 support, maintenance, birth expenses, medical expenses or other expenses related
23 to the support of a child or former spouse or failure of the individual or registrant to
24 comply, after appropriate notice, with a subpoena or warrant issued by the
25 department of ~~workforce development~~ children and families or a county child

1 support agency under s. 59.53 (5) and related to paternity or child support
2 proceeding, as provided in a memorandum of understanding entered into under s.
3 49.857. If all lobbying by or on behalf of the principal which is not exempt under s.
4 13.621 ceases, the board shall terminate the principal's registration and any
5 authorizations under s. 13.65 as of the day after the principal files a statement of
6 cessation and expense statements under s. 13.68 for the period covering all dates on
7 which the principal was registered. Refusal to accept a registration statement or
8 suspension of an existing registration pursuant to a memorandum of understanding
9 under s. 49.857 is not subject to review under ch. 227.

10 **SECTION 5.** 13.64 (2m) of the statutes is amended to read:

11 **13.64 (2m)** If an individual who applies for registration under this section does
12 not have a social security number, the individual, as a condition of obtaining
13 registration, shall submit a statement made or subscribed under oath or affirmation
14 to the board that the individual does not have a social security number. The form of
15 the statement shall be prescribed by the department of ~~workforce development~~
16 children and families. A registration accepted in reliance upon a false statement
17 submitted under this subsection is invalid.

18 **SECTION 6.** 13.83 (4) (a) 9. of the statutes is amended to read:

19 **13.83 (4) (a) 9.** The advantages and disadvantages of merging the departments
20 of ~~workforce development~~ children and families and health and family services to
21 create a new department of family supports to integrate family services currently
22 administered by multiple departments.

***NOTE: Should this be repealed instead?

23 **SECTION 7.** 14.18 of the statutes is amended to read:

1 **14.18 Assistance from department of ~~workforce development~~ children**
2 **and families**. The governor may enter into a cooperative arrangement with the
3 department of ~~workforce development~~ children and families under which the
4 department assists the governor in providing temporary assistance for needy
5 families under 42 USC 601 et. seq.

6 **SECTION 8.** 15.197 (24) (d) of the statutes is amended to read:

7 15.197 (24) (d) If the department of ~~workforce development~~ children and
8 families establishes more than one geographical area in Milwaukee County under
9 s. 49.143 (6), the children's services networks established in Milwaukee County
10 under s. 49.143 (2) (b), in nominating members under par. (a) 7., shall nominate
11 residents of different geographical areas established under s. 49.143 (6) and, when
12 the term of a member appointed under par. (a) 7. ends or if a vacancy occurs in the
13 membership of the council under par. (a) 7., those children's services networks shall
14 nominate a resident of a different geographical area established under s. 49.143 (6)
15 from the geographical area of the member who is being replaced according to a
16 rotating order of succession determined by the children's services networks.

17 **SECTION 9.** 16.54 (12) (b) of the statutes is amended to read:

18 16.54 (12) (b) The department of ~~workforce development~~ children and families
19 may not expend or encumber any moneys received under s. ~~20.445 (3)~~ 20.437 (2) (mm)
20 unless the department of ~~workforce development~~ children and families submits a
21 plan for the expenditure of the moneys to the department of administration and the
22 department of administration approves the plan.

23 **SECTION 10.** 16.54 (12) (d) of the statutes is amended to read:

24 16.54 (12) (d) At the end of each fiscal year, the department of administration
25 shall determine the amount of moneys that remain in the appropriation accounts

1 under ss. 20.435 (8) (mm) and ~~20.445 (3)~~ 20.437 (2) (mm) that have not been approved
2 for encumbrance or expenditure by the department pursuant to a plan submitted
3 under par. (a) or (b) and shall require that such moneys be lapsed to the general fund.
4 The department shall notify the cochairpersons of the joint committee on finance, in
5 writing, of the department's action under this paragraph.

6 **SECTION 11.** 16.75 (6) (bm) of the statutes is amended to read:

7 16.75 (6) (bm) If the secretary determines that it is in the best interest of this
8 state to do so, he or she may waive any requirement under subs. (1) to (5) and ss.
9 16.705 and 16.72 (2) (e) and (f) and (5) with respect to any contract entered into by
10 the department of ~~workforce development~~ children and families under s. 49.143, if
11 the department of ~~workforce development~~ children and families presents the
12 secretary with a process for the procurement of contracts under s. 49.143 and the
13 secretary approves the process.

14 **SECTION 12.** 19.55 (2) (b) of the statutes is amended to read:

15 19.55 (2) (b) Records obtained or prepared by the board in connection with an
16 investigation, except that the board shall permit inspection of records that are made
17 public in the course of a hearing by the board to determine if a violation of this
18 subchapter or subch. III of ch. 13 has occurred. Whenever the board refers such
19 investigation and hearing records to a district attorney or to the attorney general,
20 they may be made public in the course of a prosecution initiated under this
21 subchapter. The board shall also provide information from investigation and hearing
22 records that pertains to the location of individuals and assets of individuals as
23 requested under s. 49.22 (2m) by the department of ~~workforce development~~ children
24 and families or by a county child support agency under s. 59.53 (5).

25 **SECTION 13.** 19.55 (2) (d) of the statutes is amended to read:

1 19.55 (2) (d) Records of the social security number of any individual who files
2 an application for licensure as a lobbyist under s. 13.63 or who registers as a principal
3 under s. 13.64, except to the department of ~~workforce development~~ children and
4 families for purposes of administration of s. 49.22 or to the department of revenue
5 for purposes of administration of s. 73.0301.

6 **SECTION 14.** 20.001 (2) (e) of the statutes is amended to read:

7 20.001 (2) (e) *Federal revenues.* “Federal revenues” consist of moneys received
8 from the federal government, except that under s. ~~20.445 (3)~~ 20.437 (2) (md) “federal
9 revenues” also include moneys treated as refunds of expenditures, and under s.
10 ~~20.445 (3)~~ 20.437 (2) (me) “federal revenues” consist only of moneys treated as
11 received from the federal government. Federal revenues may be deposited as
12 program revenues in the general fund or as segregated revenues in a segregated
13 fund. In either case they are indicated in s. 20.005 by the addition of “-F” after the
14 abbreviation assigned under pars. (b) and (d).

15 **SECTION 15.** 20.001 (5) of the statutes is amended to read:

16 20.001 (5) **REFUNDS OF EXPENDITURES.** Any amount not otherwise appropriated
17 under this chapter that is received by a state agency as a result of an adjustment
18 made to a previously recorded expenditure from a sum certain appropriation to that
19 agency due to activities that are of a temporary nature or activities that could not be
20 anticipated during budget development and which serves to reduce or eliminate the
21 previously recorded expenditure in the same fiscal year in which the previously
22 recorded expenditure was made, except as provided in s. ~~20.445 (3)~~ 20.437 (2) (md),
23 may, upon request of the agency, be designated by the secretary of administration as
24 a refund of an expenditure. Except as otherwise provided in this subsection, the
25 secretary of administration may designate an amount received by a state agency as

1 a refund of an expenditure only if the agency submits to the secretary a written
2 explanation of the circumstances under which the amount was received that
3 includes a specific reference in a statutory or nonstatutory law to a function of the
4 agency under which the amount was received and the appropriation from which the
5 previously recorded expenditure was made. A refund of an expenditure shall be
6 deposited by the receiving state agency in the appropriation account from which the
7 previously recorded expenditure was made. Except as otherwise provided in this
8 subsection, a state agency which proposes to make an expenditure from moneys
9 designated as a refund of an expenditure shall submit to the secretary of
10 administration a written explanation of the purpose of the expenditure, including a
11 specific reference in a statutory or nonstatutory law to a function of the agency under
12 which the expenditure is to be made and the appropriation from which the
13 expenditure is to be made. After submission and approval of an estimate of the
14 amount proposed to be expended under s. 16.50 (2), a state agency may expend the
15 moneys received from the refund of the expenditure. The secretary of administration
16 may waive submission of any explanation required by this subsection for categories
17 of refunds of expenditures or proposed refunds of expenditures.

****NOTE: Gordon is taking care of cross-references to both "workforce development" and "s. 20.445 (3)" in s. 20.435 (3) when he rennumbers and rennumbers and amends the appropriations in that subsection.

18 **SECTION 16.** 20.435 (7) (bc) of the statutes is amended to read:

19 20.435 (7) (bc) *Grants for community programs.* The amounts in the schedule
20 for grants for community programs under s. 46.48. Notwithstanding ss. 20.001 (3)
21 (a) and 20.002 (1), the department may transfer funds between fiscal years under
22 this paragraph. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department
23 of health and family services may credit or deposit into this appropriation funds for

1 the purpose specified in s. 46.48 (13) that the department transfers from the
2 appropriation under par. (bL) that are allocated by the department under that
3 appropriation but unexpended or unencumbered on June 30 of each year. Except for
4 amounts authorized to be carried forward under s. 46.48 and as otherwise provided
5 in this paragraph, all funds allocated but not encumbered by December 31 of each
6 year lapse to the general fund on the next January 1 unless carried forward to the
7 next calendar year by the joint committee on finance. Notwithstanding ss. 20.001
8 (3) (a) and 20.002 (1), the department shall transfer from this appropriation account
9 to the appropriation account for the department of ~~workforce development~~ children
10 and families under s. ~~20.445 (3)~~ 20.437 (2) (dz) funds allocated by the department
11 under s. 46.48 (30) but unexpended on June 30 of each year.

12 **SECTION 17.** 20.445 (3) (title) of the statutes is renumbered 20.437 (2) (title).

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

13 **SECTION 18.** 20.445 (3) (a) of the statutes is renumbered 20.437 (2) (a).

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

14 **SECTION 19.** 20.445 (3) (cm) of the statutes is renumbered 20.437 (2) (cm).

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

15 **SECTION 20.** 20.445 (3) (cr) of the statutes is renumbered 20.437 (2) (cr).

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

16 **SECTION 21.** 20.445 (3) (dz) of the statutes is renumbered 20.437 (2) (dz).

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

17 **SECTION 22.** 20.445 (3) (i) of the statutes is renumbered 20.437 (2) (i).

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

18 **SECTION 23.** 20.445 (3) (ja) of the statutes is renumbered 20.437 (2) (ja).

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

1 **SECTION 24.** 20.445 (3) (jb) of the statutes is renumbered 20.437 (2) (jb).

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

2 **SECTION 25.** 20.445 (3) (jL) of the statutes is renumbered 20.437 (2) (jL).

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

3 **SECTION 26.** 20.445 (3) (k) of the statutes is renumbered 20.437 (2) (k).

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

4 **SECTION 27.** 20.445 (3) (kp) of the statutes is renumbered 20.437 (2) (kp).

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

5 **SECTION 28.** 20.445 (3) (kx) of the statutes is renumbered 20.437 (2) (kx).

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

6 **SECTION 29.** 20.445 (3) (L) of the statutes is renumbered 20.437 (2) (L).

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

7 **SECTION 30.** 20.445 (3) (ma) of the statutes is renumbered 20.437 (2) (ma).

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

8 **SECTION 31.** 20.445 (3) (mc) of the statutes is renumbered 20.437 (2) (mc) and

9 amended to read:

10 20.437 (2) (mc) *Federal block grant operations.* The amounts in the schedule,
11 less the amounts withheld under s. 49.143 (3), for the purposes of operating and
12 administering the block grant programs for which the block grant moneys are
13 received and transferring moneys to the appropriation account under s. ~~20.435 (3)~~
14 sub. (1) (kx). All block grant moneys received for these purposes from the federal
15 government or any of its agencies for the state administration of federal block grants
16 shall be credited to this appropriation account.

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

1 **SECTION 32.** 20.445 (3) (md) of the statutes is renumbered 20.437 (2) (md) and
2 amended to read:

3 20.437 (2) (md) *Federal block grant aids.* The amounts in the schedule, less
4 the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and
5 to be transferred to the appropriation accounts under ~~ss. 20.435 (3) sub. (1) (kc), (kd),~~
6 ~~and (kx), and ss. 20.435 (4) (kz), (6) (kx), (7) (ky), and (8) (kx) and 20.835 (2) (kf).~~ All
7 block grant moneys received for these purposes from the federal government or any
8 of its agencies and all moneys recovered under s. 49.143 (3) shall be credited to this
9 appropriation account. The department may credit to this appropriation account the
10 amount of any returned check, or payment in other form, that is subject to
11 expenditure in the same contract period in which the original payment attempt was
12 made, regardless of the fiscal year in which the original payment attempt was made.

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

13 **SECTION 33.** 20.445 (3) (me) of the statutes is renumbered 20.437 (2) (me).

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

14 **SECTION 34.** 20.445 (3) (mm) of the statutes is renumbered 20.437 (2) (mm) and
15 amended to read:

16 20.437 (2) (mm) *Reimbursements from federal government.* All moneys
17 received from the federal government that are intended to reimburse the state for
18 expenditures in previous fiscal years from general purpose revenue appropriations
19 whose purpose includes a requirement to match or secure federal funds and that
20 exceeded in those fiscal years the estimates reflected in the intentions of the
21 legislature and governor, as expressed by them in the budget determinations, and

1 the joint committee on finance, as expressed by the committee in any determinations,
2 and the estimates approved for expenditure by the secretary of administration under
3 s. 16.50 (2), for the purpose of paying federal disallowances, federal sanctions or
4 penalties and the costs of any corrective action affecting the department of ~~workforce~~
5 development children and families. Notwithstanding s. 20.001 (3) (c), at the end of
6 each fiscal year, the amount determined by the department of administration under
7 s. 16.54 (12) (d) shall lapse to the general fund.

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

8 **SECTION 35.** 20.445 (3) (n) of the statutes is renumbered 20.437 (2) (n).

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

9 **SECTION 36.** 20.445 (3) (na) of the statutes is renumbered 20.445 (1) (om).

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

10 **SECTION 37.** 20.445 (3) (nL) of the statutes is renumbered 20.437 (2) (nL).

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

11 **SECTION 38.** 20.445 (3) (pv) of the statutes is renumbered 20.437 (2) (pv) and
12 amended to read:

13 20.437 (2) (pv) *Electronic benefits transfer.* All moneys received from the
14 federal government for the electronic transfer of benefits administered by the
15 department of ~~workforce development~~ children and families, to be expended for the
16 purposes specified. Estimated disbursements under this paragraph shall not be
17 included in the schedule under s. 20.005.

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

18 **SECTION 39.** 20.445 (3) (pz) of the statutes is renumbered 20.437 (2) (pz).

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

1 **SECTION 40.** 20.445 (3) (q) of the statutes is renumbered 20.437 (2) (q).

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

2 **SECTION 41.** 20.445 (3) (qm) of the statutes is renumbered 20.437 (2) (qm).

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

3 **SECTION 42.** 20.445 (3) (r) of the statutes is renumbered 20.437 (2) (r).

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

4 **SECTION 43.** 20.445 (3) (s) of the statutes is renumbered 20.437 (2) (s).

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

5 **SECTION 44.** 20.505 (4) (kp) of the statutes is amended to read:

6 20.505 (4) (kp) *Hearings and appeals fees.* The amounts in the schedule for
7 hearings and appeals services to the department of health and family services under
8 s. 227.43 (1) (bu), the department of ~~workforce development~~ children and families
9 under s. 227.43 (1) (by) and to all agencies under s. 227.43 (1m). All moneys received
10 from the fees charged under s. 227.43 (3) (c), (d) and (e) shall be credited to this
11 appropriation account.

12 **SECTION 45.** 20.835 (2) (kf) of the statutes is amended to read:

13 20.835 (2) (kf) *Earned income tax credit; temporary assistance for needy*
14 *families.* The amounts in the schedule to be used to pay, to the extent permitted
15 under federal law, the claims approved under s. 71.07 (9e). All moneys transferred
16 from the appropriation account under s. ~~20.445 (3)~~ 20.437 (2) (md) shall be credited
17 to this appropriation account.

18 **SECTION 46.** 25.68 (1) of the statutes is amended to read:

1 25.68 (1) All moneys received by the department of ~~workforce development~~
2 children and families under s. 49.854, except for moneys received under s. 49.854 (11)

3 (b).

4 **SECTION 47.** 25.68 (3) of the statutes is amended to read:

5 25.68 (3) All moneys not specified under sub. (2) that are received under a
6 judgment or order in an action affecting the family, as defined in s. 767.001 (1), by
7 the department of ~~workforce development~~ children and families or its designee.

8 **SECTION 48.** 29.024 (2g) (am) of the statutes is amended to read:

9 29.024 (2g) (am) *Social security numbers exceptions.* If an applicant who is an
10 individual does not have a social security number, the applicant, as a condition of
11 applying for, or applying to renew, an approval specified in par. (a) 1. to 3., shall
12 submit a statement made or subscribed under oath or affirmation to the department
13 that the applicant does not have a social security number. The form of the statement
14 shall be prescribed by the department of ~~workforce development~~ children and
15 families. An approval issued by the department of natural resources in reliance on
16 a false statement submitted by an applicant under this paragraph is invalid.

17 **SECTION 49.** 29.024 (2g) (c) of the statutes is amended to read:

18 29.024 (2g) (c) *Disclosure of social security numbers.* The department of
19 natural resources may not disclose any social security numbers received under par.
20 (a) to any person except to the department of ~~workforce development~~ children and
21 families for the sole purpose of administering s. 49.22.

22 **SECTION 50.** 29.024 (2g) (d) 1. of the statutes is amended to read:

23 29.024 (2g) (d) 1. As provided in the memorandum of understanding required
24 under s. 49.857 (2), the department shall deny an application to issue or renew,
25 suspend if already issued or otherwise withhold or restrict an approval specified in

1 par. (a) 1. to 3. if the applicant for or the holder of the approval is delinquent in
2 making court-ordered payments of child or family support, maintenance, birth
3 expenses, medical expenses or other expenses related to the support of a child or
4 former spouse or if the applicant or holder fails to comply with a subpoena or warrant
5 issued by the department of ~~workforce development~~ children and families or a county
6 child support agency under s. 59.53 (5) and relating to paternity or child support
7 proceedings.

8 **SECTION 51.** 29.024 (2r) (am) of the statutes is amended to read:

9 29.024 (2r) (am) *Social security and identification numbers exceptions.* If an
10 applicant who is an individual does not have a social security number, the applicant,
11 as a condition of applying for, or applying to renew, any of the approvals specified in
12 par. (a) 1. to 16., shall submit a statement made or subscribed under oath or
13 affirmation to the department that the applicant does not have a social security
14 number. The form of the statement shall be prescribed by the department of
15 ~~workforce development~~ children and families. An approval issued by the department
16 of natural resources in reliance on a false statement submitted by an applicant under
17 this paragraph is invalid.

18 **SECTION 52.** 29.229 (5m) (a) of the statutes is amended to read:

19 29.229 (5m) (a) The band is requested to enter into a memorandum of
20 understanding with the department of ~~workforce development~~ children and families
21 under s. 49.857.

22 **SECTION 53.** 29.229 (5m) (b) of the statutes is amended to read:

23 29.229 (5m) (b) The band is requested to enact tribal laws or ordinances that
24 require each person who has a social security number, as a condition of being issued
25 an approval under this section, to provide to the band his or her social security

1 number, tribal laws or ordinances that require each person who does not have a social
2 security number, as a condition of being issued an approval under this section, to
3 provide to the band a statement made or subscribed under oath or affirmation on a
4 form prescribed by the department of ~~workforce development~~ children and families
5 that the person does not have a social security number, and tribal laws or ordinances
6 that prohibit the disclosure of that number by the band to any other person except
7 to the department of ~~workforce development~~ children and families for the purpose
8 of administering s. 49.22.

9 **SECTION 54.** 29.229 (5m) (c) of the statutes is amended to read:

10 29.229 (5m) (c) The band is requested to enact tribal laws or ordinances that
11 deny an application to issue or renew, suspend if already issued or otherwise
12 withhold or restrict an approval issued under this section if the applicant for or the
13 holder of the approval fails to provide the information required under tribal laws or
14 ordinances enacted under par. (b) or fails to comply, after appropriate notice, with a
15 subpoena or warrant issued by the department of ~~workforce development~~ children
16 and families or a county child support agency under s. 59.53 (5) and related to
17 paternity or child support proceedings or if the department of ~~workforce~~
18 ~~development~~ children and families certifies that the applicant for or the holder of the
19 approval has failed to pay court-ordered payments of child or family support,
20 maintenance, birth expenses, medical expenses or other expenses related to the
21 support of a child or former spouse. The band is also requested to enact tribal laws
22 or ordinances that invalidate an approval issued under this subsection if issued in
23 reliance upon a statement made or subscribed under oath or affirmation under tribal
24 laws or ordinances enacted under par. (b) that is false.

25 **SECTION 55.** 45.20 (2) (d) 2. b. of the statutes is amended to read:

1 45.20 (2) (d) 2. b. A statement that the veteran is not delinquent in child
2 support or maintenance payments and does not owe past support, medical expenses
3 or birth expenses, signed by the department of ~~workforce development~~ children and
4 families or its designee within 7 working days before the date of the application.

5 **SECTION 56.** 45.33 (2) (b) 1. b. of the statutes is amended to read:

6 45.33 (2) (b) 1. b. A statement that the person is not delinquent in child support
7 or maintenance payments and does not owe past support, medical expenses, or birth
8 expenses, signed by the department of ~~workforce development~~ children and families
9 or its designee within 7 working days before the date of the application.

10 **SECTION 57.** 45.42 (6) (b) of the statutes is amended to read:

11 45.42 (6) (b) Provides to the department a statement that the applicant is not
12 delinquent in child support or maintenance payments and does not owe past support,
13 medical expenses, or birth expenses, signed by the department of ~~workforce~~
14 ~~development~~ children and families or its designee within 7 working days before the
15 date of the application.

16 **SECTION 58.** 46.03 (7) (bm) of the statutes is amended to read:

17 46.03 (7) (bm) Maintain a file containing records of artificial inseminations
18 under s. 891.40, declarations of paternal interest under s. 48.025, and statements
19 acknowledging paternity under s. 69.15 (3) (b). The department may release those
20 records, declarations, and statements only upon an order of the court except that the
21 department may use nonidentifying information concerning artificial inseminations
22 for the purpose of compiling statistics, declarations of paternal interest shall be
23 released as provided in s. 48.025 (3) (b) and (c), and statements acknowledging
24 paternity shall be released without a court order to the department of ~~workforce~~
25 ~~development~~ children and families or a county child support agency under s. 59.53

1 (5) upon the request of that department or county child support agency pursuant to
2 the program responsibilities under s. 49.22 or to any other person with a direct and
3 tangible interest in the statement.

4 **SECTION 59.** 46.10 (14) (b) of the statutes is amended to read:

5 46.10 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability
6 of a parent specified in sub. (2) or s. 46.03 (18) for the care and maintenance of the
7 parent's minor child who has been placed by a court order under s. 48.355 or 48.357
8 in a residential, nonmedical facility such as a group home, foster home, treatment
9 foster home, subsidized guardianship home, or residential care center for children
10 and youth shall be determined by the court by using the percentage standard
11 established by the department of ~~workforce development~~ children and families
12 under s. 49.22 (9) and by applying the percentage standard in the manner
13 established by the department under s. 46.247.

14 **SECTION 60.** 46.215 (1) (d) of the statutes is amended to read:

15 46.215 (1) (d) To make investigations that relate to services under subchs. II,
16 IV and V of ch. 49 upon request by the department of health and family services, to
17 make investigations that relate to juvenile delinquency-related services at the
18 request of the department of corrections and to make investigations that relate to
19 programs under subch. III of ch. 49 upon request by the department of ~~workforce~~
20 ~~development~~ children and families.

21 **SECTION 61.** 46.215 (1) (j) of the statutes is amended to read:

22 46.215 (1) (j) To make payments in such manner as the department of
23 ~~workforce development~~ children and families may determine for training of
24 recipients, former recipients and potential recipients of aid in programs established
25 under s. 49.193, 1997 stats., and s. 49.26 (1).

1 **SECTION 62.** 46.215 (2) (a) 2. of the statutes is amended to read:

2 46.215 (2) (a) 2. In order to ensure the availability of a full range of care and
3 services, the county department of social services may contract, either directly or
4 through the department of ~~workforce development~~ children and families, with public
5 or voluntary agencies or others to purchase, in full or in part, care and services under
6 subch. III of ch. 49 which the county department of social services is authorized to
7 furnish. This care and these services may be purchased from the department of
8 ~~workforce development~~ children and families if the department of ~~workforce~~
9 ~~development~~ children and families has staff to furnish the services. If the county
10 department of social services has adequate staff, it may sell the care and services
11 directly to another county or state agency.

12 **SECTION 63.** 46.215 (2) (b) of the statutes is amended to read:

13 46.215 (2) (b) A county department of social services may purchase
14 development and training services from the department of health and family
15 services, from the department of ~~workforce development~~ children and families, from
16 the department of corrections or from other county agencies when the services are
17 available. A county department of social services may sell the development and staff
18 training services to another county or state agency if the county department has
19 adequate staff to provide the services.

20 **SECTION 64.** 46.215 (2) (c) 2. of the statutes is amended to read:

21 46.215 (2) (c) 2. A county department of social services shall develop, under the
22 requirements of s. 49.34, plans and contracts for care and services to be purchased
23 under subch. III of ch. 49. The department of ~~workforce development~~ children and
24 families may review the contracts and approve them if they are consistent with s.
25 49.34 and if state or federal funds are available for such purposes. The joint

1 committee on finance may require the department of ~~workforce development~~
2 children and families to submit the contracts to the committee for review and
3 approval. The department of ~~workforce development~~ children and families may not
4 make any payments to a county for programs included in a contract under review by
5 the committee.

6 **SECTION 65.** 46.215 (3) of the statutes is amended to read:

7 46.215 (3) PROGRAM BUDGETS. The county department of social services shall
8 submit a final budget to the department of health and family services under s. 46.031
9 (1), to the department of corrections under s. 301.031 (1), and to the department of
10 ~~workforce development~~ children and families under s. 49.325 (1), for authorized
11 services.

12 **SECTION 66.** 46.22 (1) (b) 2. (intro.) of the statutes is amended to read:

13 46.22 (1) (b) 2. (intro.) A county department of social services shall have the
14 following functions, duties and powers in accordance with the rules promulgated by
15 the department of ~~workforce development~~ children and families and subject to the
16 supervision of the department of ~~workforce development~~ children and families:

17 **SECTION 67.** 46.22 (1) (b) 2. c. of the statutes is amended to read:

18 46.22 (1) (b) 2. c. To make investigations as provided under subch. III of ch. 49
19 upon request by the department of ~~workforce development~~ children and families.

20 **SECTION 68.** 46.22 (1) (b) 2. e. of the statutes is amended to read:

21 46.22 (1) (b) 2. e. To make payments in such manner as the department of
22 ~~workforce development~~ children and families may determine for training of
23 recipients, former recipients and potential recipients of aid in programs established
24 under ss. 49.193, 1997 stats., and s. 49.26 (1).

25 **SECTION 69.** 46.22 (1) (b) 3. (intro.) of the statutes is amended to read:

1 46.22 (1) (b) 3. (intro.) A county department of social services shall have the
2 following functions, duties and powers in accordance with the rules promulgated and
3 standards established by the department of health and family services and subject
4 to the supervision of the department of ~~workforce development~~ children and families:

5 **SECTION 70.** 46.22 (1) (b) 3. d. of the statutes is amended to read:

6 46.22 (1) (b) 3. d. To submit a final budget to the department of ~~workforce~~
7 ~~development~~ children and families in accordance with s. 49.325 for services
8 authorized in this subdivision.

9 **SECTION 71.** 46.22 (1) (d) of the statutes is amended to read:

10 46.22 (1) (d) *Merit system; records.* The county department of social services
11 is subject to s. 49.78 (4) to (7). The county department of social services and all county
12 officers and employees performing any duties in connection with the administration
13 of aid to families with dependent children shall observe all rules promulgated by the
14 department of ~~workforce development~~ children and families under s. 49.78 (4) and
15 shall keep records and furnish reports as the department of ~~workforce development~~
16 children and families requires in relation to their performance of such duties.

17 **SECTION 72.** 46.22 (1) (e) 1. of the statutes is amended to read:

18 46.22 (1) (e) 1. In order to ensure the availability of a full range of care and
19 services, a county department of social services may contract, either directly or
20 through the department of health and family services, the department of ~~workforce~~
21 ~~development~~ children and families, or the department of corrections, with public or
22 voluntary agencies or others to purchase, in full or in part, care and services which
23 the county department of social services is authorized by any statute to furnish in
24 any manner. The services may be purchased from the department of health and
25 family services, the department of ~~workforce development~~ children and families, or

1 the department of corrections if the department of health and family services, the
2 department of ~~workforce development~~ children and families, or the department of
3 corrections has staff to furnish the services. The county department of social
4 services, if it has adequate staff, may sell the care and services directly to another
5 county or state agency.

6 **SECTION 73.** 46.22 (1) (e) 2. of the statutes is amended to read:

7 46.22 (1) (e) 2. A county department of social services may purchase
8 development and training services from the department of health and family
9 services, the department of ~~workforce development~~ children and families, or the
10 department of corrections or from other county agencies if the services are available
11 or sell the development and staff training services to another county or state agency
12 if the county department of social services has adequate staff to provide the services.

13 **SECTION 74.** 46.22 (1) (e) 3. b. of the statutes is amended to read:

14 46.22 (1) (e) 3. b. A county department of social services shall develop, under
15 the requirements of s. 49.34, plans and contracts for care and services under subch.
16 III of ch. 49 to be purchased. The department of ~~workforce development~~ children and
17 families may review the contracts and approve them if they are consistent with s.
18 49.34 and to the extent that state or federal funds are available for such purposes.
19 The joint committee on finance may require the department of ~~workforce~~
20 ~~development~~ children and families to submit the contracts to the committee for
21 review and approval. The department of ~~workforce development~~ children and
22 families may not make any payments to a county for programs included in the
23 contract that is under review by the committee.

24 **SECTION 75.** 46.22 (2g) (d) of the statutes is amended to read:

1 46.22 (2g) (d) Prepare, with the assistance of the county social services director
2 under sub. (3m) (b) 5., a proposed budget for submission to the county executive or
3 county administrator, a final budget for submission to the department of health and
4 family services in accordance with s. 46.031 (1) for authorized services, except
5 services under subch. III of ch. 49 or s. 301.08 (2), a final budget for submission to
6 the department of ~~workforce development~~ children and families in accordance with
7 s. 49.325 for authorized services under subch. III of ch. 49 and a final budget for
8 submission to the department of corrections in accordance with s. 301.031 (1) for
9 authorized juvenile delinquency-related services.

10 **SECTION 76.** 46.22 (3m) (b) 12. of the statutes is amended to read:

11 46.22 (3m) (b) 12. Establish priorities in addition to those mandated by the
12 department of health and family services, by the department of ~~workforce~~
13 ~~development~~ children and families, or by the department of corrections.

14 **SECTION 77.** 46.22 (3m) (b) 17. b. of the statutes is amended to read:

15 46.22 (3m) (b) 17. b. Such other reports as are required by the secretary of
16 health and family services, the secretary of ~~workforce development~~ children and
17 families, the secretary of corrections, and the county board of supervisors.

18 **SECTION 78.** 46.23 (3) (a) of the statutes is amended to read:

19 46.23 (3) (a) *Creation.* Upon approval by the secretary of health and family
20 services, by the secretary of corrections, and by the secretary of ~~workforce~~
21 ~~development~~ children and families of a feasibility study and a program
22 implementation plan, the county board of supervisors of any county with a
23 population of less than 500,000, or the county boards of supervisors of 2 or more
24 contiguous counties, each of which has a population of less than 500,000, may
25 establish by resolution a county department of human services on a single-county

1 or multicounty basis to provide the services required under this section. The county
2 department of human services shall consist of the county human services board, the
3 county human services director and necessary personnel.

4 **SECTION 79.** 46.23 (3) (am) 4. of the statutes is amended to read:

5 46.23 (3) (am) 4. No funds may be allocated to any multicounty department of
6 human services until the counties have drawn up a detailed contractual agreement,
7 approved by the secretary of health and family services, by the secretary of
8 corrections, and by the secretary of ~~workforce development~~ children and families,
9 setting forth the plan for joint sponsorship.

10 **SECTION 80.** 46.23 (5) (a) 2. of the statutes is amended to read:

11 46.23 (5) (a) 2. Shall determine administrative and program policies under
12 subch. III of ch. 49 within limits established by the department of ~~workforce~~
13 ~~development~~ children and families. Policy decisions under subch. III of ch. 49 not
14 reserved by statute for the department of ~~workforce development~~ children and
15 families may be delegated by the secretary of ~~workforce development~~ children and
16 families to the county human services board.

17 **SECTION 81.** 46.23 (5) (b) of the statutes is amended to read:

18 46.23 (5) (b) Shall establish priorities in addition to those mandated by the
19 department of health and family services, the department of corrections, or the
20 department of ~~workforce development~~ children and families.

21 **SECTION 82.** 46.23 (5m) (c) of the statutes is amended to read:

22 46.23 (5m) (c) Prepare, with the assistance of the county human services
23 director under sub. (6m) (e), a proposed budget for submission to the county executive
24 or county administrator, a final budget for submission to the department of health
25 and family services in accordance with s. 46.031 (1) for authorized services, except

1 services under subch. III of ch. 49 and juvenile delinquency–related services, a final
2 budget for submission to the department of ~~workforce development~~ children and
3 families in accordance with s. 49.325 for authorized services under subch. III of ch.
4 49, and a final budget for submission to the department of corrections in accordance
5 with s. 301.031 for authorized juvenile delinquency–related services.

6 **SECTION 83.** 46.23 (6) (a) (intro.) of the statutes is amended to read:

7 46.23 (6) (a) (intro.) A county human services director appointed under sub. (5)
8 (f) shall have all of the administrative and executive powers and duties of managing,
9 operating, maintaining, and improving the programs of the county department of
10 human services, subject to the rules promulgated by the department of health and
11 family services for programs, except services or programs under subch. III of ch. 49
12 and juvenile delinquency–related services or programs, subject to the rules
13 promulgated by the department of ~~workforce development~~ children and families for
14 services or programs under subch. III of ch. 49, and subject to the rules promulgated
15 by the department of corrections for juvenile delinquency–related services or
16 programs. In consultation with the county human services board under sub. (5) and
17 subject to its approval, the county human services director shall prepare:

18 **SECTION 84.** 46.23 (6) (a) 3. of the statutes is amended to read:

19 46.23 (6) (a) 3. Such other reports as are required by the secretary of health and
20 family services, by the secretary of corrections, or by the secretary of ~~workforce~~
21 ~~development~~ children and families and the county board of supervisors in a county
22 with a single–county department of human services or the county boards of
23 supervisors in counties with a multicounty department of human services.

24 **SECTION 85.** 46.247 of the statutes is amended to read:

1 **46.247 Application of child support standard for certain children.** For
2 purposes of determining child support under s. 46.10 (14) (b), the department shall
3 promulgate rules related to the application of the standard established by the
4 department of ~~workforce development~~ children and families under s. 49.22 (9) to a
5 child support obligation for the care and maintenance of a child who is placed by a
6 court order under s. 48.355 or 48.357 in a residential, nonmedical facility. The rules
7 shall take into account the needs of any person, including dependent children other
8 than the child, whom either parent is legally obligated to support.

9 **SECTION 86.** 48.30 (6) (b) of the statutes is amended to read:

10 **48.30 (6) (b)** If it appears to the court that disposition of the case may include
11 placement of the child outside the child's home, the court shall order the child's
12 parent to provide a statement of income, assets, debts and living expenses to the
13 court or the designated agency under s. 48.33 (1) at least 5 days before the scheduled
14 date of the dispositional hearing or as otherwise ordered by the court. The clerk of
15 court shall provide, without charge, to any parent ordered to provide a statement of
16 income, assets, debts and living expenses a document setting forth the percentage
17 standard established by the department of ~~workforce development~~ children and
18 families under s. 49.22 (9) and the manner of its application established by the
19 department of health and family services under s. 46.247 and listing the factors that
20 a court may consider under s. 46.10 (14) (c).

21 **SECTION 87.** 48.31 (7) (b) of the statutes is amended to read:

22 **48.31 (7) (b)** If it appears to the court that disposition of the case may include
23 placement of the child outside the child's home, the court shall order the child's
24 parent to provide a statement of income, assets, debts and living expenses to the
25 court or the designated agency under s. 48.33 (1) at least 5 days before the scheduled

1 date of the dispositional hearing or as otherwise ordered by the court. The clerk of
2 court shall provide, without charge, to any parent ordered to provide a statement of
3 income, assets, debts and living expenses a document setting forth the percentage
4 standard established by the department of ~~workforce development~~ children and
5 families under s. 49.22 (9) and the manner of its application established by the
6 department of health and family services under s. 46.247 and listing the factors that
7 a court may consider under s. 46.10 (14) (c).

8 **SECTION 88.** 48.357 (5m) (a) of the statutes is amended to read:

9 48.357 (5m) (a) If a proposed change in placement changes a child's placement
10 from a placement in the child's home to a placement outside the child's home, the
11 court shall order the child's parent to provide a statement of income, assets, debts
12 and living expenses to the court or the person or agency primarily responsible for
13 implementing the dispositional order by a date specified by the court. The clerk of
14 court shall provide, without charge, to any parent ordered to provide a statement of
15 income, assets, debts and living expenses a document setting forth the percentage
16 standard established by the department of ~~workforce development~~ children and
17 families under s. 49.22 (9) and the manner of its application established by the
18 department of health and family services under s. 46.247 and listing the factors that
19 a court may consider under s. 46.10 (14) (c). If the child is placed outside the child's
20 home, the court shall determine the liability of the parent in the manner provided
21 in s. 46.10 (14).

22 **SECTION 89.** 48.36 (1) (b) of the statutes is amended to read:

23 48.36 (1) (b) In determining the amount of support under par. (a), the court may
24 consider all relevant financial information or other information relevant to the
25 parent's earning capacity, including information reported under s. 49.22 (2m) to the

1 department of ~~workforce development~~ children and families or the county child
2 support agency under s. 59.53 (5). If the court has insufficient information with
3 which to determine the amount of support, the court shall order the child's parent
4 to furnish a statement of income, assets, debts and living expenses, if the parent has
5 not already done so, to the court within 10 days after the court's order transferring
6 custody or designating an alternative placement is entered or at such other time as
7 ordered by the court.

8 **SECTION 90.** 48.363 (1) (c) of the statutes is amended to read:

9 48.363 (1) (c) If the proposed revision is for a change in the amount of child
10 support to be paid by a parent, the court shall order the child's parent to provide a
11 statement of income, assets, debts and living expenses to the court and the person
12 or agency primarily responsible for implementing the dispositional order by a date
13 specified by the court. The clerk of court shall provide, without charge, to any parent
14 ordered to provide a statement of income, assets, debts and living expenses a
15 document setting forth the percentage standard established by the department of
16 ~~workforce development~~ children and families under s. 49.22 (9) and the manner of
17 its application established by the department of health and family services under s.
18 46.247 and listing the factors that a court may consider under s. 46.10 (14) (c).

19 **SECTION 91.** 48.651 (1) (intro.) of the statutes is amended to read:

20 48.651 (1) (intro.) Each county department shall certify, according to the
21 standards adopted by the department of ~~workforce development~~ children and
22 families under s. 49.155 (1d), each day care provider reimbursed for child care
23 services provided to families determined eligible under s. 49.155, unless the provider
24 is a day care center licensed under s. 48.65 or is established or contracted for under
25 s. 120.13 (14). Each county may charge a fee to cover the costs of certification. To

1 be certified under this section, a person must meet the minimum requirements for
2 certification established by the department of ~~workforce development~~ children and
3 families under s. 49.155 (1d), meet the requirements specified in s. 48.685 and pay
4 the fee specified in this section. The county shall certify the following categories of
5 day care providers:

6 **SECTION 92.** 48.651 (1) (a) of the statutes is amended to read:

7 48.651 (1) (a) Level I certified family day care providers, as established by the
8 department of ~~workforce development~~ children and families under s. 49.155 (1d). No
9 county may certify a provider under this paragraph if the provider is a relative of all
10 of the children for whom he or she provides care.

11 **SECTION 93.** 48.651 (1) (b) of the statutes is amended to read:

12 48.651 (1) (b) Level II certified family day care providers, as established by the
13 department of ~~workforce development,~~ children and families under s. 49.155 (1d).

14 **SECTION 94.** 48.66 (2m) (a) 2. of the statutes is amended to read:

15 48.66 (2m) (a) 2. If an applicant who is an individual does not have a social
16 security number, the applicant shall submit a statement made or subscribed under
17 oath or affirmation to the department of health and family services that the
18 applicant does not have a social security number. The form of the statement shall
19 be prescribed by the department of ~~workforce development~~ children and families. A
20 license issued in reliance upon a false statement submitted under this subdivision
21 is invalid.

22 **SECTION 95.** 48.66 (2m) (am) 2. of the statutes is amended to read:

23 48.66 (2m) (am) 2. If an applicant who is an individual does not have a social
24 security number, the applicant shall submit a statement made or subscribed under
25 oath or affirmation to the department of corrections that the applicant does not have

1 a social security number. The form of the statement shall be prescribed by the
2 department of ~~workforce development~~ children and families. A license issued in
3 reliance upon a false statement submitted under this subdivision is invalid.

4 **SECTION 96.** 48.66 (2m) (c) of the statutes is amended to read:

5 48.66 (2m) (c) The department of health and family services may not disclose
6 any information obtained under par. (a) 1. to any person except to the department
7 of revenue for the sole purpose of requesting certifications under s. 73.0301 or on the
8 request of the department of ~~workforce development~~ children and families under s.
9 49.22 (2m).

10 **SECTION 97.** 48.66 (2m) (cm) of the statutes is amended to read:

11 48.66 (2m) (cm) The department of corrections may not disclose any
12 information obtained under par. (am) 1. to any person except on the request of the
13 department of ~~workforce development~~ children and families under s. 49.22 (2m).

14 **SECTION 98.** 48.715 (6) of the statutes is amended to read:

15 48.715 (6) The department of health and family services shall deny, suspend,
16 restrict, refuse to renew, or otherwise withhold a license under s. 48.66 (1) (a) or a
17 probationary license under s. 48.69 to operate a child welfare agency, group home,
18 shelter care facility, or day care center, and the department of corrections shall deny,
19 suspend, restrict, refuse to renew, or otherwise withhold a license under s. 48.66 (1)
20 (b) to operate a secured residential care center for children and youth, for failure of
21 the applicant or licensee to pay court-ordered payments of child or family support,
22 maintenance, birth expenses, medical expenses, or other expenses related to the
23 support of a child or former spouse or for failure of the applicant or licensee to comply,
24 after appropriate notice, with a subpoena or warrant issued by the department of
25 ~~workforce development~~ children and families or a county child support agency under

1 s. 59.53 (5) and related to paternity or child support proceedings, as provided in a
2 memorandum of understanding entered into under s. 49.857. Notwithstanding s.
3 48.72, an action taken under this subsection is subject to review only as provided in
4 the memorandum of understanding entered into under s. 49.857 and not as provided
5 in s. 48.72.

6 **SECTION 99.** Chapter 49 (title) of the statutes is amended to read:

7 **CHAPTER 49**

8 **PUBLIC ASSISTANCE AND**

9 **CHILDREN AND FAMILY SERVICES**

10 **SECTION 100.** 49.001 (9) of the statutes is amended to read:

11 49.001 (9) “Wisconsin ~~works~~ Works agency” means a person under contract
12 under s. 49.143 to administer Wisconsin ~~works~~ Works under ss. 49.141 to 49.161. If
13 no contract is awarded under s. 49.143, “Wisconsin ~~works~~ Works agency” means the
14 department of ~~workforce development~~ children and families.

15 **SECTION 101.** Subchapter III (title) of chapter 49 [precedes 49.11] of the
16 statutes is amended to read:

17 **CHAPTER 49**

18 **SUBCHAPTER III**

19 **ECONOMIC CHILDREN AND FAMILY SUPPORT AND WORK PROGRAMS**
20 **SERVICES**

21 **SECTION 102.** 49.11 (1) of the statutes is amended to read:

22 49.11 (1) “Department” means the department of ~~workforce development~~
23 children and families.

24 **SECTION 103.** 49.11 (2) of the statutes is amended to read:

1 49.11 (2) “Secretary” means the secretary of ~~workforce development~~ children
2 and families.

3 **SECTION 104.** 49.138 (1m) (intro.) of the statutes is amended to read:

4 49.138 (1m) (intro.) The department shall implement a program of emergency
5 assistance to needy persons in cases of fire, flood, natural disaster, homelessness or
6 impending homelessness, or energy crisis. The department shall establish the
7 maximum amount of aid to be granted, except for cases of energy crisis, per family
8 member based on the funding available under s. ~~20.445 (3)~~ 20.437 (2) (dz) and (md).
9 The department need not establish the maximum amount by rule under ch. 227. The
10 department shall publish the maximum amount and annual changes to it in the
11 Wisconsin administrative register. Emergency assistance provided to needy persons
12 under this section may only be provided to a needy person once in a 12-month period.
13 Emergency assistance provided to needy persons under this section in cases of
14 homelessness or impending homelessness may be used only to obtain or retain a
15 permanent living accommodation. For the purposes of this section, a family is
16 considered to be homeless, or to be facing impending homelessness, if any of the
17 following applies:

18 **SECTION 105.** 49.147 (6) (c) of the statutes is amended to read:

19 49.147 (6) (c) *Distribution and administration.* From the appropriation under
20 s. ~~20.445 (3)~~ 20.437 (2) (jL), the department shall distribute funds for job access loans
21 to a Wisconsin Works agency, which shall administer the loans in accordance with
22 rules promulgated by the department.

23 **SECTION 106.** 49.147 (6) (cm) 1. of the statutes is amended to read:

24 49.147 (6) (cm) 1. The department of ~~workforce development~~ may, in the
25 manner provided in s. 49.85, collect job access loan repayments that are delinquent

1 under the terms of a repayment agreement. The department of workforce
2 development shall credit all delinquent repayments collected by the department of
3 revenue as a setoff under s. 71.93 to the appropriation account under s. ~~20.445 (3)~~
4 20.437 (2) (jL). Use of the process under s. 49.85 does not preclude the department
5 of workforce development from collecting delinquent repayments through other
6 legal means.

7 **SECTION 107.** 49.155 (1g) (b) of the statutes is amended to read:

8 49.155 (1g) (b) From the appropriations under s. ~~20.445 (3)~~ 20.437 (2) (cm),
9 (kx), and (mc), distribute \$5,488,500 in each fiscal year for grants under s. 49.134 (2)
10 for child day care resource and referral services, for grants under s. 49.137 (4m), for
11 a child care scholarship and bonus program, for administration of the department's
12 office of child care and for the department's share of the costs for the Child Care
13 Information Center operated by the division for libraries, technology, and
14 community learning in the department of public instruction.

15 **SECTION 108.** 49.155 (1g) (c) of the statutes is amended to read:

16 49.155 (1g) (c) From the appropriation account under s. ~~20.445 (3)~~ 20.437 (2)
17 (mc), transfer \$4,438,200 in fiscal year 2005–06 and \$4,440,500 in fiscal year
18 2006–07 to the appropriation account under s. 20.435 (3) (kx).

19 **SECTION 109.** 49.155 (1g) (d) of the statutes is amended to read:

20 49.155 (1g) (d) From the appropriation under s. ~~20.445 (3)~~ 20.437 (2) (md),
21 distribute \$3,378,500 in fiscal year 2005–06 and \$3,378,500 in fiscal year 2006–07
22 for grants under s. 49.134 (2) for child day care resource and referral services, for
23 contracts under s. 49.137 (4) for training and technical assistance, for grants under
24 s. 49.137 (4m), and for a child care scholarship and bonus program.

25 **SECTION 110.** 49.1635 (1) of the statutes is amended to read:

1 49.1635 (1) To the extent permitted under federal law and subject to sub. (2),
2 from the appropriation under s. ~~20.445 (3)~~ 20.437 (2) (md) the department may
3 distribute funds to the Wisconsin Trust Account Foundation in an amount up to the
4 amount received by the foundation from private donations, but not to exceed
5 \$100,000 in a fiscal year. Except as provided in sub. (4), funds distributed under this
6 subsection may be used only for the provision of legal services to individuals who are
7 eligible for temporary assistance for needy families under 42 USC 601 et seq. and
8 whose incomes are at or below 200% of the poverty line.

9 **SECTION 111.** 49.175 (1) (intro.) of the statutes is amended to read:

10 49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within
11 the limits of the appropriations under s. ~~20.445 (3)~~ 20.437 (2) (a), (cm), (dz), (k), (kx),
12 (L), (mc), (md), (me), and (s), the department shall allocate the following amounts for
13 the following purposes:

14 **SECTION 112.** 49.175 (1) (zh) of the statutes is amended to read:

15 49.175 (1) (zh) *Earned income tax credit supplement.* For the transfer of
16 moneys from the appropriation account under s. ~~20.445 (3)~~ 20.437 (2) (md) to the
17 appropriation account under s. 20.835 (2) (kf) for the earned income tax credit,
18 \$55,232,000 in each fiscal year.

19 **SECTION 113.** 49.175 (2) (c) of the statutes is amended to read:

20 49.175 (2) (c) If the amounts of federal block grant moneys that are required
21 to be credited to the appropriation accounts under s. ~~20.445 (3)~~ 20.437 (2) (mc) and
22 (md) are less than the amounts appropriated under s. ~~20.445 (3)~~ 20.437 (2) (mc) and
23 (md), the department shall submit a plan to the secretary of administration for
24 reducing the amounts of moneys allocated under sub. (1). If the secretary of
25 administration approves the plan, the amounts of moneys required to be allocated

1 under sub. (1) may be reduced as proposed by the department and the department
2 shall allocate the moneys as specified in the plan.

3 **SECTION 114.** 49.19 (11) (a) 1. a. of the statutes is amended to read:

4 49.19 (11) (a) 1. a. Except as provided in subs. (11m) and (11s), monthly
5 payments made under s. ~~20.445 (3)~~ 20.437 (2) (dz) and (md) to persons or to families
6 with dependent children shall be based on family size and shall be at 80% of the total
7 of the allowances under subs. 2. and 4. plus the following standards of assistance
8 beginning on September 1, 1987:

Figure 49.19 (11) (a) 1. a.:

<u>FAMILY SIZE</u>	<u>AREA I</u>	<u>AREA II</u>
1	\$ 311	\$ 301
2	550	533
3	647	626
4	772	749
5	886	861
6	958	929
7	1,037	1,007
8	1,099	1,068
9	1,151	1,117
10	1,179	1,143

9 **SECTION 115.** 49.19 (11s) (d) of the statutes is amended to read:

10 49.19 (11s) (d) From the appropriation under s. ~~20.445 (3)~~ 20.437 (2) (a), the
11 department may award grants to county departments under ss. 46.215, 46.22 and
12 46.23 for providing education services relating to family planning, as defined in s.
13 253.07 (1) (a), to persons who are subject to par. (b).

14 **SECTION 116.** 49.195 (3r) of the statutes is amended to read:

15 49.195 (3r) From the appropriation under s. ~~20.445 (3)~~ 20.437 (2) (L) the
16 department may contract with or employ a collection agency or other person to
17 enforce a repayment obligation of a person who is found liable under sub. (3) who is
18 delinquent in making repayments.

19 **SECTION 117.** 49.197 (1m) of the statutes is amended to read:

1 49.197 (1m) FRAUD INVESTIGATION. From the appropriations under s. ~~20.445 (3)~~
2 20.437 (2) (dz), (kx), (L), (md), (n), and (nL), the department shall establish a program
3 to investigate suspected fraudulent activity on the part of recipients of aid to families
4 with dependent children under s. 49.19, on the part of participants in the Wisconsin
5 Works program under ss. 49.141 to 49.161, and, if the department of health and
6 family services contracts with the department under sub. (5), on the part of recipients
7 of medical assistance under subch. IV, food stamp benefits under the food stamp
8 program under 7 USC 2011 to 2036, supplemental security income payments under
9 s. 49.77, payments for the support of children of supplemental security income
10 recipients under s. 49.775, and health care benefits under the Badger Care health
11 care program under s. 49.665. The department's activities under this subsection may
12 include, but are not limited to, comparisons of information provided to the
13 department by an applicant and information provided by the applicant to other
14 federal, state, and local agencies, development of an advisory welfare investigation
15 prosecution standard, and provision of funds to county departments under ss.
16 46.215, 46.22, and 46.23 and to Wisconsin Works agencies to encourage activities to
17 detect fraud. The department shall cooperate with district attorneys regarding
18 fraud prosecutions.

19 **SECTION 118.** 49.197 (4) of the statutes is amended to read:

20 49.197 (4) COUNTY AND TRIBAL ERROR REDUCTION. If the department of health and
21 family services contracts with the department under sub. (5), the department shall
22 provide funds from the appropriation under s. ~~20.445 (3)~~ 20.437 (2) (kx) to counties
23 and governing bodies of federally recognized American Indian tribes administering
24 Medical Assistance under subch. IV, the food stamp program under 7 USC 2011 to
25 2036, the supplemental security income payments program under s. 49.77, the

1 program providing payments for the support of children of supplemental security
2 income recipients under s. 49.775, and the Badger Care health care program under
3 s. 49.665 to offset administrative costs of reducing payment errors in those programs.

4 **SECTION 119.** 49.22 (7) of the statutes is amended to read:

5 49.22 (7) The department may represent the state in any action to establish
6 paternity or to establish or enforce a support or maintenance obligation. The
7 department may delegate its authority to represent the state in any action to
8 establish paternity or to establish or enforce a support or maintenance obligation
9 under this section to an attorney responsible for support enforcement under s. 59.53
10 (6) (a) pursuant to a contract entered into under s. 59.53 (5). The department shall
11 ensure that any such contract is for an amount reasonable and necessary to assure
12 quality service. The department may, by such a contract, authorize a county to
13 contract with any attorney, collection agency or other person to collect unpaid child
14 support or maintenance. If a county fails to fully implement the programs under s.
15 59.53 (5), the department may implement them and may contract with any
16 appropriate person to obtain necessary services. The department shall establish a
17 formula for disbursing funds appropriated under s. ~~20.445 (3)~~ 20.437 (2) (md) to carry
18 out a contract under this subsection.

19 **SECTION 120.** 49.24 (1) of the statutes is amended to read:

20 49.24 (1) From the appropriation under s. ~~20.445 (3)~~ 20.437 (2) (k), the
21 department shall provide child support incentive payments to counties. Total
22 payments under this subsection may not exceed \$5,690,000 per year.

23 **SECTION 121.** 49.26 (1) (d) of the statutes is amended to read:

24 49.26 (1) (d) A county department or Wisconsin works Works agency that
25 provides services under this subsection directly shall develop a plan, in coordination

1 with the school districts located in whole or in part in the county, describing the
2 assistance that the county department or Wisconsin ~~works~~ Works agency and school
3 districts will provide to individuals receiving services under this subsection, the
4 number of individuals that will be served and the estimated cost of the services. The
5 county department or Wisconsin ~~works~~ Works agency shall submit the plan to the
6 department of ~~workforce development~~ and the department of public instruction by
7 January 15, annually.

8 **SECTION 122.** 49.32 (11) of the statutes is amended to read:

9 49.32 (11) COMMUNITY ACTION AGENCIES. The department shall distribute all of
10 the funds under s. ~~20.445 (3)~~ 20.437 (2) (cr) to community action agencies and
11 organizations, including any of the 11 federally recognized tribal governing bodies
12 in this state and limited-purpose agencies, in proportion to the share of funds
13 actually allocated to these entities under 42 USC 1315 and from other federal and
14 private foundation sources that provide funds for job creation and development for
15 individuals with low incomes.

16 **SECTION 123.** 49.36 (2) of the statutes is amended to read:

17 49.36 (2) The department may contract with any county, tribal governing body,
18 or Wisconsin Works agency to administer a work experience and job training
19 program for parents who are not custodial parents and who fail to pay child support
20 or to meet their children's needs for support as a result of unemployment or
21 underemployment. The program may provide the kinds of work experience and job
22 training services available from the program under s. 49.193, 1997 stats., or s. 49.147
23 (3) or (4). The program may also include job search and job orientation activities.
24 The department shall fund the program from the appropriations under s. ~~20.445 (3)~~
25 20.437 (2) (dz) and (k).

1 **SECTION 124.** 49.45 (6m) (br) 1. of the statutes is amended to read:

2 49.45 **(6m)** (br) 1. Notwithstanding s. 20.410 (3) (cd), 20.435 (4) (bt) or (7) (b)
3 or ~~20.445 (3)~~ 20.437 (2) (dz), the department shall reduce allocations of funds to
4 counties in the amount of the disallowance from the appropriation account under s.
5 20.435 (4) (bt) or (7) (b), or the department shall direct the department of ~~workforce~~
6 ~~development~~ children and families to reduce allocations of funds to counties or
7 Wisconsin ~~works~~ Works agencies in the amount of the disallowance from the
8 appropriation account under s. ~~20.445 (3)~~ 20.437 (2) (dz) or direct the department of
9 corrections to reduce allocations of funds to counties in the amount of the
10 disallowance from the appropriation account under s. 20.410 (3) (cd), in accordance
11 with s. 16.544 to the extent applicable.

12 **SECTION 125.** 49.45 (40) of the statutes is amended to read:

13 49.45 **(40)** PERIODIC RECORD MATCHES. If the department contracts with the
14 department of ~~workforce development~~ children and families under s. 49.197 (5), the
15 department shall cooperate with the department of ~~workforce development~~ children
16 and families in matching records of medical assistance recipients under s. 49.32 (7).

17 **SECTION 126.** 49.48 (1m) of the statutes is amended to read:

18 49.48 **(1m)** If an individual who applies for or to renew a certification under
19 sub. (1) does not have a social security number, the individual, as a condition of
20 obtaining the certification, shall submit a statement made or subscribed under oath
21 or affirmation to the department that the applicant does not have a social security
22 number. The form of the statement shall be prescribed by the department of
23 ~~workforce development~~ children and families. A certification issued or renewed in
24 reliance upon a false statement submitted under this subsection is invalid.

25 **SECTION 127.** 49.48 (2) of the statutes is amended to read:

1 49.48 (2) The department of ~~health and family services~~ may not disclose any
2 information received under sub. (1) to any person except to the department of
3 ~~workforce development~~ children and families for the purpose of making
4 certifications required under s. 49.857.

5 **SECTION 128.** 49.48 (3) of the statutes is amended to read:

6 49.48 (3) The department of ~~health and family services~~ shall deny an
7 application for the issuance or renewal of a certification specified in sub. (1), shall
8 suspend a certification specified in sub. (1) or may, under a memorandum of
9 understanding under s. 49.857 (2), restrict a certification specified in sub. (1) if the
10 department of ~~workforce development~~ children and families certifies under s. 49.857
11 that the applicant for or holder of the certificate is delinquent in the payment of
12 court-ordered payments of child or family support, maintenance, birth expenses,
13 medical expenses or other expenses related to the support of a child or former spouse
14 or fails to comply, after appropriate notice, with a subpoena or warrant issued by the
15 department of ~~workforce development~~ children and families or a county child
16 support agency under s. 59.53 (5) and related to paternity or child support
17 proceedings.

18 **SECTION 129.** 49.775 (2) (bm) of the statutes is amended to read:

19 49.775 (2) (bm) The custodial parent assigns to the state any right of the
20 custodial parent or of the dependent child to support from any other person. No
21 amount of support that begins to accrue after the individual ceases to receive
22 payments under this section may be considered assigned to the state. Any money
23 that is received by the department of ~~workforce development~~ children and families
24 under an assignment to the state under this paragraph and that is not the federal
25 share of support shall be paid to the custodial parent. The department of ~~workforce~~

1 ~~development~~ children and families shall pay the federal share of support assigned
2 under this paragraph as required under federal law or waiver.

3 **SECTION 130.** 49.78 (4) of the statutes is amended to read:

4 49.78 (4) RULES; MERIT SYSTEM. The department of ~~workforce development~~
5 children and families shall promulgate rules for the efficient administration of aid
6 to families with dependent children in agreement with the requirement for federal
7 aid, including the establishment and maintenance of personnel standards on a merit
8 basis. The provisions of this section relating to personnel standards on a merit basis
9 supersede any inconsistent provisions of any law relating to county personnel. This
10 subsection shall not be construed to invalidate the provisions of s. 46.22 (1) (d).

11 **SECTION 131.** 49.78 (7) of the statutes is amended to read:

12 49.78 (7) COUNTY PERSONNEL SYSTEMS. Pursuant to rules promulgated under
13 sub. (4), the department of ~~workforce development~~ children and families where
14 requested by the county shall delegate to that county, without restriction because of
15 enumeration, any or all of the authority of the department of ~~workforce~~
16 ~~development's authority~~ children and families under sub. (4) to establish and
17 maintain personnel standards including salary levels.

18 **SECTION 132.** 49.79 (10) of the statutes is amended to read:

19 49.79 (10) CONTRACT FOR EMPLOYMENT AND TRAINING PROGRAM. The department
20 shall contract with the department of ~~workforce development~~ children and families
21 to administer the employment and training program under s. 49.13.

22 **SECTION 133.** 49.81 (intro.) of the statutes is amended to read:

23 **49.81 Public assistance recipients' bill of rights.** (intro.) The department
24 of health and family services, the department of ~~workforce development~~ children and
25 families, and all public assistance and relief-granting agencies shall respect rights

1 for recipients of public assistance. The rights shall include all rights guaranteed by
2 the U.S. constitution and the constitution of this state, and in addition shall include:

3 **SECTION 134.** 49.82 (1) of the statutes is amended to read:

4 49.82 (1) DEPARTMENTS TO ADVISE COUNTIES. The department of health and
5 family services and the department of ~~workforce development~~ children and families
6 shall advise all county officers charged with the administration of requirements
7 relating to public assistance programs under this chapter and shall render all
8 possible assistance in securing compliance therewith, including the preparation of
9 necessary forms and reports. The department of health and family services and the
10 department of ~~workforce development~~ children and families shall also publish any
11 information that those departments consider advisable to acquaint persons entitled
12 to public assistance, and the public generally, with the laws governing public
13 assistance under this chapter.

14 **SECTION 135.** 49.83 of the statutes is amended to read:

15 **49.83 Limitation on giving information.** Except as provided under s. 49.32
16 (9), (10), and (10m), no person may use or disclose information concerning applicants
17 and recipients of relief funded by a relief block grant, aid to families with dependent
18 children, Wisconsin Works under ss. 49.141 to 49.161, social services, child and
19 spousal support and establishment of paternity and medical support liability
20 services under s. 49.22, or supplemental payments under s. 49.77 for any purpose not
21 connected with the administration of the programs, except that the department of
22 ~~workforce development~~ children and families may disclose such information to the
23 department of revenue for the sole purpose of administering state taxes. Any person
24 violating this section may be fined not less than \$25 nor more than \$500 or
25 imprisoned in the county jail not less than 10 days nor more than one year or both.

1 **SECTION 136.** 49.845 (1) of the statutes is amended to read:

2 49.845 (1) FRAUD INVESTIGATION. From the appropriations under s. 20.435 (4)
3 (bn), (kz), (L), and (nn), the department of health and family services shall establish
4 a program to investigate suspected fraudulent activity on the part of recipients of
5 medical assistance under subch. IV, food stamp benefits under the food stamp
6 program under 7 USC 2011 to 2036, supplemental security income payments under
7 s. 49.77, payments for the support of children of supplemental security income
8 recipients under s. 49.775, and health care benefits under the Badger Care health
9 care program under s. 49.665 and, if the department of ~~workforce development~~
10 children and families contracts with the department of health and family services
11 under sub. (4), on the part of recipients of aid to families with dependent children
12 under s. 49.19 and participants in the Wisconsin Works program under ss. 49.141 to
13 49.161. The activities of the department of health and family services under this
14 subsection may include comparisons of information provided to the department by
15 an applicant and information provided by the applicant to other federal, state, and
16 local agencies, development of an advisory welfare investigation prosecution
17 standard, and provision of funds to county departments under ss. 46.215, 46.22, and
18 46.23 and to Wisconsin Works agencies to encourage activities to detect fraud. The
19 department of health and family services shall cooperate with district attorneys
20 regarding fraud prosecutions.

21 **SECTION 137.** 49.845 (2) of the statutes is amended to read:

22 49.845 (2) STATE ERROR REDUCTION ACTIVITIES. The department of health and
23 family services shall conduct activities to reduce payment errors in the Medical
24 Assistance program under subch. IV, the food stamp program under 7 USC 2011 to
25 2036, the supplemental security income payments program under s. 49.77, the

1 program providing payments for the support of children of supplemental security
2 income recipients under s. 49.775, and the Badger Care health care program under
3 s. 49.665 and, if the department of ~~workforce development~~ children and families
4 contracts with the department of health and family services under sub. (4), in
5 Wisconsin Works under ss. 49.141 to 49.161.

6 **SECTION 138.** 49.845 (3) of the statutes is amended to read:

7 49.845 (3) WISCONSIN WORKS AGENCY ERROR REDUCTION. If the department of
8 ~~workforce development~~ children and families contracts with the department of
9 health and family services under sub. (4), the department of health and family
10 services shall provide funds from the appropriation under s. 20.435 (4) (kz) to
11 Wisconsin Works agencies to offset the administrative costs of reducing payment
12 errors in Wisconsin Works under ss. 49.141 to 49.161.

13 **SECTION 139.** 49.845 (4) of the statutes is amended to read:

14 49.845 (4) CONTRACT FOR WISCONSIN WORKS. Notwithstanding s. 49.197 (1m)
15 and (3), the department of ~~workforce development~~ children and families may
16 contract with the department of health and family services to investigate suspected
17 fraudulent activity on the part of recipients of aid to families with dependent
18 children under s. 49.19 and participants in Wisconsin Works under ss. 49.141 to
19 49.161 and to conduct activities to reduce payment errors in Wisconsin Works under
20 ss. 49.141 to 49.161, as provided in this section.

21 **SECTION 140.** 49.85 (1) of the statutes is amended to read:

22 49.85 (1) DEPARTMENT NOTIFICATION REQUIREMENT. If a county department under
23 s. 46.215, 46.22, or 46.23 or a governing body of a federally recognized American
24 Indian tribe or band determines that the department of health and family services
25 may recover an amount under s. 49.497, 49.793, or 49.847, or that the department

1 of ~~workforce development~~ children and families may recover an amount under s.
2 49.161 or 49.195 (3) or collect an amount under s. 49.147 (6) (cm), the county
3 department or governing body shall notify the affected department of the
4 determination. If a Wisconsin Works agency determines that the department of
5 ~~workforce development~~ children and families may recover an amount under s. 49.161
6 or 49.195 (3), or collect an amount under s. 49.147 (6) (cm), the Wisconsin Works
7 agency shall notify the department of ~~workforce development~~ children and families
8 of the determination.

9 **SECTION 141.** 49.85 (2) (b) of the statutes is amended to read:

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

20 **SECTION 142.** 49.85 (3) (b) (intro.) of the statutes is amended to read:

21 49.85 (3) (b) (intro.) At least 30 days before certification of an amount, the
22 department of ~~workforce development~~ children and families shall send a notice to the
23 last-known address of the person from whom that department intends to recover or
24 collect the amount. The notice shall do all of the following:

25 **SECTION 143.** 49.85 (3) (b) 1. of the statutes is amended to read:

1 49.85 (3) (b) 1. Inform the person that the department of ~~workforce~~
2 ~~development~~ children and families intends to certify to the department of revenue
3 an amount that the department of ~~workforce development~~ children and families has
4 determined to be due under s. 49.161 or 49.195 (3) or to be delinquent under a
5 repayment agreement for a loan under s. 49.147 (6), for setoff from any state tax
6 refund that may be due the person.

7 **SECTION 144.** 49.85 (3) (b) 2. of the statutes is amended to read:

8 49.85 (3) (b) 2. Inform the person that he or she may appeal the determination
9 of the department of ~~workforce development~~ children and families to certify the
10 amount by requesting a hearing under sub. (4) within 30 days after the date of the
11 letter and inform the person of the manner in which he or she may request a hearing.

12 **SECTION 145.** 49.85 (3) (b) 3. of the statutes is amended to read:

13 49.85 (3) (b) 3. Inform the person that, if the determination of the department
14 of ~~workforce development~~ children and families is appealed, that department will
15 not certify the amount to the department of revenue while the determination of the
16 department of ~~workforce development~~ children and families is under appeal.

17 **SECTION 146.** 49.85 (3) (b) 4. of the statutes is amended to read:

18 49.85 (3) (b) 4. Inform the person that, unless a contested case hearing is
19 requested to appeal the determination of the department of ~~workforce development~~
20 children and families, the person may be precluded from challenging any subsequent
21 setoff of the certified amount by the department of revenue, except on the grounds
22 that the certified amount has been partially or fully paid or otherwise discharged,
23 since the date of the notice.

24 **SECTION 147.** 49.85 (3) (b) 5. of the statutes is amended to read:

1 49.85 (3) (b) 5. Request that the person inform the department of ~~workforce~~
2 development children and families if a bankruptcy stay is in effect with respect to the
3 person or if the claim has been discharged in bankruptcy.

4 **SECTION 148.** 49.85 (4) (b) of the statutes is amended to read:

5 49.85 (4) (b) If a person has requested a hearing under this subsection, the
6 department of ~~workforce development~~ children and families shall hold a contested
7 case hearing under s. 227.44, except that the department of ~~workforce development~~
8 children and families may limit the scope of the hearing to exclude issues that were
9 presented at a prior hearing or that could have been presented at a prior opportunity
10 for hearing.

11 **SECTION 149.** 49.85 (5) of the statutes is amended to read:

12 49.85 (5) EFFECT OF CERTIFICATION. Receipt of a certification by the department
13 of revenue shall constitute a lien, equal to the amount certified, on any state tax
14 refunds or credits owed to the obligor. The lien shall be foreclosed by the department
15 of revenue as a setoff under s. 71.93. Certification of an amount under this section
16 does not prohibit the department of health and family services or the department of
17 ~~workforce development~~ children and families from attempting to recover or collect
18 the amount through other legal means. The department of health and family
19 services or the department of ~~workforce development~~ children and families shall
20 promptly notify the department of revenue upon recovery or collection of any amount
21 previously certified under this section.

22 **SECTION 150.** 49.852 (1) of the statutes is renumbered 49.852 (1m) and
23 amended to read:

24 49.852 (1m) The department of ~~workforce development~~ may direct the
25 department of employee trust funds, the retirement system of any 1st class city, any

1 retirement system established under chapter 201, laws of 1937, or the administrator
2 of any other pension plan to withhold the amount specified in the statewide support
3 lien docket under s. 49.854 (2) (b) from any lump sum payment from a pension plan
4 that may be paid a delinquent support obligor, except that the department of
5 ~~workforce development~~ may not direct that an amount be withheld under this
6 subsection unless it has met the notice requirements under sub. (2) and unless the
7 amount specified has either not been appealed or is no longer under appeal under s.
8 49.854.

9 **SECTION 151.** 49.852 (1c) of the statutes is created to read:

10 49.852 (1c) In this section, “department” means the department of children
11 and families.

12 **SECTION 152.** 49.852 (2) (intro.) of the statutes is amended to read:

13 49.852 (2) (intro.) The department of ~~workforce development~~ shall send a
14 notice to the last-known address of the person from whom the department intends
15 to recover the amount specified in the statewide support lien docket under s. 49.854
16 (2) (b). The notice shall do all of the following:

17 **SECTION 153.** 49.852 (2) (c) of the statutes is amended to read:

18 49.852 (2) (c) Request that the person inform the department of ~~workforce~~
19 ~~development~~ or the appropriate county child support agency under s. 59.53 (5) if a
20 bankruptcy stay is in effect with respect to the person.

21 **SECTION 154.** 49.852 (3) of the statutes is amended to read:

22 49.852 (3) If a person has requested a hearing pursuant to sub. (2) (b), the
23 hearing shall be conducted before the circuit court that rendered the initial order to
24 pay support. The court shall schedule a hearing within 10 business days after
25 receiving a request for a hearing. A circuit court commissioner may conduct the

1 hearing. If the court determines that the person owes the amount specified in the
2 statewide support lien docket under s. 49.854 (2) (b), the department of ~~workforce~~
3 ~~development~~ may direct the department of employee trust funds, the retirement
4 system of any 1st class city, any retirement system established under chapter 201,
5 laws of 1937, or the administrator of any other pension plan, whichever is
6 appropriate, to withhold the amount from any lump sum payment from a pension
7 plan that may be paid the person. If the court determines that the person does not
8 owe the amount specified in the statewide support lien docket under s. 49.854 (2) (b),
9 the department of ~~workforce development~~ may not direct the department of
10 employee trust funds, the retirement system of any 1st class city, any retirement
11 system established under chapter 201, laws of 1937, or the administrator of any
12 other pension plan, whichever is appropriate, to withhold the amount from any lump
13 sum payment from a pension plan that may be paid the person.

14 **SECTION 155.** 49.852 (4) (a) of the statutes is amended to read:

15 49.852 (4) (a) If the department of ~~workforce development~~ directs the
16 department of employee trust funds, the retirement system of any 1st class city, any
17 retirement system established under chapter 201, laws of 1937, or the administrator
18 of any other pension plan to withhold the amount specified in the statewide support
19 lien docket under s. 49.854 (2) (b), this directive shall constitute a lien, equal to the
20 amount specified in the statewide support lien docket, on any lump sum payment
21 from a pension plan that may be paid the person.

22 **SECTION 156.** 49.852 (4) (b) of the statutes is amended to read:

23 49.852 (4) (b) If the department of ~~workforce development~~ directs the
24 department of employee trust funds, the retirement system of any 1st class city, any
25 retirement system established under chapter 201, laws of 1937, or the administrator

1 of any other pension plan to withhold the amount specified in the statewide support
2 lien docket under s. 49.854 (2) (b), the department of employee trust funds, the
3 retirement system of any 1st class city, any retirement system established under
4 chapter 201, laws of 1937, or the administrator of any other pension plan shall deduct
5 from any lump sum payment that may be paid the person the amount specified in
6 the statewide support lien docket, less any amount specified under par. (d). If the
7 amount specified in the statewide support lien docket under s. 49.854 (2) (b), less any
8 amount specified under par. (d), exceeds the lump sum payment, the department of
9 employee trust funds, the retirement system of any 1st class city, any retirement
10 system established under chapter 201, laws of 1937, or the administrator of any
11 other pension plan shall deduct the entire lump sum payment, less any withholdings
12 otherwise required by law. The amount deducted under this paragraph shall be
13 remitted to the department of ~~workforce development~~.

14 **SECTION 157.** 49.852 (4) (c) of the statutes is amended to read:

15 49.852 (4) (c) A directive to the department of employee trust funds, the
16 retirement system of any 1st class city, any retirement system established under
17 chapter 201, laws of 1937, or the administrator of any other pension plan to withhold
18 the amount specified in the statewide support lien docket under s. 49.854 (2) (b)
19 under this section does not prohibit the department of ~~workforce development~~ from
20 attempting to recover the amount through other legal means.

21 **SECTION 158.** 49.852 (4) (d) of the statutes is amended to read:

22 49.852 (4) (d) The department of ~~workforce development~~ shall promptly notify
23 the department of employee trust funds, the retirement system of any 1st class city,
24 any retirement system established under chapter 201, laws of 1937, or the

1 administrator of any other pension plan upon recovery of any amount previously
2 specified in the statewide support lien docket under s. 49.854 (2) (b).

3 **SECTION 159.** 49.853 (1) (b) of the statutes is amended to read:

4 49.853 (1) (b) “Department” means the department of ~~workforce development~~
5 children and families.

6 **SECTION 160.** 49.854 (1) (a) of the statutes is amended to read:

7 49.854 (1) (a) “Department” means the department of ~~workforce development~~
8 children and families.

9 **SECTION 161.** 49.854 (11) (b) of the statutes is amended to read:

10 49.854 (11) (b) *The department.* The department may assess a collection fee
11 to recover the department’s costs incurred in levying against property under this
12 section. The department shall determine its costs to be paid in all cases of levy. The
13 obligor is liable to the department for the amount of the collection fee authorized
14 under this paragraph. Fees collected under this paragraph shall be credited to the
15 appropriation account under s. ~~20.445 (3)~~ 20.437 (2) (ja).

16 **SECTION 162.** 49.855 (1) of the statutes is amended to read:

17 49.855 (1) If a person obligated to pay child support, family support,
18 maintenance, or the receiving and disbursing fee under s. 767.57 (1e) (a) is
19 delinquent in making any of those payments, or owes an outstanding amount that
20 has been ordered by the court for past support, medical expenses, or birth expenses,
21 upon application under s. 59.53 (5) the department of ~~workforce development~~
22 children and families shall certify the delinquent payment or outstanding amount
23 to the department of revenue and, at least annually, shall provide to the department
24 of revenue any certifications of delinquencies or outstanding amounts that it receives
25 from another state because the obligor resides in this state.

1 **SECTION 163.** 49.855 (3) of the statutes is amended to read:

2 49.855 (3) Receipt of a certification by the department of revenue shall
3 constitute a lien, equal to the amount certified, on any state tax refunds or credits
4 owed to the obligor. The lien shall be foreclosed by the department of revenue as a
5 setoff under s. 71.93 (3), (6), and (7). When the department of revenue determines
6 that the obligor is otherwise entitled to a state tax refund or credit, it shall notify the
7 obligor that the state intends to reduce any state tax refund or credit due the obligor
8 by the amount the obligor is delinquent under the support, maintenance, or receiving
9 and disbursing fee order or obligation, by the outstanding amount for past support,
10 medical expenses, or birth expenses under the court order, or by the amount due
11 under s. 46.10 (4) or 301.12 (4). The notice shall provide that within 20 days the
12 obligor may request a hearing before the circuit court rendering the order under
13 which the obligation arose. Within 10 days after receiving a request for hearing
14 under this subsection, the court shall set the matter for hearing. Pending further
15 order by the court or a circuit court commissioner, the department of ~~workforce~~
16 ~~development~~ children and families or its designee, whichever is appropriate, is
17 prohibited from disbursing the obligor's state tax refund or credit. A circuit court
18 commissioner may conduct the hearing. The sole issues at that hearing shall be
19 whether the obligor owes the amount certified and, if not and it is a support or
20 maintenance order, whether the money withheld from a tax refund or credit shall be
21 paid to the obligor or held for future support or maintenance, except that the obligor's
22 ability to pay shall also be an issue at the hearing if the obligation relates to an order
23 under s. 767.51 (3) (e) 1. or 767.62 (4) (d) 1. [s. 767.89 (3) (e) 1. or 767.805 (4) (d) 1.]
24 and the order specifies that the court found that the obligor's income was at or below
25 the poverty line established under 42 USC 9902 (2).