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cont.

1 **SECTION 1400.** 49.13 (2) (b) of the statutes is renumbered 49.79 (9) (a) 2. and
2 amended to read:

3 49.79 (9) (a) 2. The department may not require an individual who is a recipient
4 under the food stamp program and who is the caretaker of a child who is under the
5 age of 12 weeks to participate in any employment and training program under par.
6 ~~(a)~~ this subsection.

7 **SECTION 1401.** 49.13 (2) (bm) of the statutes is renumbered 49.79 (9) (a) 3. and
8 amended to read:

9 49.79 (9) (a) 3. The department may not require an individual who is a recipient
10 under the food stamp program to participate in any employment and training
11 program under par. ~~(a)~~ this subsection if that individual is enrolled at least half time
12 in a school, as defined in s. 49.26 (1) (a) 2., a training program, or an institution of
13 higher education.

14 **SECTION 1402.** 49.13 (2) (cm) of the statutes is renumbered 49.79 (9) (a) 4.

15 **SECTION 1403.** 49.13 (2) (d) of the statutes is renumbered 49.79 (9) (a) 5. and
16 amended to read:

17 49.79 (9) (a) 5. A participant in an employment and training program under
18 this ~~section~~ subsection administered by the department is an employee of the
19 department for purposes of worker's compensation coverage, except to the extent
20 that the person for whom the participant is performing work provides worker's
21 compensation coverage. A participant in an employment and training program
22 under this ~~section~~ subsection administered by a Wisconsin ~~works~~ Works agency or
23 another provider is an employee of the Wisconsin ~~works~~ Works agency or other
24 provider for purposes of worker's compensation coverage, except to the extent that

1 the person for whom the participant is performing work provides worker's
2 compensation coverage.

3 **SECTION 1404.** 49.13 (3) (intro.) of the statutes is renumbered 49.79 (9) (b)
4 (intro.) and amended to read:

5 49.79 (9) (b) (intro.) An individual who fails to comply with the work
6 requirements under ~~sub. (2)~~ par. (a) without good cause is ineligible to participate in
7 the food stamp program ~~under s. 49.79~~ as follows:

8 **SECTION 1405.** 49.13 (3) (a) of the statutes is renumbered 49.79 (9) (b) 1. and
9 amended to read:

10 49.79 (9) (b) 1. For the first occurrence of noncompliance, one month, or until
11 the person complies with the work requirements under ~~sub. (2)~~ par. (a), whichever
12 is later.

13 **SECTION 1406.** 49.13 (3) (b) of the statutes is renumbered 49.79 (9) (b) 2. and
14 amended to read:

15 49.79 (9) (b) 2. For the 2nd occurrence of noncompliance, 3 months, or until the
16 person complies with the work requirements under ~~sub. (2)~~ par. (a), whichever is
17 later.

18 **SECTION 1407.** 49.13 (3) (c) of the statutes is renumbered 49.79 (9) (b) 3. and
19 amended to read:

20 49.79 (9) (b) 3. For the 3rd and subsequent occurrences of noncompliance, 6
21 months, or until the person complies with the work requirements under ~~sub. (2)~~ par.
22 (a), whichever is later.

23 **SECTION 1407c.** 49.134 (2) (a) of the statutes is amended to read:

24 49.134 (2) (a) From the allocation under s. 49.155 (1g) (d), the department shall
25 make grants to local agencies to fund child care resource and referral services

1 provided by those local agencies. The department shall provide an allocation formula
2 to determine the amount of a grant awarded under this section.

3 **SECTION 1407e.** 49.136 (2) (a) of the statutes is amended to read:

4 49.136 (2) (a) From the allocation under s. 49.155 (1g) (~~d~~), the department may
5 award grants for the start-up or expansion of child care services.

6 **SECTION 1407g.** 49.137 (2) (a) of the statutes is amended to read:

7 49.137 (2) (a) From the allocation under s. 49.155 (1g) (~~d~~), the department may
8 award grants to child care providers that meet the quality of care standards
9 established under s. 49.155 (1d) (b) to improve the retention of skilled and
10 experienced child care staff. In awarding grants under this subsection, the
11 department shall consider the applying child care provider's total enrollment of
12 children and average enrollment of children who receive or are eligible for publicly
13 funded care from the child care provider.

14 **SECTION 1407h.** 49.137 (3) (a) of the statutes is amended to read:

15 49.137 (3) (a) From the allocation under s. 49.155 (1g) (~~d~~), the department may
16 award grants to child care providers for assistance in meeting the quality of care
17 standards established under s. 49.155 (1d) (b).

18 **SECTION 1407i.** 49.137 (4) (intro.) of the statutes is amended to read:

19 49.137 (4) TRAINING AND TECHNICAL ASSISTANCE CONTRACTS. (intro.) From the
20 allocation under s. 49.155 (1g) (~~d~~), the department may contract with one or more
21 agencies for the provision of training and technical assistance to improve the quality
22 of child care provided in this state. The training and technical assistance activities
23 contracted for under this subsection may include any of the following activities:

24 **SECTION 1407j.** 49.137 (4m) of the statutes is amended to read:

1 49.137 (**4m**) LOCAL PASS-THROUGH GRANT PROGRAM. From the allocation under
2 s. 49.155 (1g) (~~d~~), the department shall award grants to local governments and tribal
3 governing bodies for programs to improve the quality of child care. The department
4 shall promulgate rules to administer the grant program, including rules that specify
5 the eligibility criteria and procedures for awarding the grants.

6 **SECTION 1408.** 49.138 (1m) (intro.) of the statutes is amended to read:

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

21 **SECTION 1409.** 49.143 (2) (b) of the statutes is amended to read:

22 49.143 (**2**) (b) Establish a children's services network. The children's services
23 network shall provide information about community resources available to the
24 dependent children in a Wisconsin works group, including charitable food and
25 clothing centers; subsidized and low-income housing; transportation subsidies; the

1 state supplemental food program for women, infants and children under s. 253.06
2 49.17; and child care programs. In a county having a population of 500,000 or more,
3 a children's services network shall, in addition, provide a forum for those persons
4 who are interested in the delivery of child welfare services and other services to
5 children and families in the geographical area under sub. (6) served by that
6 children's services network to communicate with and make recommendations to the
7 providers of those services in that geographical area with respect to the delivery of
8 those services in that area.

9 **SECTION 1409j.** 49.147 (2) (b) of the statutes is renumbered 49.147 (2) (a) 3. and
10 amended to read:

11 49.147 (2) (a) 3. ~~Job search assistance.~~ A Wisconsin works Works agency shall
12 assist a participant in his or her search for unsubsidized employment. ~~In~~
13 ~~determining an appropriate placement for a participant, a Wisconsin works agency~~
14 ~~shall give priority to placement in unsubsidized employment over placements under~~
15 ~~subs. (3) to (5).~~ ✓

16 **SECTION 1409m.** 49.147 (2) (bm) of the statutes is created to read:

17 49.147 (2) (bm) *Case management services.* 1. In lieu of placing the individual
18 in a Wisconsin Works employment position under subs. (3) to (5), the department
19 may provide case management services, which may include those services specified
20 in s. 49.1475, to an individual who applies for a Wisconsin Works employment
21 position if the department determines all of the following:

- 22 a. The individual meets the eligibility requirements under s. 49.145 (2) and (3).
23 b. The individual is willing to work and has no barriers to employment.
24 c. The individual is job-ready, based on the individual's employment history or
25 education.

1 d. The most appropriate placement for the individual is in unsubsidized
2 employment.

3 2. In determining an appropriate placement for an applicant, a Wisconsin
4 Works agency shall give priority to placement in unsubsidized employment and
5 providing case management services over placements under subs. (3) to (5). ✓

6 **SECTION 1410.** 49.147 (3m) ✓ of the statutes is created to read:

7 49.147 (3m) REAL WORK, REAL PAY PILOT PROJECT. (a) *Administration and*
8 *evaluation.* Except as provided in par. (d), the department shall conduct and
9 evaluate a real work, real pay pilot project from January 1, 2008, to December 31,
10 2009.

11 (b) *Eligibility and project limits.* 1. Except as specifically provided in this
12 subsection, all general and nonfinancial eligibility requirements under s. 49.145
13 apply to participants under this subsection, and all requirements under sub. (3), as
14 they apply to Wisconsin Works agencies, employers, and participants, apply to
15 Wisconsin Works agencies, employers, and participants under this subsection.

16 2. The project shall be limited to 100 individuals and shall be conducted in at
17 least one of the geographical areas established by the department under s. 49.143 (6)
18 that is in Milwaukee County and in at least 2 of those geographical areas that are
19 not in Milwaukee County.

20 (c) *Employer subsidies and reimbursements.* The Wisconsin Works agency
21 shall pay an employer that employs a participant under this subsection a monthly
22 wage subsidy that does not exceed the federal minimum wage for no more than 30
23 hours of work per week. Worksite training activities prescribed by the employer that
24 are consistent with training provided to other employees at the worksite are
25 considered work for purposes of calculating the wage subsidy under this paragraph.

1 In addition to the wage subsidy, the Wisconsin Works agency shall reimburse the
2 employer for up to 100 percent of all of the following costs that are attributable to
3 employment of the participant:

- 4 1. Federal social security taxes.
- 5 2. State and federal unemployment contributions or taxes, if any.
- 6 3. Worker's compensation insurance premiums, if any.

7 (d) *Time-limited participation and payment extension.* An individual may
8 participate in the project under this subsection for a maximum of 6 months, with an
9 opportunity for an extension of up to 3 months. Notwithstanding the ending date for
10 the project, payments under par. (c) for any participant who is accepted into the
11 project before December 31, 2009, shall be made until the participant completes his
12 or her 6-month participation period or any extension to it already commenced before
13 that date.

14 (e) *Mentors and stipends.* The Wisconsin Works agency and employer of a
15 participant under this subsection shall work together to find a mentor for the
16 participant at the participant's work site. The Wisconsin Works agency shall pay
17 each mentor a monthly stipend of \$50.

18 (f) *Employer effort to retain, refer, or evaluate participant.* An employer that
19 employs a participant under this subsection and receives a wage subsidy shall agree
20 to make a good faith effort to retain the participant as a permanent unsubsidized
21 employee after the wage subsidy ends if the participant successfully completes
22 participation in the project under this subsection. An employer shall also agree that,
23 if the employer does not retain a participant as a permanent unsubsidized employee,
24 the employer will serve as an employment reference for the participant or provide

1 to the Wisconsin Works agency a written performance evaluation of the participant,
2 including recommendations for improvements.

3 **SECTION 1411.** 49.147 (6) (c) of the statutes is amended to read:

4 49.147 (6) (c) *Distribution and administration.* From the appropriation under
5 s. ~~20.445 (3)~~ 20.437 (2) (jL), the department shall distribute funds for job access loans
6 to a Wisconsin Works agency, which shall administer the loans in accordance with
7 rules promulgated by the department.

8 **SECTION 1412.** 49.147 (6) (cm) 1. of the statutes is amended to read:

9 49.147 (6) (cm) 1. The department of ~~workforce development~~ may, in the
10 manner provided in s. 49.85, collect job access loan repayments that are delinquent
11 under the terms of a repayment agreement. The department of ~~workforce~~
12 ~~development~~ shall credit all delinquent repayments collected by the department of
13 revenue as a setoff under s. 71.93 to the appropriation account under s. ~~20.445 (3)~~
14 20.437 (2) (jL). Use of the process under s. 49.85 does not preclude the department
15 of ~~workforce development~~ from collecting delinquent repayments through other
16 legal means.

17 **SECTION 1413c.** 49.148 (1m) (title) of the statutes is amended to read:

18 49.148 (1m) (title) CUSTODIAL PARENT OF INFANT; UNMARRIED, PREGNANT WOMAN.

19 **SECTION 1414c.** 49.148 (1m) (a) (intro.) of the statutes is created to read:

20 49.148 (1m) (a) (intro.) Any of the following may receive a monthly grant of
21 \$673:

22 **SECTION 1415c.** 49.148 (1m) (a) of the statutes is renumbered 49.148 (1m) (a)

23 1. and amended to read:

24 49.148 (1m) (a) 1. ~~A~~ An individual who meets the eligibility requirements
25 under s. 49.145 (2) and (3) and who is a custodial parent of a child who is 12 weeks

1 old or less and who meets the eligibility requirements under s. 49.145 (2) and (3) may
2 receive a monthly grant of \$673, unless another adult member of the custodial
3 parent's Wisconsin works Works group is participating in, or is eligible to participate
4 in, a Wisconsin works Works employment position or is employed in unsubsidized
5 employment, as defined in s. 49.147 (1) (c).

6 (bm) A Wisconsin works Works agency may not require a participant under this
7 subsection to participate in any employment positions.

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

14 **SECTION 1416c.** 49.148 (1m) (a) 2. of the statutes is created to read:

15 49.148 (1m) (a) 2. An unmarried woman who would be eligible under s. 49.145
16 except that she is not a custodial parent of a dependent child and who is in the 3rd
17 trimester of a pregnancy that is medically verified and that is shown by medical
18 documentation to be at risk and to render the woman unable to participate in the
19 workforce.

20 **SECTION 1417c.** 49.148 (1m) (b) of the statutes is renumbered 49.148 (1m) (c)
21 2. and amended to read:

22 49.148 (1m) (c) 2. Receipt of a grant under this subsection by a participant
23 under par. (a) 1. constitutes participation in a Wisconsin works Works employment
24 position for purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (e), (4)
25 (b) or (5) (b) 2. if the child is born to the participant more than 10 months after the

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

7 **SECTION 1418c.** 49.148 (1m) (c) (intro.) of the statutes is created to read:

8 49.148 (1m) (c) (intro.) For purposes of the time limits under ss. 49.145 (2) (n)
9 and 49.147 (3) (c), (4) (b), and (5) (b) 2., all of the following apply:

10 **SECTION 1419c.** 49.148 (1m) (c) 3. of the statutes is created to read:

11 49.148 (1m) (c) 3. Receipt of a grant under this subsection by a participant
12 under par. (a) 2. does not constitute participation in a Wisconsin Works employment
13 position. ✓

14 **SECTION 1418c.** 49.152 (1) of the statutes is amended to read:

15 49.152 (1) PETITION FOR REVIEW. Any individual whose application for any
16 component of Wisconsin ~~works~~ Works is not acted upon by the Wisconsin ~~works~~
17 Works agency with reasonable promptness after the filing of the application, as
18 defined by the department by rule, or is denied in whole or in part, whose benefit is
19 modified or canceled, or who believes that the benefit was calculated incorrectly or
20 that the employment position in which the individual was placed or providing case
21 management services under s. 49.147 (2) (bm) in lieu of placement in a Wisconsin
22 Works employment position is inappropriate, may petition the Wisconsin ~~works~~
23 Works agency for a review of such action. Review is unavailable if the action by the
24 Wisconsin ~~works~~ Works agency occurred more than 45 days prior to submission of
25 the petition for review. ✓

1 **SECTION 1419c.** 49.152 (3) (a) of the statutes is amended to read:

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

14 **SECTION 1420f.** 49.155 (1) (intro.) ✓ of the statutes is amended to read:

15 49.155 (1) DEFINITIONS. (intro.) In this section, except as otherwise provided:

16 **SECTION 1420m.** 49.155 (1g) of the statutes is repealed and recreated to read:

17 49.155 (1g) DISTRIBUTION OF FUNDS. Within the limits of the availability of the
18 federal child care and development block grant funds received under 42 USC 9858,
19 the department shall do all of the following:

20 (a) Subject to sub. (1j), spend no more than the minimum amount required
21 under 42 USC 9858 on programs to improve the quality and availability of child care.
22 From the appropriations under s. 20.445 (3) (cm), (kx), (mc), and (md), the
23 department shall allocate and distribute funding in each fiscal year for all of the
24 following:

1 1. A child care scholarship and bonus program, in the amount of at least
2 \$3,475,000 per fiscal year.

3 2. Grants under s. 49.134 (2) for child day care resource and referral services,
4 in the amount of at least \$1,225,000 per fiscal year.

5 3. A transfer to the appropriation account under s. 20.435 (3) (kx) for child care
6 licensing activities, in the amount of at least \$4,800,600 per fiscal year.

7 4. Grants under s. 49.137 (4m).

8 5. Contracts under s. 49.137 (4) for training and technical assistance.

9 6. The department's share of the costs for the Child Care Information Center
10 operated by the division for libraries, technology, and community learning in the
11 department of public instruction.

12 (b) Subject to sub. (1j), from the appropriations under s. 20.445 (3) (cm), (kx),
13 and (mc), distribute \$1,765,600 in fiscal year 2007-08 and \$1,600,300 in fiscal year
14 2008-09 for administration of the department's office of child care.

15 **SECTION 1420n.** 49.155 (1g) (a) (intro.) and 3. and (b) of the statutes, as affected
16 by 2007 Wisconsin Act (this act), are amended to read:

17 49.155 (1g) (a) (intro.) Subject to sub. (1j), spend no more than the minimum
18 amount required under 42 USC 9858 on programs to improve the quality and
19 availability of child care. From the appropriations under s. ~~20.445(3)~~ 20.437(2) (cm),
20 (kx), (mc), and (md), the department shall allocate and distribute funding in each
21 fiscal year for all of the following:

22 3. A transfer to the appropriation account under s. ~~20.435(3)~~ 20.437(1) (kx) for
23 child care licensing activities, in the amount of at least \$4,800,600 per fiscal year.

1 (b) Subject to sub. (1j), from the appropriations under s. ~~20.445 (3)~~ 20.437 (2)
2 (cm), (kx), and (mc), distribute \$1,765,600 in fiscal year 2007-08 and \$1,600,300 in
3 fiscal year 2008-09 for administration of the department's office of child care.

4 **SECTION 1425.** 49.155 (1m) (a) 3m. of the statutes is amended to read:

5 49.155 (1m) (a) 3m. Participate in a job search or work experience component
6 of the food stamp employment and training program under s. ~~49.13~~ 49.79 (9).

7 **SECTION 1433c.** 49.159 (4) [✓] of the statutes is amended to read:

8 49.159 (4) PREGNANT WOMEN. A pregnant woman whose pregnancy is medically
9 verified, who would be eligible under s. 49.145 except that she is not a custodial
10 parent of a dependent child, and who does not satisfy the requirements under s.
11 49.148 (1m) (a) 2. is eligible for employment training and job search assistance
12 services provided by the Wisconsin ~~works~~ Works agency.

13 **SECTION 1433r.** 49.159 (3) [✓] of the statutes is amended to read:

14 49.159 (3) OTHER CUSTODIAL PARENTS. A custodial parent in a Wisconsin ~~works~~
15 Works group in which the other custodial parent is a participant in a Wisconsin
16 ~~works~~ Works employment position or is receiving case management services under
17 s. 49.147 (2) (bm) is eligible for employment training and job search assistance
18 services provided by the Wisconsin ~~works~~ Works agency.

19 **SECTION 1434.** 49.1635 (1) [✓] of the statutes is amended to read:

20 49.1635 (1) To the extent permitted under federal law and subject to sub. (2),
21 from the appropriation under s. ~~20.445 (3)~~ 20.437 (2) (md) the department may
22 distribute funds to the Wisconsin Trust Account Foundation in an amount up to the
23 amount received by the foundation from private donations, but not to exceed
24 \$100,000 in a fiscal year. Except as provided in sub. (4), funds distributed under this
25 subsection may be used only for the provision of legal services to individuals who are

1 eligible for temporary assistance for needy families under 42 USC 601 et seq. and
2 whose incomes are at or below 200% of the poverty line.

3 **SECTION 1435.** 49.175 (1) (intro.) of the statutes is amended to read:

4 49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within
5 the limits of the appropriations under s. ~~20.445 (3)~~ 20.437 (2) (a), (cm), (dz), (k), (kx),
6 (L), (mc), (md), (me), and (s), the department shall allocate the following amounts for
7 the following purposes:

8 **SECTION 1436.** 49.175 (1) (a) of the statutes is amended to read:

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9 49.175 (1) (a) *Wisconsin Works benefits.* For Wisconsin Works benefits,
10 \$59,184,700 \downarrow \$44,390,300 \checkmark in fiscal year ~~2005-06~~ 2007-08 and \$51,930,000
11 \$44,035,900 \checkmark in fiscal year ~~2006-07~~ 2008-09.

12 **SECTION 1437.** 49.175 (1) (b) of the statutes is amended to read:

13 49.175 (1) (b) *Wisconsin Works administration.* For administration of
14 Wisconsin Works performed under contracts under s. 49.143, ~~\$18,999,900~~
15 \$10,701,100 in fiscal year ~~2005-06~~ 2007-08 and ~~\$16,834,100~~ \$10,701,100 in fiscal
16 year ~~2006-07~~ 2008-09.

17 **SECTION 1438.** 49.175 (1) (c) of the statutes is repealed.

18 **SECTION 1439.** 49.175 (1) (f) of the statutes is amended to read:

19 49.175 (1) (f) *Wisconsin Works ancillary services.* For program services under
20 Wisconsin Works provided under contracts under s. 49.143, ~~\$49,534,800~~ \$38,471,500
21 in fiscal year ~~2005-06~~ 2007-08 and ~~\$43,463,000~~ \$38,471,500 in fiscal year ~~2006-07~~
22 2008-09.

23 **SECTION 1440.** 49.175 (1) (g) of the statutes is amended to read:

1 49.175 (1) (z) *Grants to the Boys and Girls Clubs of America.* For grants to the
2 Wisconsin Chapter of the Boys and Girls Clubs of America to fund programs that
3 improve social, academic, and employment skills of youth who are eligible to receive
4 temporary assistance for needy families under 42 USC 601 et seq., \$300,000
5 \$350,000 in each fiscal year. ✓

6 **SECTION 1448.** 49.175 (1) (ze) (title) of the statutes is amended to read:

7 49.175 (1) (ze) (title) *Programs administered by the department of health and*
8 *family services relating to children and families.*

9 **SECTION 1449.** 49.175 (1) (ze) 1. of the statutes is amended to read:

10 49.175 (1) (ze) 1. 'Kinship care and long-term kinship care assistance.' For the
11 kinship care and long-term kinship care programs under s. 48.57 (3m), (3n), and
12 (3p), ~~\$23,034,200 in fiscal year 2005-06 and \$22,686,300~~ \$23,579,800 in each fiscal
13 year ~~2006-07.~~

14 **SECTION 1450.** 49.175 (1) (ze) 2. of the statutes is amended to read:

15 49.175 (1) (ze) 2. 'Children of recipients of supplemental security income.' For
16 payments made under s. 49.775 for the support of the dependent children of
17 recipients of supplemental security income, ~~\$30,444,000~~ \$30,094,700 in fiscal year
18 ~~2005-06 2007-08~~ and ~~\$30,394,000~~ \$30,094,700 in fiscal year ~~2006-07 2008-09.~~

19 **SECTION 1451.** 49.175 (1) (ze) 10m. of the statutes is amended to read:

20 49.175 (1) (ze) 10m. 'Safety and out-of-home placement services.' For services
21 provided in counties having a population of 500,000 or more to ensure the safety of
22 children who the department of health and family services determines may remain
23 at home if appropriate services are provided, ~~\$5,707,200~~ and for ongoing services
24 provided in those counties to families with children placed in out-of-home care,
25 \$5,631,300 in each fiscal year.

1 **SECTION 1452.** 49.175 (1) (ze) 10m. of the statutes, as affected by 2007
2 Wisconsin Act (this act), is amended to read:

3 49.175 (1) (ze) 10m. 'Safety and out-of-home placement services.' For services
4 provided in counties having a population of 500,000 or more to ensure the safety of
5 children who the department of health and family services determines may remain
6 at home if appropriate services are provided, and for ongoing services provided in
7 those counties to families with children placed in out-of-home care, \$5,631,300 in
8 each fiscal year.

9 **SECTION 1453.** 49.175 (1) (ze) 12. of the statutes is amended to read:

10 49.175 (1) (ze) 12. 'Milwaukee and statewide child welfare administration.' For
11 the costs associated with the Milwaukee child welfare information system and the
12 Wisconsin statewide automated child welfare information system, \$1,310,800
13 \$1,510,500 in fiscal year ~~2005-06~~ 2007-08 and ~~\$1,317,700~~ \$1,532,100 in fiscal year
14 ~~2006-07~~ 2008-09.

15 **SECTION 1454.** 49.175 (1) (zh) of the statutes is amended to read:

16 49.175 (1) (zh) *Earned income tax credit supplement.* For the transfer of
17 moneys from the appropriation account under s. 20.445 (3) (md) to the appropriation
18 account under s. 20.835 (2) (kf) for the earned income tax credit, \$55,232,000
19 \$21,125,400 in each fiscal year 2007-08 and \$6,664,200 in fiscal year 2008-09.

20 **SECTION 1455.** 49.175 (1) (zh) of the statutes, as affected by 2007 Wisconsin Act
21 (this act), is amended to read:

22 49.175 (1) (zh) *Earned income tax credit supplement.* For the transfer of
23 moneys from the appropriation account under s. ~~20.445 (3)~~ 20.437 (2) (md) to the
24 appropriation account under s. 20.835 (2) (kf) for the earned income tax credit,
25 \$21,125,400 in fiscal year 2007-08 and \$6,664,200 in fiscal year 2008-09.

"D"
Cont.

1 **SECTION 1456.** 49.175 (2) (c) of the statutes is amended to read:

2 49.175 (2) (c) If the amounts of federal block grant moneys that are required
3 to be credited to the appropriation accounts under s. ~~20.445 (3)~~ 20.437 (2) (mc) and
4 (md) are less than the amounts appropriated under s. ~~20.445 (3)~~ 20.437 (2) (mc) and
5 (md), the department shall submit a plan to the secretary of administration for
6 reducing the amounts of moneys allocated under sub. (1). If the secretary of
7 administration approves the plan, the amounts of moneys required to be allocated
8 under sub. (1) may be reduced as proposed by the department and the department
9 shall allocate the moneys as specified in the plan.

10 **SECTION 1459.** 49.19 (1) (a) 2. b. of the statutes is amended to read:

11 49.19 (1) (a) 2. b. Is living in a foster home or treatment foster home licensed
12 under s. 48.62 if a license is required under that section, in a foster home or treatment
13 foster home located within the boundaries of a federally recognized American Indian
14 reservation in this state and licensed by the tribal governing body of the reservation,
15 in a group home licensed under s. 48.625, or in a residential care center for children
16 and youth licensed under s. 48.60, and has been placed in the foster home, treatment
17 foster home, group home, or center by a county department under s. 46.215, 46.22,
18 or 46.23, by the department of health and family services, by the department of
19 corrections, or by a federally recognized American Indian tribal governing body in
20 this state under an agreement with a county department.

21 **SECTION 1460.** 49.19 (10) (a) of the statutes is amended to read:

22 49.19 (10) (a) Aid under this section may also be granted to a nonrelative who
23 cares for a child dependent upon the public for proper support in a foster home or
24 treatment foster home having a license under s. 48.62, in a foster home or treatment
25 foster home located within the boundaries of a federally recognized American Indian

1 reservation in this state and licensed by the tribal governing body of the reservation
2 or in a group home licensed under s. 48.625, regardless of the cause or prospective
3 period of dependency. The state shall reimburse counties pursuant to the procedure
4 under s. ~~46.495~~ 48.569 (2) and the percentage rate of participation set forth in s.
5 ~~46.495~~ 48.569 (1) (d) for aid granted under this subsection except that if the child does
6 not have legal settlement in the granting county, state reimbursement shall be at
7 100%. The county department under s. 46.215 or 46.22 shall determine the legal
8 settlement of the child. A child under one year of age shall be eligible for aid under
9 this subsection irrespective of any other residence requirement for eligibility within
10 this section.

11 **SECTION 1461.** 49.19 (10) (d) of the statutes is amended to read:

12 49.19 (10) (d) Aid may also be paid under this section to a licensed foster home,
13 treatment foster home, group home, or residential care center for children and youth
14 by the state when the child is in the custody or guardianship of the state, when the
15 child is a ward of an American Indian tribal court in this state and the placement is
16 made under an agreement between the department and the tribal governing body,
17 or when the child was part of the state's direct service case load and was removed
18 from the home of a relative specified in sub. (1) (a) as a result of a judicial
19 determination that continuance in the home of a relative would be contrary to the
20 child's welfare for any reason and the child is placed by the department of health and
21 family services or the department of corrections.

22 **SECTION 1462.** 49.19 (11) (a) 1. a. of the statutes is amended to read:

23 49.19 (11) (a) 1. a. Except as provided in subs. (11m) and (11s), monthly
24 payments made under s. ~~20.445~~ (3) 20.437 (2) (dz) and (md) to persons or to families
25 with dependent children shall be based on family size and shall be at 80% of the total

1 of the allowances under subs. 2. and 4. plus the following standards of assistance
2 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

3 **SECTION 1463.** 49.19 (11s) (d) of the statutes is amended to read:

4 49.19 (11s) (d) From the appropriation under s. ~~20.445 (3)~~ 20.437 (2) (a), the
5 department may award grants to county departments under ss. 46.215, 46.22 and
6 46.23 for providing education services relating to family planning, as defined in s.
7 253.07 (1) (a), to persons who are subject to par. (b).

8 **SECTION 1464.** 49.195 (3r) of the statutes is amended to read:

9 49.195 (3r) From the appropriation under s. ~~20.445 (3)~~ 20.437 (2) (L) the
10 department may contract with or employ a collection agency or other person to
11 enforce a repayment obligation of a person who is found liable under sub. (3) who is
12 delinquent in making repayments.

13 **SECTION 1465.** 49.197 (1m) of the statutes is amended to read:

14 49.197 (1m) FRAUD INVESTIGATION. From the appropriations under s. ~~20.445 (3)~~
15 20.437 (2) (dz), (kx), (L), (md), (n), and (nL), the department shall establish a program
16 to investigate suspected fraudulent activity on the part of recipients of aid to families
17 with dependent children under s. 49.19, on the part of participants in the Wisconsin
18 Works program under ss. 49.141 to 49.161, and, if the department of health and

1 family services contracts with the department under sub. (5), on the part of recipients
2 of medical assistance under subch. IV, food stamp benefits under the food stamp
3 program under 7 USC 2011 to 2036, supplemental security income payments under
4 s. 49.77, payments for the support of children of supplemental security income
5 recipients under s. 49.775, and health care benefits under the Badger Care health
6 care program under s. 49.665. The department's activities under this subsection may
7 include, but are not limited to, comparisons of information provided to the
8 department by an applicant and information provided by the applicant to other
9 federal, state, and local agencies, development of an advisory welfare investigation
10 prosecution standard, and provision of funds to county departments under ss.
11 46.215, 46.22, and 46.23 and to Wisconsin Works agencies to encourage activities to
12 detect fraud. The department shall cooperate with district attorneys regarding
13 fraud prosecutions.

14 **SECTION 1465m.** 49.197 (2) of the statutes is created to read:

15 **49.197 (2) FRAUD INVESTIGATION BY COUNTIES AND TRIBAL GOVERNING BODIES.** (a)

16 In this subsection, "tribal governing body" means an elected governing body of a
17 federally recognized American Indian tribe.

18 (b) A county or tribal governing body may establish a program to investigate
19 suspected fraudulent activity on the part of participants in the Wisconsin Works
20 program under this subchapter, including persons receiving a child care subsidy
21 under s. 49.155, and to recover incorrect payments made or incorrect benefits
22 provided as a result of fraudulent activity.

23 (c) If a county or tribal governing body establishes a program under par. (b), the
24 county or tribal governing body shall pay to the department all of the following:

1 1. Fifty percent of all amounts recovered by the county or tribal governing body
2 as a result of its program during the first month in which it recovers any amounts
3 as a result of its program.

4 2. Sixty-six percent of all amounts recovered by the county or tribal governing
5 body as a result of its program during the 2nd month in which it recovers any
6 amounts as a result of its program.

7 3. One hundred percent of all amounts recovered by the county or tribal
8 governing body as a result of its program after the 2nd month in which it recovers
9 any amounts as a result of its program.

10 (d) The department shall credit all moneys received under this subsection to
11 the appropriation account under s. 20.445 (3) (g). The department shall use moneys
12 recovered as a result of fraud in the Wisconsin Works program, other than the child
13 care subsidy program under s. 49.155, for the Wisconsin Works program other than
14 the child care subsidy program and shall use moneys recovered as a result of fraud
15 in the child care subsidy program under s. 49.155 for the child care subsidy program.

16 **SECTION 1465p.** 49.197 (2) (d) of the statutes, as created by 2007 Wisconsin Act
17 (this act), is amended to read:

18 49.197 (2) (d) The department shall credit all moneys received under this
19 subsection to the appropriation account under s. ~~20.445 (3)~~ 20.437 (2) (g). The
20 department shall use moneys recovered as a result of fraud in the Wisconsin Works
21 program, other than the child care subsidy program under s. 49.155, for the
22 Wisconsin Works program other than the child care subsidy program and shall use
23 moneys recovered as a result of fraud in the child care subsidy program under s.
24 49.155 for the child care subsidy program.

25 **SECTION 1466.** 49.197 (4) of the statutes is amended to read:

1 49.197 (4) COUNTY AND TRIBAL ERROR REDUCTION. If the department of health and
2 family services contracts with the department under sub. (5), the department shall
3 provide funds from the appropriation under s. ~~20.445 (3)~~ 20.437 (2) (kx) to counties
4 and governing bodies of federally recognized American Indian tribes administering
5 Medical Assistance under subch. IV, the food stamp program under 7 USC 2011 to
6 2036, the supplemental security income payments program under s. 49.77, the
7 program providing payments for the support of children of supplemental security
8 income recipients under s. 49.775, and the Badger Care health care program under
9 s. 49.665 to offset administrative costs of reducing payment errors in those programs.

10 **SECTION 1467.** 49.22 (2m) (a) of the statutes is amended to read:

11 49.22 (2m) (a) The department may request from any person in this state
12 information it determines appropriate and necessary for the administration of this
13 section, ss. 49.141 to 49.161, 49.19, 49.46, 49.468 and, 49.47, and 49.471 and
14 programs carrying out the purposes of 7 USC 2011 to 2029. Unless access to the
15 information is prohibited or restricted by law, or unless the person has good cause,
16 as determined by the department in accordance with federal law and regulations, for
17 refusing to cooperate, the person shall make a good faith effort to provide this
18 information within 7 days after receiving a request under this paragraph. Except
19 as provided in subs. (2p) and (2r) and subject to sub. (12), the department or the
20 county child support agency under s. 59.53 (5) may disclose information obtained
21 under this paragraph only in the administration of this section, ss. 49.141 to 49.161,
22 49.19, 49.46 and, 49.47, and 49.471 and programs carrying out the purposes of 7 USC
23 2011 to 2029. Employees of the department or a county child support agency under
24 s. 59.53 (5) are subject to s. 49.83.

25 **SECTION 1468.** 49.22 (2m) (b) of the statutes is amended to read:

1 49.22 (2m) (b) The department or county child support agency under s. 59.53
2 (5) may issue a subpoena, in substantially the form authorized under s. 885.02, to
3 compel the production of financial information and other documentary evidence in
4 the administration of this section, ss. 49.145, 49.19, 49.46 and, 49.47, and 49.471 and
5 programs carrying out the purposes of 7 USC 2011 to 2029.

6 **SECTION 1469.** 49.22 (2m) (c) 3. of the statutes is amended to read:

7 49.22 (2m) (c) 3. Any other action taken in good faith to comply with this section
8 or a subpoena described in par. (bc) or to comply with a request for information or
9 access to records from the department or a county child support agency under s. 59.53
10 (5) in the administration of this section, ss. 49.145, 49.19, 49.46 and, 49.47, and
11 49.471 and programs carrying out the purposes of 7 USC 2011 to 2029.

12 **SECTION 1470.** 49.22 (6) of the statutes is amended to read:

13 49.22 (6) The department shall establish, pursuant to federal and state laws,
14 rules and regulations, a uniform system of fees for services provided under this
15 section to individuals not receiving aid under s. ~~46.261~~ 48.645, 49.19, or 49.47;
16 benefits under s. 49.148, 49.155, or 49.79; foster care maintenance payments under
17 42 USC 670 to 679a; or kinship care payments under s. 48.57 (3m) or long-term
18 kinship care payments under s. 48.57 (3n). The system of fees may take into account
19 an individual's ability to pay. Any fee paid and collected under this subsection may
20 be retained by the county providing the service except for the fee specified in 42 USC
21 653 (e) (2) for federal parent locator services.

22 **SECTION 1471.** 49.22 (6) of the statutes, as affected by 2007 Wisconsin Act

23 (this act), is amended to read:

24 49.22 (6) The department shall establish, pursuant to federal and state laws,
25 rules and regulations, a uniform system of fees for services provided under this

1 section to individuals not receiving aid under s. 48.645, 49.19 ~~or~~, 49.47, or 49.471;
2 benefits under s. 49.148, 49.155, or 49.79; foster care maintenance payments under
3 42 USC 670 to 679a; or kinship care payments under s. 48.57 (3m) or long-term
4 kinship care payments under s. 48.57 (3n). The system of fees may take into account
5 an individual's ability to pay. Any fee paid and collected under this subsection may
6 be retained by the county providing the service except for the fee specified in 42 USC
7 653 (e) (2) for federal parent locator services.

8 **SECTION 1472.** 49.22 (7) of the statutes is amended to read:

9 49.22 (7) The department may represent the state in any action to establish
10 paternity or to establish or enforce a support or maintenance obligation. The
11 department may delegate its authority to represent the state in any action to
12 establish paternity or to establish or enforce a support or maintenance obligation
13 under this section to an attorney responsible for support enforcement under s. 59.53
14 (6) (a) pursuant to a contract entered into under s. 59.53 (5). The department shall
15 ensure that any such contract is for an amount reasonable and necessary to assure
16 quality service. The department may, by such a contract, authorize a county to
17 contract with any attorney, collection agency or other person to collect unpaid child
18 support or maintenance. If a county fails to fully implement the programs under s.
19 59.53 (5), the department may implement them and may contract with any
20 appropriate person to obtain necessary services. The department shall establish a
21 formula for disbursing funds appropriated under s. ~~20.445(3)~~ 20.437(2) (md) to carry
22 out a contract under this subsection.

23 **SECTION 1473.** 49.24 (1) of the statutes is amended to read:

24 49.24 (1) From the appropriation under s. 20.445 (3) ~~(k)~~ (b), the department
25 shall provide child support incentive payments to counties. ~~Total payments~~ In fiscal

1 year 2007-08, amounts allocated by the department under this subsection may not
2 exceed \$2,750,000, plus any amounts not obligated in the prior fiscal year. Beginning
3 with fiscal year 2008-09, amounts allocated under this subsection may not exceed
4 \$5,690,000 \$5,500,000 per fiscal year, plus any amounts not obligated in the prior
5 fiscal year.

6 **SECTION 1474.** 49.24 (1) of the statutes, as affected by 2007 Wisconsin Act
7 (this act), section 1473, is amended to read:

8 49.24 (1) From the appropriation under s. ~~20.445 (3)~~ 20.437 (2) (b), the
9 department shall provide child support incentive payments to counties. In fiscal
10 year 2007-08, amounts allocated by the department under this subsection may not
11 exceed \$2,750,000, plus any amounts not obligated in the prior fiscal year. Beginning
12 with fiscal year 2008-09, amounts allocated under this subsection may not exceed
13 \$5,500,000 per fiscal year, plus any amounts not obligated in the prior fiscal year.

14 **SECTION 1474d.** 49.24 (1) of the statutes, as affected by 2007 Wisconsin Act
15 (this act), section 1473, is amended to read:

16 49.24 (1) From the appropriation under s. 20.445 (3) ~~(b)~~ (k), the department
17 shall provide child support incentive payments to counties. ~~In fiscal year 2007-08,~~
18 ~~amounts allocated by the department~~ Total payments under this subsection may not
19 exceed \$2,750,000, plus any amounts not obligated in the prior fiscal year. ~~Beginning~~
20 ~~with fiscal year 2008-09, amounts allocated under this subsection may not exceed~~
21 ~~\$5,500,000~~ \$5,690,000 per fiscal year, plus any amounts not obligated in the prior
22 fiscal year.

23 **SECTION 1475.** 49.24 (2) (b) (intro.) of the statutes is amended to read:

1 49.24 (2) (b) (intro.) Subject to ~~the incentive payments limit specified in par.~~
2 (a), the department shall distribute to counties, in accordance with the formula
3 established under par. (a), all of the following:

4 **SECTION 1475d.** 49.24 (2) (b) (intro.) of the statutes, as affected by 2007
5 Wisconsin Act (this act), is amended to read:

6 49.24 (2) (b) (intro.) Subject to the incentive payments limit specified in par.
7 (a), the department shall distribute to counties, in accordance with the formula
8 established under par. (a), all of the following:

9 **SECTION 1476.** 49.24 (2) (d) of the statutes is repealed.

10 **SECTION 1476d.** 49.24 (2) (dm) of the statutes is created to read:

11 49.24 (2) (dm) If the amount of federal child support incentive payments
12 awarded to the state for a federal fiscal year is less than \$12,340,000, the total of
13 payments distributed to counties under par. (b) and sub. (1) for that federal fiscal
14 year may not exceed \$12,340,000.

15 **SECTION 1476g.** 49.24 (4) of the statutes is created to read:

16 49.24 (4) If federal legislation reinstates the matching of federal funds for
17 federal child support incentive payments, the department shall provide a notice in
18 the Wisconsin Administrative Register that states the effective date of that federal
19 legislation.

20 **SECTION 1477.** 49.26 (1) (d) of the statutes is amended to read:

21 49.26 (1) (d) A county department or Wisconsin ~~works~~ Works agency that
22 provides services under this subsection directly shall develop a plan, in coordination
23 with the school districts located in whole or in part in the county, describing the
24 assistance that the county department or Wisconsin ~~works~~ Works agency and school
25 districts will provide to individuals receiving services under this subsection, the

1 number of individuals that will be served and the estimated cost of the services. The
2 county department or Wisconsin ~~works~~ Works agency shall submit the plan to the
3 department of ~~workforce development~~ and the department of public instruction by
4 January 15, annually.

5 **SECTION 1478.** 49.26 (1) (g) (intro.) of the statutes is amended to read:

6 49.26 (1) (g) (intro.) An individual who is a dependent child in a Wisconsin
7 ~~works~~ Works group that includes a participant under s. 49.147 (3), (3m), (4), or (5)
8 or who is a recipient of aid under s. 49.19 is subject to the school attendance
9 requirement under par. (ge) if all of the following apply:

10 **SECTION 1479.** 49.26 (1) (h) 1s. b. of the statutes is amended to read:

11 49.26 (1) (h) 1s. b. An individual who is a dependent child in a Wisconsin ~~works~~
12 Works group that includes a participant under s. 49.147 (3), (3m), (4), or (5) and who
13 fails to meet the school attendance requirement under par. (ge) is subject to a
14 monthly sanction.

15 **SECTION 1480.** 49.27 of the statutes is created to read:

16 **49.27 Legal actions.** The department may sue and be sued.

17 **SECTION 1481.** 49.273 of the statutes is created to read:

18 **49.273 Research, investigations.** The secretary shall plan for and establish
19 within the department a program of research designed to determine the
20 effectiveness of the treatment, curative, and rehabilitative programs of the various
21 divisions of the department. The secretary may inquire into any matter affecting
22 children and families, hold hearings, subpoena witnesses and make
23 recommendations on those matters to the appropriate public or private agencies.

24 **SECTION 1482.** 49.275 of the statutes is amended to read:

1 **49.275 Cooperation with federal government.** The department may
2 cooperate with the federal government in carrying out federal acts concerning public
3 assistance under this subchapter and child welfare under ch. 48 and in other matters
4 of mutual concern under this subchapter pertaining to public welfare and under ch.
5 48 pertaining to child welfare.

6 **SECTION 1483.** 49.32 (1) (a) of the statutes is amended to read:

7 49.32 (1) (a) The Except as provided in s. 49.345 (14) (b) and (c), the department
8 shall establish a uniform system of fees for services provided or purchased under this
9 subchapter and ch. 48 by the department, or a county department under s. 46.215,
10 46.22, or 46.23, except as provided in s. 49.22 (6) and except ~~where~~ when, as
11 determined by the department, a fee is administratively unfeasible or would
12 significantly prevent accomplishing the purpose of the service. A county department
13 under s. 46.215, 46.22 or 46.23 shall apply the fees ~~which~~ that it collects under this
14 program to cover the cost of ~~such~~ those services. The department shall report to the
15 joint committee on finance no later than March 1 of each year on the number of
16 children placed for adoption by the department during the previous year and the
17 costs to the state for services relating to such adoptions.

18 **SECTION 1484.** 49.32 (1) (am) of the statutes is created to read:

19 49.32 (1) (am) Paragraph (a) does not prevent the department from charging
20 and collecting the cost of adoptive placement investigations and child care as
21 authorized under s. 48.837 (7).

22 **SECTION 1485.** 49.32 (1) (b) of the statutes is amended to read:

23 49.32 (1) (b) Any Except as provided in s. 49.345 (14) (b) and (c), any person
24 receiving services provided or purchased under par. (a) or the spouse of the person
25 and, in the case of a minor, the parents of the person, and, in the case of a foreign child

1 described in s. 48.839 (1) who became dependent on public funds for his or her
2 primary support before an order granting his or her adoption, the resident of this
3 state appointed guardian of the child by a foreign court who brought the child into
4 this state for the purpose of adoption, shall be liable for the services in the amount
5 of the fee established under par. (a).

6 **SECTION 1486.** 49.32 (1) (c) of the statutes is amended to read:

7 49.32 (1) (c) The department shall make collections from the person who in the
8 opinion of the department is best able to pay, giving due regard to the present needs
9 of the person or of his or her lawful dependents. The department may bring an action
10 in the name of the department to enforce the liability established under par. (b). This
11 paragraph does not apply to the recovery of fees for the care and services specified
12 under s. 49.345.

13 **SECTION 1487.** 49.32 (2) (d) of the statutes is created to read:

14 49.32 (2) (d) The department shall disburse from state or federal funds or both
15 the entire amount and charge the county for its share under s. 48.569.

16 **SECTION 1488.** 49.32 (9) (a) of the statutes is amended to read:

17 49.32 (9) (a) Each county department under s. 46.215, 46.22, or 46.23
18 administering aid to families with dependent children shall maintain a monthly
19 report at its office showing the names of all persons receiving aid to families with
20 dependent children together with the amount paid during the preceding month.
21 Each Wisconsin works Works agency administering Wisconsin works Works under
22 ss. 49.141 to 49.161 shall maintain a monthly report at its office showing the names
23 of all persons receiving benefits under s. 49.148 together with the amount paid
24 during the preceding month. Nothing in this paragraph shall be construed to
25 authorize or require the disclosure in the report of any information (names, amounts

1 of aid or otherwise) pertaining to adoptions, or aid furnished for the care of children
2 in foster homes or treatment foster homes under s. ~~46.261~~ 48.645 or 49.19 (10).

3 **SECTION 1489.** 49.32 (11) of the statutes is renumbered 103.005 (21) and
4 amended to read:

5 103.005 (21) ~~COMMUNITY ACTION AGENCIES.~~ The department shall distribute all
6 of the funds under s. 20.445 (3) (1) (cr) to community action agencies and
7 organizations, including any of the 11 federally recognized tribal governing bodies
8 in this state and limited-purpose agencies, in proportion to the share of funds
9 actually allocated to these entities under 42 USC 1315 and from other federal and
10 private foundation sources that provide funds for job creation and development for
11 individuals with low incomes.

12 **SECTION 1490.** 49.32 (11m) of the statutes is created to read:

13 49.32 (11m) **CONSOLIDATION OF ALLOCATED TRIBAL FUNDS.** The department may
14 consolidate funds appropriated under s. 20.437 that are authorized or required to be
15 allocated to federally recognized American Indian tribes or bands into a single
16 distribution for each tribe or band in each fiscal year.

17 **SECTION 1491.** 49.32 (12) of the statutes is amended to read:

18 49.32 (12) **ADMINISTRATIVE HEARINGS AND APPEALS.** Any hearing under s. 227.42
19 granted by the department under this subchapter or ch. 48 may be conducted before
20 the division of hearings and appeals in the department of administration.

21 **SECTION 1492.** 49.325 (1) (a) of the statutes is amended to read:

22 49.325 (1) (a) Each county department under s. 46.215, 46.22, or 46.23 shall
23 submit its final budget for services directly provided or purchased under this
24 subchapter or ch. 48 to the department by December 31 annually.

25 **SECTION 1493.** 49.325 (2) of the statutes is amended to read:

1 49.325 (2) ASSESSMENT OF NEEDS. Before developing and submitting a proposed
2 budget for services directly provided or purchased under this subchapter or ch. 48
3 to the county executive or county administrator or the county board, the county
4 departments listed in sub. (1) shall assess needs and inventory resources and
5 services, using an open public participation process.

6 **SECTION 1494.** 49.325 (2g) (a) of the statutes is amended to read:

7 49.325 (2g) (a) The department shall annually submit to the county board of
8 supervisors in a county with a single-county department or the county boards of
9 supervisors in counties with a multicounty department a proposed written contract
10 containing the allocation of funds for services directly provided or purchased under
11 this subchapter or ch. 48 and such administrative requirements as necessary. The
12 contract as approved may contain conditions of participation consistent with federal
13 and state law. The contract may also include provisions necessary to ensure uniform
14 cost accounting of services. Any changes to the proposed contract shall be mutually
15 agreed upon. The county board of supervisors in a county with a single-county
16 department or the county boards of supervisors in counties with a multicounty
17 department shall approve the contract before January 1 of the year in which it takes
18 effect unless the department grants an extension. The county board of supervisors
19 in a county with a single-county department or the county boards of supervisors in
20 counties with a multicounty department may designate an agent to approve addenda
21 to any contract after the contract has been approved.

22 **SECTION 1495.** 49.325 (2g) (c) of the statutes is amended to read:

23 49.325 (2g) (c) The joint committee on finance may require the department to
24 submit contracts between county departments under ss. 46.215, 46.22, and 46.23

1 and providers of services under this subchapter or ch. 48 to the committee for review
2 and approval.

3 **SECTION 1496.** 49.325 (2r) (a) 1. of the statutes is amended to read:

4 49.325 (2r) (a) 1. For services under this subchapter ~~which~~ or ch. 48 that
5 duplicate or are inconsistent with services being provided or purchased by the
6 department or other county departments receiving grants-in-aid or reimbursement
7 from the department.

8 **SECTION 1497.** 49.325 (2r) (a) 2. of the statutes is amended to read:

9 49.325 (2r) (a) 2. Inconsistent with state or federal statutes, rules, or
10 regulations, in which case the department may also arrange for provision of services
11 under this subchapter or ch. 48 by an alternate agency. The department may not
12 arrange for provision of services by an alternate agency unless the joint committee
13 on finance or a review body designated by the committee reviews and approves the
14 department's determination.

15 **SECTION 1498.** 49.325 (3) (a) of the statutes is amended to read:

16 49.325 (3) (a) *Citizen advisory committee.* Except as provided in par. (b), the
17 county board of supervisors of each county or the county boards of supervisors of 2
18 or more counties jointly shall establish a citizen advisory committee to the county
19 departments under ss. 46.215, 46.22 and 46.23. The citizen advisory committee shall
20 advise in the formulation of the budget under sub. (1). Membership on the committee
21 shall be determined by the county board of supervisors in a county with a
22 single-county committee or by the county boards of supervisors in counties with a
23 multicounty committee and shall include representatives of those persons receiving
24 services, providers of services and citizens. A majority of the members of the
25 committee shall be citizens and consumers of services. At least one member of the

1 committee shall be chosen from the governing or administrative board of the
2 community action agency serving the county or counties under s. 49.265, if any. The
3 committee's membership may not consist of more than 25% county supervisors, nor
4 of more than 20% services providers. The chairperson of the committee shall be
5 appointed by the county board of supervisors establishing it. In the case of a
6 multicounty committee, the chairperson shall be nominated by the committee and
7 approved by the county boards of supervisors establishing it. The county board of
8 supervisors in a county with a single-county committee or the county boards of
9 supervisors in counties with a multicounty committee may designate an agent to
10 determine the membership of the committee and to appoint the committee
11 chairperson or approve the nominee.

12 **SECTION 1499.** 49.34 (1) of the statutes is amended to read:

13 49.34 (1) All services under this subchapter and ch. 48 purchased by the
14 department or by a county department under s. 46.215, 46.22, or 46.23 shall be
15 authorized and contracted for under the standards established under this section.
16 The department may require the county departments to submit the contracts to the
17 department for review and approval. For purchases of \$10,000 or less the
18 requirement for a written contract may be waived by the department. No contract
19 is required for care provided by foster homes or treatment foster homes that are
20 required to be licensed under s. 48.62. When the department directly contracts for
21 services, it shall follow the procedures in this section in addition to meeting
22 purchasing requirements established in s. 16.75.

23 **SECTION 1500.** 49.34 (2) of the statutes is amended to read:

24 49.34 (2) All services purchased under this subchapter and ch. 48 shall meet
25 standards established by the department and other requirements specified by the

1 purchaser in the contract. Based on these standards the department shall establish
2 standards for cost accounting and management information systems that shall
3 monitor the utilization of the services, and document the specific services in meeting
4 the service plan for the client and the objective of the service.

5 **SECTION 1501.** 49.34 (4) (a) of the statutes is amended to read:

6 49.34 (4) (a) Except as provided in this subsection, maintain a uniform double
7 entry accounting system and a management information system which are
8 compatible with cost accounting and control systems prescribed by the department.
9 The department shall establish a simplified double-entry bookkeeping system for
10 use by family-operated group homes. Each purchaser shall determine whether a
11 family-operated group home from which it purchases services shall use the
12 double-entry accounting system or the simplified system and shall include this
13 determination in the purchase of service contract. In this paragraph,
14 “family-operated group home” means a group home licensed under s. 48.66 (1) (a) for
15 which the licensee is one or more individuals who operate not more than one group
16 home.

17 **SECTION 1502.** 49.34 (4) (c) of the statutes is amended to read:

18 49.34 (4) (c) Unless waived by the department, biennially, or annually if
19 required under federal law, provide the purchaser with a certified financial and
20 compliance audit report if the care and services purchased exceed \$25,000. The audit
21 shall follow standards that the department prescribes. A purchaser may waive the
22 requirements of this paragraph for any family-operated group home, as defined in
23 par. (a), from which it purchases services.

24 **SECTION 1503.** 49.34 (5m) (a) 1. of the statutes is amended to read:

1 49.34 (5m) (a) 1. "Provider" means a nonstock corporation organized under ch.
2 181 that is a nonprofit corporation, as defined in s. 181.0103 (17), and that contracts
3 under this section to provide client services on the basis of a unit rate per client
4 service or a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437 that
5 contracts under this section to provide client services on the basis of a unit rate per
6 client service.

7 **SECTION 1504.** 49.34 (5m) (b) 1. of the statutes is amended to read:

8 49.34 (5m) (b) 1. Subject to subds. 2. and 3. and par. (em), if revenue under a
9 contract for the provision of a rate-based service exceeds allowable costs incurred in
10 the contract period, the provider may retain from the surplus generated by that
11 rate-based service up to 5% of the contract amount. A provider that retains a surplus
12 under this subdivision shall use that retained surplus to cover a deficit between
13 revenue and allowable costs incurred in any preceding or future contract period for
14 the same rate-based service that generated the surplus or to address the
15 programmatic needs of clients served by the same rate-based service that generated
16 the surplus.

17 **SECTION 1505.** 49.34 (5m) (b) 2. of the statutes is amended to read:

18 49.34 (5m) (b) 2. Subject to subd. 3. and par. (em), a provider may accumulate
19 funds from more than one contract period under this paragraph, except that, if at the
20 end of a contract period the amount accumulated from all contract periods for a
21 rate-based service exceeds 10% of the amount of all current contracts for that
22 rate-based service, the provider shall, at the request of a purchaser, return to that
23 purchaser the purchaser's proportional share of that excess and use any of that
24 excess that is not returned to a purchaser to reduce the provider's unit rate per client
25 for that rate-based service in the next contract period. If a provider has held for 4

1 consecutive contract periods an accumulated reserve for a rate-based service that
2 is equal to or exceeds 10% of the amount of all current contracts for that rate-based
3 service, the provider shall apply 50% of that accumulated amount to reducing its unit
4 rate per client for that rate-based service in the next contract period.

5 **SECTION 1506.** 49.34 (5m) (em) of the statutes is created to read:

6 49.34 **(5m)** (em) Notwithstanding par. (b) 1. and 2., a county department under
7 s. 46.215, 51.42, or 51.437 providing client services in a county having a population
8 of 500,000 or more or a nonstock, nonprofit corporation providing client services in
9 such a county may not retain a surplus under par. (b) 1. or accumulate funds under
10 par. (b) 2. from revenues that are used to meet the maintenance-of-effort
11 requirement under the federal temporary assistance for needy families program
12 under 42 USC 601 to 619.

13 **SECTION 1507.** 49.345 of the statutes is created to read:

14 **49.345 Cost of care and maintenance; liability; collection and**
15 **deportation counsel; collections; court actions; recovery.** (1) Liability and
16 the collection and enforcement of such liability for the care, maintenance, services,
17 and supplies specified in this section are governed exclusively by this section, except
18 in cases of child support ordered by a court under s. 48.355 (2) (b) 4., 48.357 (5m) (a),
19 or 48.363 (2) or ch. 767.

20 (2) Except as provided in sub. (14) (b) and (c), any person, including but not
21 limited to a person placed under s. 48.345 (3) or 48.357 (1) or (2m), receiving care,
22 maintenance, services, and supplies provided by any institution in this state, in
23 which the state is chargeable with all or part of the person's care, maintenance,
24 services, and supplies, and the person's property and estate, including the
25 homestead, and the spouse of the person, and the spouse's property and estate,

1 including the homestead, and, in the case of a minor child, the parents of the person,
2 and their property and estates, including their homestead, and, in the case of a
3 foreign child described in s. 48.839 (1) who became dependent on public funds for his
4 or her primary support before an order granting his or her adoption, the resident of
5 this state appointed guardian of the child by a foreign court who brought the child
6 into this state for the purpose of adoption, and his or her property and estate,
7 including his or her homestead, shall be liable for the cost of the care, maintenance,
8 services, and supplies in accordance with the fee schedule established by the
9 department under s. 49.32 (1). If a spouse, widow, or minor, or an incapacitated
10 person may be lawfully dependent upon the property for his or her support, the court
11 shall release all or such part of the property and estate from the charges that may
12 be necessary to provide for the person. The department shall make every reasonable
13 effort to notify the liable persons as soon as possible after the beginning of the
14 maintenance, but the notice or the receipt thereof is not a condition of liability.

15 (3) After investigation of the liable persons' ability to pay, the department shall
16 make collection from the person who in the opinion of the department under all of
17 the circumstances is best able to pay, giving due regard to relationship and the
18 present needs of the person or of the lawful dependents. However, the liability of
19 relatives for maintenance shall be in the following order: first, the spouse of the
20 person; then, in the case of a minor, the parent or parents.

21 (4) (a) If a person liable under sub. (2) fails to make payment or enter into or
22 comply with an agreement for payment, the department may bring an action to
23 enforce the liability or may issue an order to compel payment of the liability. Any
24 person aggrieved by an order issued by the department under this paragraph may

1 appeal the order as a contested case under ch. 227 by filing with the department a
2 request for a hearing within 30 days after the date of the order.

3 (b) If judgment is rendered in an action brought under par. (a) for any balance
4 that is 90 or more days past due, interest at the rate of 12 percent per year shall be
5 computed by the clerk and added to the liable person's costs. That interest shall
6 begin on the date on which payment was due and shall end on the day before the date
7 of any interest that is computed under s. 814.04 (4).

8 (c) If the department issues an order to compel payment under par. (a), interest
9 at the rate of 12 percent per year shall be computed by the department and added
10 at the time of payment to the person's liability. That interest shall begin on the date
11 on which payment was due and shall end on the day before the date of final payment.

12 (5) If any person named in an order to compel payment issued under sub. (4)
13 (a) fails to pay the department any amount due under the terms of the order, and no
14 contested case to review the order is pending, and the time for filing for a contested
15 case review has expired, the department may present a certified copy of the order to
16 the circuit court for any county. The circuit court shall, without notice, render
17 judgment in accordance with the order. A judgment rendered under this subsection
18 shall have the same effect and shall be entered in the judgment and lien docket and
19 may be enforced in the same manner as if the judgment had been rendered in an
20 action tried and determined by the circuit court.

21 (6) The sworn statement of the collection and deportation counsel, or of the
22 secretary, shall be evidence of the fee and of the care and services received by the
23 person.

24 (7) The department shall administer and enforce this section. It shall appoint
25 an attorney to be designated "collection and deportation counsel" and other

1 necessary assistants. The department may delegate to the collection and
2 deportation counsel such other powers and duties as it considers advisable. The
3 collection and deportation counsel or any of the assistants may administer oaths,
4 take affidavits and testimony, examine public records, and subpoena witnesses and
5 the production of books, papers, records, and documents material to any matter of
6 proceeding relating to payments for the cost of maintenance. The department shall
7 encourage agreements or settlements with the liable person, having due regard to
8 ability to pay and the present needs of lawful dependents.

9 (8) The department may do any of the following:

10 (a) Appear for the state in any and all collection and deportation matters
11 arising in the several courts, and may commence suit in the name of the department
12 to recover the cost of maintenance against the person liable therefor.

13 (b) Determine whether any person is subject to deportation, and on behalf of
14 this state enter into reciprocal agreements with other states for deportation and
15 importation of persons who are public charges, upon such terms as will protect the
16 state's interests and promote mutual amicable relations with other states.

17 (c) From time to time investigate the financial condition and needs of persons
18 liable under sub. (2), their present ability to maintain themselves, the persons legally
19 dependent upon them for support, the protection of the property and investments
20 from which they derive their living and their care and protection, for the purpose of
21 ascertaining the person's ability to make payment in whole or in part.

22 (d) After due regard to the case and to a spouse and minor children who are
23 lawfully dependent on the property for support, compromise or waive any portion of
24 any claim of the state or county for which a person specified under sub. (2) is liable,

1 but not any claim payable by an insurer under s. 632.89 (2) or (2m) or by any other
2 3rd party.

3 (e) Make an agreement with a person who is liable under sub. (2), or who may
4 be willing to assume the cost of maintenance of any person, providing for the
5 payment of such costs at a specified rate or amount.

6 (f) Make adjustment and settlement with the several counties for their proper
7 share of all moneys collected.

8 (g) Pay quarterly from the appropriation under s. 20.437 (1) (gg) the collection
9 moneys due county departments under ss. 46.22 and 46.23. Payments shall be made
10 as soon after the close of each quarter as is practicable.

11 **(9)** Any person who willfully testifies falsely as to any material matter in an
12 investigation or proceeding under this section shall be guilty of perjury. Banks,
13 employers, insurers, savings banks, savings and loan associations, brokers, and
14 fiduciaries, upon request of the department, shall furnish in writing and duly
15 certified, full information regarding the property, earnings, or income or any funds
16 deposited to the credit of or owing to any person liable under sub. (2). That certified
17 statement shall be admissible in evidence in any action or proceeding to compel
18 payment under this section, and shall be evidence of the facts stated in the certified
19 statement, if a copy of the statement is served upon the party sought to be charged
20 not less than 3 days before the hearing.

21 **(10)** The department shall make all reasonable and proper efforts to collect all
22 claims for maintenance, to keep payments current, and periodically to review all
23 unpaid claims.

24 **(11)** (a) Except as provided in par. (b), in any action to recover from a person
25 liable under this section, the statute of limitations may be pleaded in defense.

1 (b) If a person who is liable under this section is deceased, a claim may be filed
2 against the decedent's estate and the statute of limitations specified in s. 859.02 shall
3 be exclusively applicable. This paragraph applies to liability incurred on or after
4 July 20, 1985.

5 **(14)** (a) Except as provided in pars. (b) and (c), liability of a person specified in
6 sub. (2) or s. 49.32 (1) for care and maintenance of persons under 18 years of age in
7 residential, nonmedical facilities such as group homes, foster homes, treatment
8 foster homes, subsidized guardianship homes, and residential care centers for
9 children and youth is determined in accordance with the cost-based fee established
10 under s. 49.32 (1). The department shall bill the liable person up to any amount of
11 liability not paid by an insurer under s. 632.89 (2) or (2m) or by other 3rd-party
12 benefits, subject to rules that include formulas governing ability to pay established
13 by the department under s. 49.32 (1). Any liability of the person not payable by any
14 other person terminates when the person reaches age 18, unless the liable person has
15 prevented payment by any act or omission.

16 (b) Except as provided in par. (c), and subject to par. (cm), liability of a parent
17 specified in sub. (2) or s. 49.32 (1) for the care and maintenance of the parent's minor
18 child who has been placed by a court order under s. 48.355 or 48.357 in a residential,
19 nonmedical facility such as a group home, foster home, treatment foster home,
20 subsidized guardianship home, or residential care center for children and youth
21 shall be determined by the court by using the percentage standard established by the
22 department under s. 49.22 (9) and by applying the percentage standard in the
23 manner established by the department under par. (g).

24 (c) Upon request by a parent, the court may modify the amount of child support
25 payments determined under par. (b), subject to par. (cm), if, after considering the

1 following factors, the court finds by the greater weight of the credible evidence that
2 the use of the percentage standard is unfair to the child or to either of the parents:

3 1. The needs of the child.

4 2. The physical, mental, and emotional health needs of the child, including any
5 costs for the child's health insurance provided by a parent.

6 3. The standard of living and circumstances of the parents, including the needs
7 of each parent to support himself or herself at a level equal to or greater than that
8 established under 42 USC 9902 (2).

9 4. The financial resources of the parents.

10 5. The earning capacity of each parent, based on each parent's education,
11 training, and work experience and based on the availability of work in or near the
12 parent's community.

13 6. The need and capacity of the child for education, including higher education.

14 7. The age of the child.

15 8. The financial resources and the earning ability of the child.

16 9. The needs of any person, including dependent children other than the child,
17 whom either parent is legally obligated to support.

18 10. The best interests of the child, including, but not limited to, the impact on
19 the child of expenditures by the family for improvement of any conditions in the home
20 that would facilitate the reunification of the child with the child's family, if
21 appropriate, and the importance of a placement that is the least restrictive of the
22 rights of the child and the parents and the most appropriate for meeting the needs
23 of the child and the family.

24 11. Any other factors that the court in each case determines are relevant.

1 (cm) 1. Except as provided in subd. 2., if a parent who is required to pay child
2 support under par. (b) or (c) is receiving adoption assistance under s. 48.975 for the
3 child for whom support is ordered, the amount of the child support payments
4 determined under par. (b) or (c) may not exceed the amount of the adoption assistance
5 maintenance payments under s. 48.975 (3) (a). If an agreement under s. 48.975 (4)
6 is in effect that provides for a payment of \$0 under s. 48.975 (3) (a), the payment of
7 \$0 shall be considered to be an adoption assistance maintenance payment for
8 purposes of this subdivision.

9 2. Subdivision 1. does not apply if, after considering the factors under par. (c)
10 1. to 11., the court finds by the greater weight of the credible evidence that limiting
11 the amount of the child support payments to the amount of the adoption assistance
12 maintenance payments under s. 48.975 (3) (a) is unfair to the child or to either of the
13 parents.

14 (d) If the court finds under par. (c) that use of the percentage standard is unfair
15 to the minor child or either of the parents, the court shall state in writing or on the
16 record the amount of support that would be required by using the percentage
17 standard, the amount by which the court's order deviates from that amount, its
18 reasons for finding that use of the percentage standard is unfair to the child or the
19 parent, its reasons for the amount of the modification, and the basis for the
20 modification.

21 (e) 1. An order issued under s. 48.355 (2) (b) 4., 48.357 (5m) (a), or 48.363 (2)
22 for support determined under this subsection constitutes an assignment of all
23 commissions, earnings, salaries, wages, pension benefits, benefits under ch. 102 or
24 108, and other money due or to be due in the future to the county department under
25 s. 46.22 or 46.23 in the county where the order was entered or to the department,

1 depending upon the placement of the child as specified by rules promulgated under
2 subd. 5. The assignment shall be for an amount sufficient to ensure payment under
3 the order.

4 2. Except as provided in subd. 3., for each payment made under the assignment,
5 the person from whom the payer under the order receives money shall receive an
6 amount equal to the person's necessary disbursements, not to exceed \$3, which shall
7 be deducted from the money to be paid to the payer.

8 3. Benefits under ch. 108 may be assigned and withheld only in the manner
9 provided in s. 108.13 (4). Any order to withhold benefits under ch. 108 shall be for
10 an amount certain. When money is to be withheld from these benefits, no fee may
11 be deducted from the amount withheld and no fine may be levied for failure to
12 withhold the money.

13 4. No employer may use an assignment under this paragraph as a basis for the
14 denial of employment to a person, the discharge of an employee, or any disciplinary
15 action against an employee. An employer who denies employment or discharges or
16 disciplines an employee in violation of this subdivision may be fined not more than
17 \$500 and may be required to make full restitution to the aggrieved person, including
18 reinstatement and back pay. Except as provided in this subdivision, restitution shall
19 be in accordance with s. 973.20. An aggrieved person may apply to the district
20 attorney or to the department of workforce development for enforcement of this
21 subdivision.

22 5. The department shall promulgate rules for the operation and
23 implementation of assignments under this paragraph.

24 (f) If the amount of the child support determined under this subsection is
25 greater than the cost for the care and maintenance of the minor child in the

1 residential, nonmedical facility, the assignee under par. (e) 1. shall expend or
2 otherwise dispose of any funds that are collected in excess of the cost of such care and
3 maintenance in a manner that the assignee determines will serve the best interests
4 of the minor child.

5 (16) The department shall delegate to county departments under ss. 46.22 and
6 46.23 or the local providers of care and services meeting the standards established
7 by the department under s. 49.34 the responsibilities vested in the department under
8 this section for collection of fees for services other than those provided at state
9 facilities, if the county departments or providers meet the conditions that the
10 department determines are appropriate. The department may delegate to county
11 departments under ss. 46.22 and 46.23 the responsibilities vested in the department
12 under this section for collection of fees for services provided at the state facilities if
13 the necessary conditions are met.

14 **SECTION 1508.** 49.35 (1) (a) of the statutes is amended to read:

15 49.35 (1) (a) The department shall supervise the administration of programs
16 under this subchapter and ch. 48. The department shall submit to the federal
17 authorities state plans for the administration of programs under this subchapter and
18 ch. 48 in such form and containing such information as the federal authorities
19 require, and shall comply with all requirements prescribed to ensure their
20 correctness.

21 **SECTION 1509.** 49.35 (1) (b) of the statutes is amended to read:

22 49.35 (1) (b) All records of the department and all county records relating to
23 programs under this subchapter and ch. 48 and aid under s. 49.18, 1971 stats., s.
24 49.20, 1971 stats., and s. 49.61, 1971 stats., as affected by chapter 90, laws of 1973,
25 shall be open to inspection at all reasonable hours by authorized representatives of

1 the federal government. Notwithstanding ss. 48.396 (2) and 938.396 (2), all county
2 records relating to the administration of the services and public assistance specified
3 in this paragraph shall be open to inspection at all reasonable hours by authorized
4 representatives of the department.

5 **SECTION 1510.** 49.35 (2) of the statutes is amended to read:

6 49.35 (2) The county administration of all laws relating to programs under this
7 subchapter and ch. 48 shall be vested in the officers and agencies designated in the
8 statutes.

9 **SECTION 1511.** 49.36 (2) of the statutes is amended to read:

10 49.36 (2) The department may contract with any county, tribal governing body,
11 or Wisconsin Works agency to administer a work experience and job training
12 program for parents who are not custodial parents and who fail to pay child support
13 or to meet their children's needs for support as a result of unemployment or
14 underemployment. The program may provide the kinds of work experience and job
15 training services available from the program under s. 49.193, 1997 stats., or s. 49.147
16 (3), (3m), or (4). The program may also include job search and job orientation
17 activities. The department shall fund the program from the appropriations under
18 s. 20.445 (3) (dz) and (k).

19 **SECTION 1512.** 49.36 (2) of the statutes, as affected by 2007 Wisconsin Act
20 (this act), is amended to read:

21 49.36 (2) The department may contract with any county, tribal governing body,
22 or Wisconsin Works agency to administer a work experience and job training
23 program for parents who are not custodial parents and who fail to pay child support
24 or to meet their children's needs for support as a result of unemployment or
25 underemployment. The program may provide the kinds of work experience and job

1 training services available from the program under s. 49.193, 1997 stats., or s. 49.147
2 (3), (3m), or (4). The program may also include job search and job orientation
3 activities. The department shall fund the program from the appropriations under
4 s. ~~20.445 (3)~~ 20.437 (2) (dz) and (k).

5 **SECTION 1513.** 49.45 (2) (a) 1. of the statutes is amended to read:

6 49.45 (2) (a) 1. Exercise responsibility relating to fiscal matters, the eligibility
7 for benefits under standards set forth in ss. 49.46 to ~~49.47~~ 49.471, and general
8 supervision of the medical assistance program.

9 **SECTION 1514.** 49.45 (2) (a) 3. of the statutes is amended to read:

10 49.45 (2) (a) 3. Determine the eligibility of persons for medical assistance,
11 rehabilitative, and social services under ss. 49.46, 49.468, ~~and 49.47~~, and 49.471 and
12 rules and policies adopted by the department and may, under a contract under s.
13 49.78 (2), delegate all, or any portion, of this function to the county department under
14 s. 46.215, 46.22, or 46.23 or a tribal governing body.

15 **SECTION 1515.** 49.45 (2) (a) 17. of the statutes is amended to read:

16 49.45 (2) (a) 17. Notify the governor, the joint committee on legislative
17 organization, the joint committee on finance and appropriate standing committees,
18 as determined by the presiding officer of each house, if the appropriation accounts
19 under s. 20.435 (4) (b) and ~~(gp)~~ (xd) are insufficient to provide the state share of
20 medical assistance.

21 **SECTION 1516.** 49.45 (2) (b) 3. of the statutes is amended to read:

22 49.45 (2) (b) 3. Audit all claims filed by any contractor making the payment of
23 benefits paid under ss. 49.46 to ~~49.47~~ 49.471 and make proper fiscal adjustments.

24 **SECTION 1517.** 49.45 (2) (b) 7. (intro.) of the statutes is amended to read:

1 49.45 (2) (b) 7. (intro.) Require, as a condition of certification under par. (a) 11.,
2 all providers of a specific service that is among those enumerated under s. 49.46 (2)
3 ~~or~~, 49.47 (6) (a), or 49.471 (11), as specified in this subdivision, to file with the
4 department a surety bond issued by a surety company licensed to do business in this
5 state. Providers subject to this subdivision provide those services specified under s.
6 49.46 (2) ~~or~~, 49.47 (6) (a), or 49.471 (11) for which providers have demonstrated
7 significant potential to violate s. 49.49 (1) (a), (2) (a) or (b), (3), (3m) (a), (3p), (4) (a),
8 or (4m) (a), to require recovery under par. (a) 10., or to need additional sanctions
9 under par. (a) 13. The surety bond shall be payable to the department in an amount
10 that the department determines is reasonable in view of amounts of former
11 recoveries against providers of the specific service and the department's costs to
12 pursue those recoveries. The department shall promulgate rules to implement this
13 subdivision that specify all of the following:

14 **SECTION 1518.** 49.45 (3) (ag) of the statutes is amended to read:

15 49.45 (3) (ag) Reimbursement shall be made to each entity contracted with
16 under s. ~~46.281 (1) (e)~~ 46.283 (2) for functional ~~screens~~ screenings performed by the
17 entity.

18 **SECTION 1519.** 49.45 (3) (b) 1. of the statutes is amended to read:

19 49.45 (3) (b) 1. The contractor, if any, administering benefits or providing
20 prepaid health care under s. 49.46, 49.465, 49.468 ~~or~~, 49.47, or 49.471 shall be
21 entitled to payment from the department for benefits so paid or prepaid health care
22 so provided or made available when a certification of eligibility is properly on file
23 with the contractor in addition to the payment of administrative expense incurred
24 pursuant to the contract and as provided in sub. (2) (a) 4., but the contractor shall
25 not be reimbursed for benefits erroneously paid where no certification is on file.