

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

LRB-3902/P1dn  
PJK&FFK:eev:rs

February 6, 2014

I have some questions and comments regarding the W-2 drafting instructions:

1. You requested that a 24-month time limit be placed on participation in subsidized employment. That time limit already exists. See s. 49.147 (3) (c). Please advise if you want any changes to that or another provision.
2. You requested that a penalty be created or that an individual's eligibility be terminated if an individual refuses to participate in required activities or training. Please see current law ss. 49.151 and 49.1515, which address that issue. Let me know if you want any specific modifications to them.
3. You requested that "the value of other public assistance programs" be calculated "when assigning W-2 benefits," but you didn't indicate the purpose for the calculation. Under W-2, the specific monthly benefit amount that a person receives depends on his or her employment position or other placement, although the amounts are all pretty much the same. Do you want the monthly benefit amount to be reduced for each individual by the value of the other benefits that the individual receives, up to the total benefit amount? (In other words, a person wouldn't be required to pay the department the difference if the total of their other benefits is greater than the monthly benefit under W-2.) This would, of course, require the Department of Children and Families (DCF) to calculate each monthly benefit for each individual, which would increase the cost of administering the program.

In s. 49.155 (1m) (c), the "individual" receiving the child care subsidy and who, if married, results in an income disregard, may be a foster parent or a relative of the child, while the income that determines eligibility is the income of the child's family. Thus, if the foster parent or relative is married, the income of the child's family is reduced for eligibility purposes. Okay?

I recommend that you have this draft reviewed by DCF and the Department of Health Services to determine whether any of the provisions in ch. 49 may not be implemented because of a conflict with federal law and, if so, how the draft can be modified, with regard to waivers or other procedures, in order for you to accomplish your purposes.

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I have a few questions regarding s. 16.3025 (1) (c), as created in the bill. The instructions stated that the income of any nonrelative “staying” with the applicant should be included in the applicant’s income. The current language says “living” with the applicant and clarifies that the nonrelative had to be living with the applicant at the time of the application. Okay? If this is not consistent with your intent, please let me know what you mean by “staying” with the applicant and at what time or for how long the person must be staying with the applicant. Finally, do you want this limitation to apply to a person with a disability or a person who is 62 or older? As drafted, the language does apply to these groups of individuals.

Please note that the instructions for low-income energy assistance stated that if a second adult was in a household, the household’s income should be reduced by \$10,000 for purposes of eligibility. I assumed that your intent was that the second adult had to be married to the applicant, similar to the other provisions in the draft. See s. 16.27 (5) (b), as amended in the bill. If this assumption is incorrect, please let me know.

Please feel free to contact me with any questions or concerns regarding the low-income assistance or housing assistance provisions of this draft.

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