
















State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 10/01/2013 (Per: EHS)

Appendix E

- Appendix A1  The drafting file for LRB 13-0480 (used to create 13-3303)
- Appendix A2  The drafting file for LRB 11-0558 (used to create 13-0480)
- Appendix B1  The drafting file for LRB 13-0481 (used to create 13-3303)
- Appendix B2  The drafting file for LRB 11-0559 (used to create 13-0481)
- Appendix C1  The drafting file for LRB 13-0482 (used to create 13-3303)
- Appendix C2  The drafting file for LRB 11-0560 (used to create 13-0482)
- Appendix D1  The drafting file for LRB 13-0483 (used to create 13-3303)
- Appendix D2  The drafting file for LRB 11-0563 (used to create 13-0483)
- Appendix E  The drafting file for LRB 13-0484 (used to create 13-3303)
- Appendix F  The drafting file for LRB 13-0486 (used to create 13-3303)
- Appendix G  The drafting file for LRB 13-0487 (used to create 13-3303)
- Appendix H  The drafting file for LRB 13-0488 (used to create 13-3303)
- Appendix I  The drafting file for LRB 13-0489 (used to create 13-3303)

has been transferred to the drafting file for

2013 LRB-3303

2013 DRAFTING REQUEST

Bill

Received: 11/1/2012 Received By: pkahler
Wanted: As time permits Same as LRB:
For: Legislative Council - LRC By/Representing: Anne Sappenfield
May Contact: Drafter: pkahler
Subject: Public Assistance - Wis shares Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Anne.Sappenfield@legis.wisconsin.gov
Carbon copy (CC) to: Fern.Knepp@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Replace reference to Wisconsin Works agency with department or county department

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 11/5/2012	scalvin 11/6/2012		_____			
/P1	pkahler 11/27/2012		rschlue 11/6/2012	_____	srose 11/6/2012		
/P2	pkahler 8/9/2013	scalvin 11/29/2012	rschlue 12/3/2012	_____	sbasford 12/3/2012		
/1		scalvin	rschlue	_____	sbasford		

Vers. Drafted

Reviewed
8/15/2013

Typed
8/15/2013

Proofed

Submitted
8/15/2013

Jacketed

Required

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: 11/1/2012 Received By: pkahler
Wanted: As time permits Same as LRB:
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Extra Copies:

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/?	pkahler 11/5/2012	scalvin 11/6/2012		_____			
/P1	pkahler 11/27/2012		rschluet 11/6/2012	_____	srose 11/6/2012		
/P2		scalvin 11/29/2012	rschluet 12/3/2012	_____	sbasford 12/3/2012		

1 sac
08/15/2013

2/13

LRB-0484

12/3/2012 1:38:47 PM

Page 2

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: 11/1/2012 Received By: **pkahler**
Wanted: As time permits Companion to LRB:
For: Legislative Council - LRC By/Representing: **Anne Sappenfield**
May Contact: Drafter: **pkahler**
Subject: Public Assistance - Wis shares Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: **Anne.Sappenfield@legis.wisconsin.gov**
Carbon copy (CC) to: **Fern.Knepp@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Replace reference to Wisconsin Works agency with department or county department

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 11/5/2012	scalvin 11/6/2012		_____			
/P1			11/6/2012	_____	srose 11/6/2012		

FE Sent For:

12/6/12
<END>

2013 DRAFTING REQUEST

Bill

Received: 11/1/2012 Received By: pkahler
Wanted: As time permits Same as LRB:
For: Legislative Council - LRC By/Representing: Anne Sappenfield
May Contact: Drafter: pkahler
Subject: Public Assistance - Wis shares Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Anne.Sappenfield@legis.wisconsin.gov
Carbon copy (CC) to: Fern.Knepp@legis.wisconsin.gov

Pre Topic:

No specific pre topic given


Topic:

Replace reference to Wisconsin Works agency with department or county department

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	pkahler	1/1 11/04/12 SAC		_____	_____		

FE Sent For:

<END>

Kahler, Pam

From: Malaise, Gordon
Sent: Thursday, November 01, 2012 3:47 PM
To: Kahler, Pam
Subject: FW: DCF Law Revision Proposals
Attachments: 20121031101703927.pdf; LRB-0568--2 Last session law revision bill (SB 460).pdf; LRB-0568-P1 CW #1 Notice to unborn child.pdf; LRB-0569-P1 CW #2 & #3 Abuse & neglect + Foster parent training.pdf; LRB-0558-P1 CS #1 voluntary paternity - minors.pdf; LRB-4038-P1 CC #2 Criminal History of Child Care Licensees.pdf; LRB-0559-P1 CS #3 GAL & deceased respondents.pdf; LRB-0563-P1 CS #4 Release of frozen accounts.pdf; LRB-0560-P1 CS #2 Paternity summons imprisonment.pdf

Pam:

The redrafts of 11-0558, 11-0559, 11-560, and 11-0563 are yours as is Item 1 under Child Care in the Secretary's memo relating to Shares Child Care Subsidy Eligibility Services.

The redrafts of 11-0568, 11-0569, and 11-4038 are mine.

Gordon

From: Sappenfield, Anne
Sent: Thursday, November 01, 2012 2:25 PM
To: Malaise, Gordon
Subject: FW: DCF Law Revision Proposals

Hi Gordon,

I am attaching DCF's requests to the Law Revision Committee for remedial legislation for next session.

Let me know if you have any questions.

Thanks!
Anne

From: DCF Secretary Eloise Anderson [<mailto:DCFSecretaryEloiseAnderson@wisconsin.gov>]
Sent: Wednesday, October 31, 2012 10:30 AM
To: Sappenfield, Anne
Cc: Archer, Cynthia - DCF; Lippert, MaryAnn - DCF
Subject: DCF Law Revision Proposals

Attached please find the Department of Children and Families remedial legislation proposals for consideration. A hard copy will follow in the mail.

Earlier LRB Draft: LRB-0559/P1 and LRB-0568/2 [2011 Senate Bill 460]

4. Release of Frozen Financial Institution Accounts

Specific Statutory Change:

Amend s. 49.854 (5) (f) to require the department to instruct the financial institution to release a frozen account when the court determines that the child support arrears are not owed.

Administrative or Substantive Problem with Current Law and Need for the Change:

Section 49.854 (5) (f) provides that if a payer requests a court hearing after his or her financial accounts have been frozen due to child support arrears, and the court determines that the arrears are not owed, the department must return the seized funds to the payer. However, the department is not in possession of the funds as the account has simply been frozen.

Fiscal Effect: None

Earlier LRB Draft: LRB-0563/P1 and LRB-0568/2 [2011 Senate Bill 460]

Child Care

1. Shares Child Care Subsidy Eligibility Services

Specific Statutory Change:

Amend s. 49.155 (1m) (a) (4) and (5) to replace "Wisconsin works agency" with "the department or county department or agency determining eligibility" consistent with all other eligibility agency references in s. 49.155 (1m). keep? ↓

"4. If the Wisconsin works agency determines that basic education would facilitate the individual's efforts to maintain employment, participate in basic education, including an English as a 2nd language course; literacy tutoring; or a course of study meeting the standards established by the state superintendent of public instruction under s. 115.29 (4) for the granting of a declaration of equivalency of high school graduation. An individual may receive aid under this subdivision for up to 2 years.

5. Participate in a course of study at a technical college, or participate in educational courses that provide an employment skill, as determined by the department, if the Wisconsin works agency determines that the course or courses would facilitate the individual's efforts to maintain employment. An individual may receive aid under this subdivision for up to 2 years."

Administrative or Substantive Problem with Current Law and Need for the Change:

2009 Wisconsin Act 28 amended s. 49.155 (1m) to designate that for Shares program eligibility services outside Milwaukee County, the department shall contract with a "county department or agency" (as defined in s. 49.155 (1) (ah)) to determine the Shares eligibility of individuals residing outside Milwaukee County. Prior to this change, W2 agencies were the only agencies designated in statute to perform eligibility services for the Shares child care subsidy program. Consistent with the Act 28 changes, the department currently contracts with counties and tribes (not W2 agencies) for Shares eligibility services outside Milwaukee County. 2009 Wisconsin Act 28 failed to replace the references to "Wisconsin works" in the above two paragraphs of s. 49.155 (1m) with "the department or county department or agency determining eligibility" as used throughout the remainder of s. 49.155 (1m).

Fiscal Effect: None

Earlier LRB Draft: None

2. Criminal History of Child Care Licensees

Specific Statutory Change:

Amend s. 48.685 (5) (br) 3m to remove the reference to s. 943.32 (2), robbery with a dangerous weapon.

Administrative or Substantive Problem with Current Law and Need for the Change:

There is a conflict between s. 48.685 (5) (br) 3 and s. 48.685 (5) (br) 3m as created by 2009 Wisconsin Act 76. Section 48.685 (5) (br) 3 lists some of the crimes that are bared for child care licensees, staff, and residents in a home where child care is provided. Section 48.685 (5) (br) 3m lists crimes that only apply to licensees. Robbery with a dangerous weapon under s. 943.32 (2) appears in both places.

Fiscal Effect: None

Earlier LRB Draft: LRB-4038/P1

Attached are copies of LRB drafts for those items above that have been previously drafted. Many of the items noted above were included in LRB-0568/2, *2011 Senate Bill 460*, which failed to pass last session. For those items, we have attached both the LRB draft for *2011 Senate Bill 460* and the individual ("pre-enrollment") LRB draft for each item. For items that were not included in *2011 Senate Bill 460*, just the individual LRB draft is attached.

Thank you for your consideration of the above items for possible inclusion in a law revision bill. In the event you have questions, please contact MaryAnn Lippert, Executive Assistant at 261-6588.

Attachments:

LRB-0568/2 *2011 Senate Bill 460*

LRB-0568/P1 Sending Notice to Unborn Child

LRB-0569/P1 Suspected Abuse or Neglect/Foster Parent Training

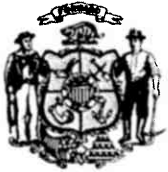
LRB-0558/P1 Voluntary Paternity Acknowledgements from Minors

LRB-0560/P1 Summons in Paternity Action

LRB-0559/P1 Paternity/GAL for Deceased Respondents

LRB-0563/P1 Release of Frozen Financial Accounts

LRB-4038/P1 Criminal History of Child Care Licensees



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0484

PJK:.....

PL
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SC

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Note
(11-5)

form cat

1 AN ACT ~~relating to~~; relating to: determining eligibility for Wisconsin Shares (suggested
2 as remedial legislation by the Department of Children and Families).

Analysis by the Legislative Reference Bureau

Under current law, the Department of Children and Families (DCF) is required to contract with a county department, the Milwaukee County enrollment services unit, a Wisconsin Works agency, a child care resource and referral agency, or another agency to determine eligibility for child care subsidies under Wisconsin Shares in a particular geographic region or for a particular Indian tribal unit. Under former law, Wisconsin Works agencies determined eligibility.

The statutes currently provide that an individual may be eligible for Wisconsin Shares if the Wisconsin Works agency determines that basic education or a course of study at a technical college would facilitate the individual's efforts to maintain employment and the individual needs child care services to participate in basic education or the course of study. The bill changes this so that the entity that makes this determination is DCF or the entity with which DCF contracts to determine eligibility, which may be other than a Wisconsin Works agency.

the

individuals

add
an
"i"

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

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

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

LRB-0484/8dn ^{P1}

PJK:j:....

See

-date-

If DCF must contract with a county department or agency, as defined in s. 49.155 (1) (ah), to determine eligibility, as provided in s. 49.155 (1m) (intro.), adding DCF to the entities that may make the determinations under s. 49.155 (1m) (a) 4. and 5. seems to be going beyond a technical correction.

I amended s. 49.155 (1m) (a) 4. to parallel s. 49.155 (1m) (a) 5. because I think the meaning is clearer with that construction.

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

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

LRB-0484/P1dn
PJK:sac:rs

November 6, 2012

If DCF must contract with a county department or agency, as defined in s. 49.155 (1) (ah), to determine eligibility, as provided in s. 49.155 (1m) (intro.), adding DCF to the entities that may make the determinations under s. 49.155 (1m) (a) 4. and 5. seems to be going beyond a technical correction.

I amended s. 49.155 (1m) (a) 4. to parallel s. 49.155 (1m) (a) 5. because I think the meaning is clearer with that construction.

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

Kahler, Pam

From: Archer, Cynthia - DCF <Cynthia1.Archer@wisconsin.gov>
Sent: Tuesday, November 27, 2012 4:11 PM
To: Kahler, Pam
Subject: RE: Drafter's note on LRB 0484/P1 remedial legislation item for DCF

Great. Thanks for looking into it. Will we see another version or are we going with the one you already did?

From: Kahler, Pam [mailto:Pam.Kahler@legis.wisconsin.gov]
Sent: Tuesday, November 27, 2012 4:09 PM
To: Archer, Cynthia - DCF
Subject: RE: Drafter's note on LRB 0484/P1 remedial legislation item for DCF

Cindy:

I searched back through the history on this and found that, originally in the 2008 budget, "Wisconsin Works agency" was changed to "county department or agency" throughout sub. (1m), except for the two references that are being changed in this draft – which were missed at the time. An amendment for the Joint Finance sub added "the department or" before every change to "county department or agency." I did not look at the drafting instructions for that amendment (assuming I can find them!), but I think the idea was that, in Milwaukee County, the department would determine eligibility if the department did not contract with the unit under s. 49.825 (2) (b) (note the "Except as provided in s. 49.155 (3g)" in sub. (1m) (intro.)). However, sub. (3g) (a) isn't real explicit that the department determines eligibility in Milw. Co. – only that the department doesn't have to contract with the unit to do it. So if that interpretation is consistent with the intent – or practice – you are correct that "department" should be added in this draft and that it is a technical correction.

Pam

From: Archer, Cynthia - DCF [mailto:Cynthia1.Archer@wisconsin.gov]
Sent: Tuesday, November 27, 2012 2:42 PM
To: Kahler, Pam
Cc: Keys, Randall L - DCF; Lippert, MaryAnn - DCF
Subject: Drafter's note on LRB 0484/P1 remedial legislation item for DCF

Pam,

I am responding to your drafter's note on the above draft.

I was trying to use the definition included in s.49.155 (ah) as noted below.

49.155 Wisconsin Shares; child care subsidy. (1) DEFINITIONS.

In this section, except as otherwise provided:

(ag) "Child care provider" means a provider licensed under s. 48.65, certified under s. 48.651 or established or contracted for under s. 120.13 (14).

(ah) "County department or agency" means a county department under s. 46.215, 46.22, or 46.23, the unit, as defined in s. 49.825 (1) (e), or a Wisconsin Works agency, child care resource and referral agency, or other agency.

(1m) ELIGIBILITY. Except as provided in s. 49.155 (3g), the department shall contract with a county department or agency to determine the eligibility of individuals residing in a particular geographic region or who are members of a particular Indian tribal

unit for child care subsidies under this section.

More importantly, and directly related to your comment that including "the department" seems to go beyond a technical correction, I was trying to parallel the language already used in s. 49.155 (1m). Throughout s.49.155(1m) relating to eligibility, when this term is used, the department (meaning DCF) seems to be always included:

(c) 1. Except as provided in subs. 1g., 1h., 1m., 2., and 3., the gross income of the individual's family is at or below 185% of the poverty line for a family the size of the individual's family or, for an individual who is already receiving a child care subsidy under this section, the gross income of the individual's family is at or below 200% of the poverty line for a family the size of the individual's family. In calculating the gross income of the family, the ~~department~~ or county department or agency determining eligibility shall include court-ordered child or family support payments received by the individual, if those support payments exceed \$1,250 per month, and income described under s. 49.145 (3) (b) 1. and 3., except that, in calculating farm and self-employment income, the department or county department or agency determining eligibility shall include the sum of the following:

1g. If the individual is a foster parent of the child or a subsidized guardian or interim caretaker of the child under s. 48.623, the child's biological or adoptive family has a gross income that is at or below 200% of the poverty line. In calculating the gross income of the child's biological or adoptive family, ~~the department~~ or county department or agency determining eligibility shall include court-ordered child or family

1h. If the individual is a relative of the child, is providing care for the child under a court order, and is receiving payments under s. 48.57 (3m) or (3n) on behalf of the child, the child's biological or adoptive family has a gross income that is at or below 200% of the poverty line. In calculating the gross income of the child's biological or adoptive family, ~~the department~~ or county department or agency determining eligibility shall include

It was not our intent to go beyond a technical correction. I think it is fine the way you have drafted it, but it is not consistent with the rest of the references in (1m) and I am concerned you think it might not be "technical".

Let me know your thoughts.

Thanks.

Cindy Archer

From: Archer, Cynthia - DCF

Sent: Friday, October 12, 2012 12:28 PM

To: Pfeiffer, Susan E - DCF; Keys, Randall L - DCF

Cc: Chase, Jill D - DCF; Mathison, Susan C - DCF; Norman-Nunnery, Judy R - DCF; Lippert, MaryAnn - DCF

Subject: Shares eligibility/Wisconsin works remedial legislation

ALTERNATIVE:

4. If the ~~Wisconsin works agency~~ the department or county department or agency determines that basic

education would facilitate the individual's efforts to maintain employment, participate in basic education, including an English as a 2nd language course; literacy tutoring; or a course of study meeting the standards established by the state superintendent of public instruction under s. 115.29 (4) for the granting of a declaration of equivalency of high school graduation. An individual may receive aid under this subdivision for up to 2 years.

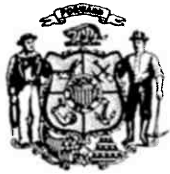
5. Participate in a course of study at a technical college, or participate in educational courses that provide an employment skill, as determined by the department, if the ~~Wisconsin works agency~~ *the department or county department or agency* determines that the course or courses would facilitate the individual's efforts to maintain employment. An individual may receive aid under this subdivision for up to 2 years.

Please let me know your thoughts on the proposed alternatives.

Cindy

From: Pfeiffer, Susan E - DCF
Sent: Thursday, October 11, 2012 4:06 PM
To: Lippert, MaryAnn - DCF
Cc: Chase, Jill D - DCF; Mathison, Susan C - DCF; Archer, Cynthia - DCF; Norman-Nunnery, Judy R - DCF; Pfeiffer, Susan E - DCF
Subject: DECE Remedial Changes and cover sheet

<< File: DECE Statutory Changes.doc >> << File: Attachment #3- Briefing Template for Remedial Legislation.doc >>
>> << File: Remove Wisconsin Works Remedial Legislation #2.doc >>



revision

P2

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

(wi 11-27)

except in Milwaukee County

you cut

and in Milwaukee County DCF may contract with services to determine eligibility

services (unit)

1 AN ACT to amend 49.155 (1m) (a) 4. and 49.155 (1m) (a) 5. of the statutes;
2 relating to: determining eligibility for Wisconsin Shares (suggested as
3 remedial legislation by the Department of Children and Families).

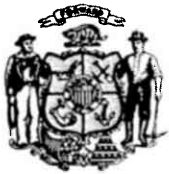
Analysis by the Legislative Reference Bureau

Under current law, the Department of Children and Families (DCF) is required to contract with a county department, the Milwaukee County enrollment services unit, a Wisconsin Works agency, a child care resource and referral agency, or another agency to determine the eligibility of individuals for child care subsidies under Wisconsin Shares in a particular geographic region or for a particular Indian tribal unit. Under former law, Wisconsin Works agencies determined eligibility.

The statutes currently provide that an individual may be eligible for Wisconsin Shares if the Wisconsin Works agency determines that basic education or a course of study at a technical college would facilitate the individual's efforts to maintain employment and the individual needs child care services to participate in basic education or the course of study. The bill changes this so that the entity that makes this determination is DCF or the entity with which DCF contracts to determine eligibility, which may be other than a Wisconsin Works agency.

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

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



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0484/P2
PJK:sac:rs

v. m. j. am

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

(in 8-9)
needed by
8-22

gen cat

1 **AN ACT to amend** 49.155 (1m) (a) 4. and 49.155 (1m) (a) 5. of the statutes;
2 **relating to:** determining eligibility for Wisconsin Shares (suggested as
3 remedial legislation by the Department of Children and Families).

Analysis by the Legislative Reference Bureau

Under current law, except in Milwaukee County, the Department of Children and Families (DCF) is required to contract with a county department, the Milwaukee County enrollment services unit (services unit), a Wisconsin Works agency, a child care resource and referral agency, or another agency to determine the eligibility of individuals for child care subsidies under Wisconsin Shares in a particular geographic region or for a particular Indian tribal unit, and in Milwaukee County DCF may contract with the services unit to determine eligibility. Under former law, Wisconsin Works agencies determined eligibility.

The statutes currently provide that an individual may be eligible for Wisconsin Shares if the Wisconsin Works agency determines that basic education or a course of study at a technical college would facilitate the individual's efforts to maintain employment and the individual needs child care services to participate in basic education or the course of study. The bill changes this so that the entity that makes this determination is DCF or the entity with which DCF contracts to determine eligibility, which may be other than a Wisconsin Works agency.

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

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

2 49.155 (1m) (a) 4. ~~If the Wisconsin works agency determines that basic~~
3 ~~education would facilitate the individual's efforts to maintain employment,~~
4 ~~participate~~ Participate in basic education, including an English as a 2nd language
5 course; literacy tutoring; or a course of study meeting the standards established by
6 the state superintendent of public instruction under s. 115.29 (4) for the granting of
7 a declaration of equivalency of high school graduation, if the department or county
8 department or agency determining eligibility determines that basic education would
9 facilitate the individual's efforts to maintain employment. An individual may
10 receive aid under this subdivision for up to 2 years.

11 SECTION 2. 49.155 (1m) (a) 5. of the statutes is amended to read:

12 49.155 (1m) (a) 5. Participate in a course of study at a technical college, or
13 participate in educational courses that provide an employment skill, as determined
14 by the department, if the ~~Wisconsin works~~ department or county ~~department or~~
15 agency determining eligibility determines that the course or courses would facilitate
16 the individual's efforts to maintain employment. An individual may receive aid
17 under this subdivision for up to 2 years.

18 (END)

Insert 2-17

the

Kahler, Pam

From: Sappenfield, Anne
Sent: Friday, August 09, 2013 8:57 AM
To: Kahler, Pam
Subject: LRC draft notes

Hi Pam,

Could you insert notes into the following drafts? Then they can be /1s.

LRB—0480/P2

After SECTION 4:

Note: SECTIONS 2 to 4 modify the statute relating to rescinding a statement acknowledging paternity so that it is consistent with current law under which a minor father may not sign a statement acknowledging paternity.

After SECTION 5:

Note: Removes a reference to appointing a guardian ad litem for a minor party in an action to establish child custody and placement for a father who has acknowledged paternity because a minor may not acknowledge paternity under current law.

LRB—0481/P2

Add to the end of the note, "Also corrects a cross reference."

Insert 2-17



LRB—0484/P2

After SECTION 2:

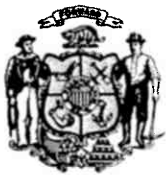
Note: Provides that the Department of Children and Families or a county department or agency may determine for purposes of eligibility for a Wisconsin Shares child care subsidy that certain educational activities would facilitate the individual's efforts to maintain employment. This change reflects that, under current law, the department or a county department or agency with which the department contracts determines eligibility for the Wisconsin Shares child care subsidy program.

note: std

Let me know if you have any questions. The law revision committee is planning to meet on these drafts on September 5, and we will want to mail them to the member one week in advance.

Thanks!
Anne

Anne Sappenfield
Senior Staff Attorney
WI Legislative Council
(608) 267-9485



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0484/1
PJK:sac:rs

2013 BILL

1 AN ACT *to amend* 49.155 (1m) (a) 4. and 49.155 (1m) (a) 5. of the statutes;
2 relating to: determining eligibility for Wisconsin Shares (suggested as
3 remedial legislation by the Department of Children and Families).

Analysis by the Legislative Reference Bureau

Under current law, except in Milwaukee County, the Department of Children and Families (DCF) is required to contract with a county department, the Milwaukee County enrollment services unit (services unit), a Wisconsin Works agency, a child care resource and referral agency, or another agency to determine the eligibility of individuals for child care subsidies under Wisconsin Shares in a particular geographic region or for a particular Indian tribal unit, and in Milwaukee County DCF may contract with the services unit to determine eligibility. Under former law, Wisconsin Works agencies determined eligibility.

The statutes currently provide that an individual may be eligible for Wisconsin Shares if the Wisconsin Works agency determines that basic education or a course of study at a technical college would facilitate the individual's efforts to maintain employment and the individual needs child care services to participate in basic education or the course of study. The bill changes this so that the entity that makes this determination is DCF or the entity with which DCF contracts to determine eligibility, which may be other than a Wisconsin Works agency.

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

BILL**SECTION 1**

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

2 49.155 (1m) (a) 4. ~~If the Wisconsin works agency determines that basic~~
3 ~~education would facilitate the individual's efforts to maintain employment,~~
4 ~~participate~~ Participate in basic education, including an English as a 2nd language
5 course; literacy tutoring; or a course of study meeting the standards established by
6 the state superintendent of public instruction under s. 115.29 (4) for the granting of
7 a declaration of equivalency of high school graduation, if the department or the
8 county department or agency determining eligibility determines that basic
9 education would facilitate the individual's efforts to maintain employment. An
10 individual may receive aid under this subdivision for up to 2 years.

11 **SECTION 2.** 49.155 (1m) (a) 5. of the statutes is amended to read:

12 49.155 (1m) (a) 5. Participate in a course of study at a technical college, or
13 participate in educational courses that provide an employment skill, as determined
14 by the department, ~~if the Wisconsin works~~ department or the county department or
15 agency determining eligibility determines that the course or courses would facilitate
16 the individual's efforts to maintain employment. An individual may receive aid
17 under this subdivision for up to 2 years.

NOTE: Provides that the Department of Children and Families or a county department or agency may determine for purposes of eligibility for a Wisconsin Shares child care subsidy that certain educational activities would facilitate the individual's efforts to maintain employment. This change reflects that, under current law, the department or a county department or agency with which the department contracts determines eligibility for the Wisconsin Shares child care subsidy program.

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(END)