

2019 DRAFTING REQUEST

Bill

For: **Administration-Budget** Drafter: **tdodge**
 By: **Bollhorst** Secondary Drafters:
 Date: **1/31/2019** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email:
 Carbon copy (CC) to: **doasbostatlanguage@wisconsin.gov**
tamara.dodge@legis.wisconsin.gov

Pre Topic:

DOA:.....Bollhorst, BB0250 -

Topic:

Repeal FoodShare drug screening requirement

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tdodge 2/2/2019	ccarmich 2/4/2019			
/P1	tdodge 2/5/2019	ccarmich 2/6/2019	mbarman 2/4/2019		
/P2	tdodge 2/21/2019	anienaja 2/21/2019	lparisi 2/6/2019		State
/P3			mbarman 2/21/2019		State

FE Sent For:

<END>

Dodge, Tamara

From: Cathlene Hanaman <cathleneh@gmail.com>
Sent: Thursday, January 31, 2019 4:08 PM
To: Shea, Elisabeth; Wheeler, Elizabeth; Dodge, Tamara; Walkenhorst Barber, Sarah
Subject: Fwd: Statutory Language Drafting Request - 2019-21

Follow Up Flag: FollowUp
Flag Status: Flagged

Sent from my iPhone

Begin forwarded message:

Biennial Budget: 2019-21

Topic: Repeal FoodShare Drug Screening Requirement

Tracking Code: BB0250

SBO Team: HSI

SBO Analyst: Bollhorst, Nathan
Phone: 608-267-7980
E-mail: Nathan.Bollhorst@wisconsin.gov

Agency Acronym: 435

Agency Number: 435

Priority: Low

Intent:

Repeal the drug screening requirement for FoodShare recipients created by 2017 Wisconsin Act 370.

Attachments: False

Please send completed drafts to SBOSatlanguage@spsmail.enterprise.wistate.us



In: 24

DOA:.....Bollhorst, BB0250 - Repeal FoodShare drug screening requirement

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

SLA
x-ref
S/C

1 AN ACT ^o...; relating to: the budget [^]

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

PUBLIC ASSISTANCE

2017 Wisconsin Act 370 incorporated into statutes DHS 38 relating to drug screening, testing, and treatment for recipients of the FoodShare employment and training program known as FSET. This bill removes from the statutes the language incorporated by Act 370.

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

2 SECTION 1. 49.79 (9) (d) of the statutes is amended to read:

3 49.79 (9) (d) Subject to s. 49.791, ~~the~~ The department shall screen and, if
4 indicated, test and treat participants in an employment and training program under
5 this subsection who are able-bodied adults for illegal use of a controlled substance
6 without a valid prescription for the controlled substance. ~~Eligibility for an~~

1 ~~able-bodied adult to participate in an employment and training program under this~~
2 ~~subsection is subject to s. 49.791.~~

History: 2001 a. 16 ss. 1656sy to 1656tjk, 1656tjm to 1656tp, 1656tr, 1656ts to 1656tx, 1838sb to 1838td.; Stats 2001 s. 49.79; 2003 a. 33; 2005 a. 25; 2005 a. 443 s. 265; 2007 a. 20 ss. 1397, 1399 to 1407, 1662 to 1669; 2011 a. 32; 2013 a. 20, 168; 2015 a. 55; 2017 a. 59, 263, 264, 266, 269, 370; s. 35.17 correction in (9) (a) 2.

****NOTE: While 2017 Wisconsin Act 370 incorporated into the statutes the drug testing rule promulgated by DHS, the requirement to drug test FSET recipients under s. 49.79 (9) (d) was incorporated in a previous act. Please advise if you want the requirement to drug test FSET recipients repealed.

3 **SECTION 2.** 49.791 of the statutes is repealed.

4 **SECTION 3.** 2017 Wisconsin Act 370, section 44 (5), is repealed.

5 (END)

Dodge, Tamara

From: Bollhorst, Nathan - DOA
Sent: Tuesday, February 05, 2019 8:31 AM
To: Dodge, Tamara
Cc: Dombrowski, Cynthia A - DOA
Subject: Draft 1731/P1

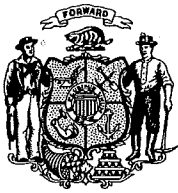
Tami,

Regarding your note, please repeal the requirement to drug test FSET recipients.

Thank you,



Nathan Bollhorst | Executive Policy & Budget Analyst
Department of Administration
Division of Executive Budget and Finance
Nathan.Bollhorst@wisconsin.gov
Main: (608) 267-7980



In: 215

DOA:.....Bollhorst, BB0250 - Repeal FoodShare drug screening requirement

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

2015 Wisconsin Act 55 required DHS to promulgate rules to develop and implement a drug screening, testing, and treatment policy, which DHS promulgated as DHS 38, Wis. Admin. Code.

x-ref

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

eliminates the requirement to implement a drug screening, testing, and treatment policy and

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

PUBLIC ASSISTANCE

2017 Wisconsin Act 370 incorporated into statutes DHS 38 relating to drug screening, testing, and treatment for recipients of the FoodShare employment and training program known as FSET. This bill removes from the statutes the language incorporated by Act 370.

Insert Fe-State

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5 this subsection who are able-bodied adults for illegal use of a controlled substance
6 without a valid prescription for the controlled substance. Eligibility for an

20.435(4)(b9) of the statutes is repealed.

xxxx note: buch

Fix component

1 ~~able-bodied adult to participate in an employment and training program under this~~
2 ~~subsection is subject to s. 49.791.~~

****NOTE: While 2017 Wisconsin Act 370 incorporated into the statutes the drug testing rule promulgated by DHS, the requirement to drug test FSET recipients under s. 49.79 (9) (d) was incorporated in a previous act. Please advise if you want the requirement to drug test FSET recipients repealed.

3 **SECTION 2.** 49.791 of the statutes is repealed.

4 **SECTION 3.** 2017 Wisconsin Act 370, section 44 (5) is repealed.

5 **(END)**

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

LRB-1731/P3dn

TJD:... *am*

Date

This draft reconciles LRB-1731/P2, LRB-1288/P1, and LRB-1774/P1. All of these drafts should continue to appear in the compiled bill.

Tamara J. Dodge
Senior Legislative Attorney
(608) 504-5808
tamara.dodge@legis.wisconsin.gov



In: 2/21

DOA:.....Bollhorst, BB0250 - Repeal FoodShare drug screening requirement

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

D-note

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

PUBLIC ASSISTANCE

1. Eliminating FSET drug testing requirement

2015 Wisconsin Act 55 required DHS to promulgate rules to develop and implement a drug screening, testing, and treatment policy, which DHS promulgated as DHS 38, Wis. Adm. Code. 2017 Wisconsin Act 370 incorporated into statutes DHS 38 relating to drug screening, testing, and treatment for recipients of the FoodShare employment and training program, known as FSET. This bill eliminates the requirement to implement a drug screening, testing, and treatment policy and removes from the statutes the language incorporated by Act 370.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

2 **SECTION 1.** 20.435 (4) (bq) of the statutes is repealed.

**2019-2020 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1731/P3ins

TJD:...GMM

1 **INSERT 2-3**

 ****NOTE: This is reconciled s. 49.791. This SECTION has been affected by drafts
with the following LRB numbers: -1731/P2, -1288/P1, and -1774/P1.

2 **END INSERT 2-3**

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1731/P3dn

TJD:amn

February 21, 2019

This draft reconciles LRB-1731/P2, LRB-1288/P1, and LRB-1774/P1. All of these drafts should continue to appear in the compiled bill.

Tamara J. Dodge
Senior Legislative Attorney
(608) 504-5808
tamara.dodge@legis.wisconsin.gov



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-1731/P3
TJD:cdc

DOA:.....Bollhorst, BB0250 - Repeal FoodShare drug screening requirement

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

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