

2019 DRAFTING REQUEST

Bill

For: **Administration-Budget 266-1037** Drafter: **mmcgreev**
 By: **Hynek** Secondary Drafters:
 Date: **2/5/2019** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email:
 Carbon copy (CC) to: **doasbostatlanguage@wisconsin.gov**
MaryAlice.McGreevy@legis.wisconsin.gov
krista.pleviak@legis.wisconsin.gov

Pre Topic:

DOA:.....Hynek, BB0286 -

Topic:

Independent living centers

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mmcgreev 2/15/2019	aernstr 2/18/2019			
/P1			dwalker 2/18/2019		State

FE Sent For: **<END>**

McGreevy, Mary Alice

From: Hanaman, Cathlene
Sent: Monday, February 4, 2019 4:03 PM
To: Pleviak, Krista; McGreevy, Mary Alice
Subject: FW: Statutory Language Drafting Request - 2019-21

From: Hynek, Sara - DOA <Sara.Hynek@wisconsin.gov>
Sent: Monday, February 04, 2019 4:01 PM
To: Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>
Cc: Hynek, Sara - DOA <Sara.Hynek@wisconsin.gov>; Hynek, Sara - DOA <Sara.Hynek@wisconsin.gov>
Subject: Statutory Language Drafting Request - 2019-21

Biennial Budget: 2019-21

Topic: Independent Living Centers

Tracking Code: BB0286

SBO Team: EWD

SBO Analyst: Hynek, Sara - DOA
Phone: (608) 266-1037
E-mail: Sara.Hynek@Wisconsin.gov

Agency Acronym: 445

Agency Number: 445

Priority: Medium

Intent:

Amend 20.445(5)(n) to read as follows: Federal program aids and operations. All moneys received from the federal government, as authorized by the governor under s. 16.54, for the state administration of continuing programs and all federal moneys received for the purchase of goods and services under ch. 47 and for the purchase of vocational rehabilitation programs for individuals and organizations, to be expended for the purposes specified. The department shall, in each fiscal year, transfer up to \$600,000, provided such funds are received, of the moneys from the account from the social security administration under this paragraph to the appropriation account under s. 20.435 (1) (kc), for the purpose of providing those services relating to the independent living part B state grants program from the federal department of health and human services.

Attachments: False

Please send completed drafts to SBOSTallanguage@spmail.enterprise.wistate.us

McGreevy, Mary Alice

From: Hynek, Sara - DOA
Sent: Monday, February 11, 2019 12:58 PM
To: McGreevy, Mary Alice
Subject: RE: BB0286

Hi Mary Alice – yes, I think the intent is clarify both – that the transfer should only occur to the extent that federal funds are received specifically for independent living centers (would we need to reference the CFR citation at all, or can we just reference ILCs? It would seem that current language about “expended for the purposes specified” would be sufficient?).

From: McGreevy, Mary Alice I - LEGIS <maryalice.mcgreevy@legis.wisconsin.gov>
Sent: Thursday, February 07, 2019 11:33 AM
To: Hynek, Sara - DOA <Sara.Hynek@wisconsin.gov>
Subject: BB0286

Hi Sara,

A couple questions about this request -

1. Is the intent to clarify that the money will be transferred only to the extent it is received?
2. Is the intent also to clarify that this is money received under 45 CFR 1329.10 or .13?
3. Or is this money coming from a different source?

Thank you,

Mary Alice

From: Hynek, Sara - DOA <Sara.Hynek@wisconsin.gov>
Sent: Monday, February 04, 2019 4:01 PM
To: Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>
Cc: Hynek, Sara - DOA <Sara.Hynek@wisconsin.gov>; Hynek, Sara - DOA <Sara.Hynek@wisconsin.gov>
Subject: Statutory Language Drafting Request - 2019-21

Biennial Budget: 2019-21

Topic: Independent Living Centers

Tracking Code: BB0286

SBO Team: EWD

SBO Analyst: Hynek, Sara - DOA
Phone: (608) 266-1037
E-mail: Sara.Hynek@Wisconsin.gov

Agency Acronym: 445

Agency Number: 445

Priority: Medium

Intent:

Amend 20.445(5)(n) to read as follows: Federal program aids and operations. All moneys received from the federal government, as authorized by the governor under s. 16.54, for the state administration of continuing programs and all federal moneys received for the purchase of goods and services under ch. 47 and for the purchase of vocational rehabilitation programs for individuals and organizations, to be expended for the purposes specified. The department shall, in each fiscal year, transfer up to \$600,000, provided such funds are received, of the moneys from the account from the social security administration under this paragraph to the appropriation account under s. 20.435 (1) (kc), for the purpose of providing those services relating to the independent living part B state grants program from the federal department of health and human services.

Attachments: False

Please send completed drafts to SBOStatlanguage@spmail.enterprise.wistate.us

McGreevy, Mary Alice

From: McGreevy, Mary Alice
Sent: Friday, February 15, 2019 3:08 PM
To: Hynek, Sara - DOA
Subject: RE: Possible BB0286 - please review

Hi Sara,

I finished the draft, and tweaked the language to be as clear as possible. I did not include the purpose, because the appropriation account already has the purpose, so in the end it doesn't seem necessary. Please let me know if you have any questions after you get it.

M.A.

From: Hynek, Sara - DOA <Sara.Hynek@wisconsin.gov>
Sent: Friday, February 15, 2019 1:26 PM
To: McGreevy, Mary Alice <MaryAlice.McGreevy@legis.wisconsin.gov>
Subject: RE: Possible BB0286 - please review

I think this version is worded exactly right – I think the intent is to make sure the transfer is limited to the amount received or \$600K, whichever is less, so this works.

From: McGreevy, Mary Alice I - LEGIS <maryalice.mcgreevy@legis.wisconsin.gov>
Sent: Friday, February 15, 2019 1:21 PM
To: Hynek, Sara - DOA <Sara.Hynek@wisconsin.gov>
Subject: RE: Possible BB0286 - please review

That's definitely a concern with the drafting – the department won't transfer more than it receives. Is it possible that DWD could reimbursements in excess of \$600,000? I've been trying out a few approaches, and Mike and I will be sure to make it as tight as possible.

n) Federal program aids and operations. All moneys received from the federal government, as authorized by the governor under s. 16.54, for the state administration of continuing programs and all federal moneys received for the purchase of goods and services under ch. 47 and for the purchase of vocational rehabilitation programs for individuals and organizations, to be expended for the purposes specified. The To the extent the department receives moneys from the social security administration under 42 USC 1382d(d), the department shall, in each fiscal year, transfer up to \$600,000 of the moneys from the account under this paragraph to the appropriation account under s. 20.435 (1) (kc) for the purpose of providing those services relating to independent living under Part 1329 of 45 USC.

I also want to make sure the citations are correct.

From: Hynek, Sara - DOA <Sara.Hynek@wisconsin.gov>
Sent: Friday, February 15, 2019 1:07 PM
To: McGreevy, Mary Alice <MaryAlice.McGreevy@legis.wisconsin.gov>
Subject: RE: Possible BB0286 - please review

If the department receives \$500,000, does it still have to transfer \$600,000 under this language?

From: McGreevy, Mary Alice I - LEGIS <maryalice.mcgreevy@legis.wisconsin.gov>

Sent: Friday, February 15, 2019 12:53 PM

To: Hynek, Sara - DOA <Sara.Hynek@wisconsin.gov>

Subject: Possible BB0286 - please review

Hi Sara,

Here's what I'm thinking, based on re-reading the old file (subject to my reviewer signing off on the language):

(n) Federal program aids and operations. All moneys received from the federal government, as authorized by the governor under s. 16.54, for the state administration of continuing programs and all federal moneys received for the purchase of goods and services under ch. 47 and for the purchase of vocational rehabilitation programs for individuals and organizations, to be expended for the purposes specified. The department shall, in each fiscal year, transfer \$600,000 of the moneys from the account under this paragraph to the appropriation account under s. 20.435 (1) (kc) to the extent the department receives moneys from the federal social security administration under 42 USC 1382d.(d) for the purpose of providing those services relating to independent living under Part 1329 of 45 USC.

Would this be accurate?

Thanks –

M.A.



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-1790

MIM:...

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DOA:.....Hynek, BB0286 - Independent living centers

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

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no gen

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

GENERAL HEALTH AND HUMAN SERVICES

#00 **Transfers to DHS for independent living grants**

federal

This bill clarifies that DWD is required to transfer money to DHS for the purpose of providing grants to independent living centers only up to the amount DWD receives from the Social Security Administration as reimbursement for the fact that individuals who gain employment with assistance from the Vocational Rehabilitation program no longer receive certain benefits from the social security administration. DHS awards grants to independent living centers for providing nonresidential services to severely disabled individuals.

Under current law, DWD is required to transfer \$600,000 in each fiscal year to DHS for the grant program.

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:

*

1 ~~SECTION 1.~~ SECTION 1. 20.445 (5) (n) of the statutes is amended to read:

2 20.445 (5) (n) *Federal program aids and operations.* All moneys received from
3 the federal government, as authorized by the governor under s. 16.54, for the state
4 administration of continuing programs and all federal moneys received for the
5 purchase of goods and services under ch. 47 and for the purchase of vocational
6 rehabilitation programs for individuals and organizations, to be expended for the
7 purposes specified. The From the moneys received by the department under this
8 paragraph from the social security administration under 42 USC 442 (d) and *
9 1382d(d), the department shall, in each fiscal year, transfer \$600,000 of the moneys
10 from the account under this paragraph or the amount received, whichever is less, to
11 the appropriation account under s. 20.435 (1) (kc).

History: 1971 c. 125 ss. 156, 522 (1); 1971 c. 211, 215; 1971 c. 228 s. 44; 1971 c. 259; 1973 c. 90, 180, 243, 333; 1975 c. 39, 147, 224, 274, 344; 1975 c. 404 ss. 3, 10 (1); 1975 c. 405 ss. 3, 11 (1); 1977 c. 29, 48, 203, 418; 1979 c. 34 ss. 512 to 522, 2102 (25) (a); 1979 c. 189, 221, 309; 1979 c. 329 s. 25 (1); 1979 c. 350 ss. 3, 27 (6); 1979 c. 353, 355; 1981 c. 20, 36, 92, 93, 317, 325, 364; 1983 a. 8; 1983 a. 27 ss. 411 to 425; 1983 a. 98 ss. 1, 31; 1983 a. 192, 384, 388, 410; 1985 a. 17, 29, 153, 313, 332; 1987 a. 27; 1987 a. 38 ss. 2 to 4, 136; 1987 a. 399, 403; 1989 a. 31, 44, 64, 77, 254, 284, 359; 1991 a. 39 ss. 372c, 545r, 545t, 545v, 547, 548, 548g, 548m, 549, 549b, 549g, 549p; 1991 a. 85, 89, 269, 315; 1993 a. 16, 126, 243, 437, 491; 1995 a. 27 ss. 772mm, 772mn, 776p to 778b, 778L, 778n, 778q, 778v, 778z to 780m, 781m to 782p, 782u, 841, 842, 849, 850, 854, 855, 858c, 873 to 876, 878, 880, 890 to 896, 962 to 1014c, 9126 (19), 9130 (4); 1995 a. 113 s. 2; 1995 a. 117, 201, 216, 225, 289; 1995 a. 404 ss. 4, 6 to 8, 10 to 17; 1997 a. 3; 1997 a. 27 ss. 610 to 642m, 722; 1997 a. 35, 38, 39, 105, 112, 191, 235, 236, 237, 252; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109; 2003 a. 33, 197; 2005 a. 25, 86, 172; 2005 a. 443 s. 265; 2007 a. 20, 59; 2009 a. 28, 180; 2011 a. 32, 123, 183, 198; 2013 a. 9, 20; 2013 a. 36 ss. 6p to 7, 236m; 2013 a. 57, 139; 2015 a. 55, 180, 194, 283; 2015 a. 334 ss. 96, 100; 2015 a. 348; 2017 a. 11, 58; 2017 a. 59 ss. 192, 216m, 398 to 405; 2017 a. 157, 336, 370.

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(END)

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State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-1790/P1
MIM:ahe

DOA:.....Hynek, BB0286 - Independent living centers

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

GENERAL HEALTH AND HUMAN SERVICES

1. Transfers to DHS for independent living grants

This bill clarifies that DWD is required to transfer money to DHS for the purpose of providing grants to independent living centers only up to the amount DWD receives from the federal Social Security Administration as reimbursement for the fact that individuals who gain employment with assistance from the vocational rehabilitation program no longer receive certain benefits from the federal Social Security Administration. DHS awards grants to independent living centers for providing nonresidential services to severely disabled individuals.

Under current law, DWD is required to transfer \$600,000 in each fiscal year to DHS for the grant program.

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

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3 the federal government, as authorized by the governor under s. 16.54, for the state
4 administration of continuing programs and all federal moneys received for the
5 purchase of goods and services under ch. 47 and for the purchase of vocational
6 rehabilitation programs for individuals and organizations, to be expended for the
7 purposes specified. ~~The~~ From the moneys received by the department under this
8 paragraph from the social security administration under 42 USC 422 (d) and 1382d
9 (d), the department shall, in each fiscal year, transfer \$600,000 of the moneys from
10 the account under this paragraph or the amount received, whichever is less, to the
11 appropriation account under s. 20.435 (1) (kc).

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(END)