

2019 DRAFTING REQUEST

Assembly Amendment (AA-AB56)

For: Legislative Fiscal Bureau Drafter: ewheeler
By: Gentry Secondary Drafters:
Date: 6/10/2019 May Contact:

Same as LRB:

Submit via email: YES
Requester's email:
Carbon copy (CC) to: Elizabeth.Wheeler@legis.wisconsin.gov
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John.Gentry@legis.wisconsin.gov

Pre Topic:

LFB:.....Gentry -

Topic:

Motion #111; TANF omnibus

Instructions:

See attached

Drafting History:

Table with 6 columns: Vers., Drafted, Reviewed, Submitted, Jacketed, Required. It lists three versions of the draft with associated drafters and dates.

FE Sent For: <END>

Shea, Elisabeth

From: Gentry, John
Sent: Saturday, June 08, 2019 11:58 AM
To: Wheeler, Elizabeth; Shea, Elisabeth
Cc: Morgan, Charlie
Subject: RE: TANF Table and Motions 5, 41, and 111 - Drafting instructions
Attachments: 111.pdf; 41.pdf; 5.pdf; Family First

Attached at the bottom is the preliminary estimate of what the TANF table in 49.175 should look like through the motion 111. I'll let you know if I need to make any corrections to this.

Also attached are Motions 5, 41, and 111. Here's what JFC has done (Based on LFB summary items):

Motion 5: Pulled (Takes no action on and thus is no longer in the bill)
Economic Support and TANF-funded Programs - 3, 4, 5, 6, 7, 8, 10, and 32
Youth Services - Juvenile Justice 1

Motion 41: Takes money into JFC supplemental (contact me with any additional questions)
Economic Support and TANF-funded programs - 26 and 34

Motion 111:

- A. Adopt CANPB 1 and 2 - *no changes*
- B. 1. Paper 185 - adopts TANF reestimates [see table below] ✓
 - 2. Paper 186 - rejects LFB12 TMJ CA [sections 219 and 642] ✓
 - Instead, provide \$500,000 TANF annually for existing TMJ/transitional AND increase age eligibility from up to 24 to up to 25 ✓
 - 3. Paper 187 - reject the funding increase and instead increase the maximum per capita reimbursement from \$400 to \$800 ✓
 - 4. Paper 188 - provided additional funding for Wis Shares
 - 5. Paper 189 - provides funding for WIs Shares and also increases the reimbursement limit for regularly and provisionally certified providers to up to 90% of the licensed family rate ✓
 - 6. Paper 190 - Provides TANF funding. Also, nonstatutory provision -

DCF is directed to increase the YoungStar adjustment effective on the date of the bill through June 30, 2021. On and after July 1, 2021, DCF retains authority to set the YoungStar adjustments up to 15% and up to 30%, for four- and five-star programs respectively. ✓

- 7. Paper 191 - Provides \$1,000,000 GPR for the Family Foundations Home Visiting Program. Rejects "We Got This"
 - (Name change is not adopted) ✓
 - 8. Mod paper 192 - See paper for instructions ✓
 - 9. Adopt items 2, 9, 11, 18, 21, 22, 23, 31, 33 ✓
 - 10. New item - \$60,000 TANF annually for GED testing [see table below] ✓
- C. 1. Paper 205 - Provide \$5,000,000 GPR in 2019-20 and \$18,500,000 GPR and \$7,000,000 Title IV-E FED in 2020-21
New statutory allocation is as follows: ✓

CFA

	<u>2019-20</u>	<u>2020-21</u>
2018-19 allocation	\$74,308,000	\$74,308,000
Cost to Continue Act 59 Foster Care Rate Increases	432,200	380,400
Foster Care Rate Increase in Bill	332,100	664,200
CFA Funding Increase	5,000,000	25,500,000
Foster Care for Parents Living in Treatment Programs	186,600	186,600
Program Revenue Reestimates	<u>-133,700</u>	<u>106,300</u>
 Statutory Allocations in Bill	 \$80,125,200	 \$101,145,500

There are also modifications to Milwaukee County Contribution [I believe that you have drafted this already] ✓

- C. 2. Paper 206 - mod cost estimate
- C. 3. Paper 207 - Adopts Governor's provisions, no change to bill ✓
- C. 4. Paper 208 - modification - see paper for language [see paper and attached email for instructions]
- C. 5. Paper 209 - (increase rates by 4% in 2020) deny the governor's driver license program ✓
- C. 6. Paper 210 - see paper and attached email for instructions
- C. 7. Adopt LFB items 2, 5, 6, 7, 11, and 13.
- D. 1. Paper 215 - changes composition of the funding, but not the amount. Also, change effective date of fee increase
- E. 1. Adopt Gov's recommended Departmentwide LFB summary 1, 2, and 3
- F. Juvenile Justice is held over for Tuesday. No action on these items
[except Motion 5 already took out the 17-YO item]
Further, they will likely accept the mod paper, so you can go ahead and update the number in the statute for Youth Aids

Give me a call for any questions. DCF should be finished at JFC on Tuesday.

Thanks,

John Gentry
Fiscal Analyst
Wisconsin Legislative Fiscal Bureau
John.Gentry@legis.wisconsin.gov
266-3847

2019-21 TANF & CC BUDGET

Updated for Motion 111 -
based upon YTD actions of JFC

	<u>Wis. Stat. sec. 49.175</u>	Governor		Reestimate	
		2019-20	2020-21	2019-20	202
Carryover from Previous Year		\$ 275,538,200	\$ 162,189,100	\$ 303,984,700	\$
Revenues					
State General Purpose Revenue (GPR)	20.437(2)(a), (dz)	\$ 160,373,800	\$ 160,381,400	\$ 160,373,800	\$

Shea, Elisabeth

From: Swissdorf, Kim M - DCF
Sent: Monday, April 08, 2019 1:22 PM
To: Gentry, John
Cc: Kraus, Jennifer - DOA; Bork, Matthew - DOA; Elgar, Elizabeth D - DCF; Hartung, Adam P - DCF
Subject: Family First

Hi John—program staff and legal folks here have reviewed the P3 and P4 drafts of the Family First provisions. They are recommending additional changes that they spotted. These are noted below. In case you wanted to do a modification paper of some sort. . .

Child Welfare

Item: Background checks for congregate care workers statutory change

Location (BB Bill Reference(s)/Budget Book/Budget System): LFB 19-1144/P4

Description of Requested Change:

1. Page 6, lines 9-11 in Section 11: Remove the last sentence and add that sentence to (2)(ba) in Section 8. That language about releasing the information applies to the fingerprint checks under (2)(ba), not (2)(bm). Section (2)(ba) deals with the 28 USC 534(f)(3)(A) background checks. ✓
2. Section 11: Amend (2)(bm) to require child abuse and neglect registry checks of congregate workers who have lived in other jurisdictions. Allow this to be done by Department or entity. Also include the confidentiality protections for the child abuse and neglect registry checks as highlighted below, so that they limit the use of the child abuse and neglect checks for the purposes of background checks for congregate workers as provided under 42 USC 67(a)(20). The January 20th email that was sent to the drafter also included this example from the foster care background check provisions:
Example: 48.685(2)(c)2. If the person who is the subject of the search under par. (am) is seeking a license to operate a foster home or is an adult nonclient resident of the foster home and if the person or adult nonclient resident is not, or at any time within the 5 years preceding the date of the search has not been, a resident of this state, the department, county department, or child welfare agency shall check any child abuse or neglect registry maintained by any state or other U.S. jurisdiction in which the person or adult nonclient resident is a resident or was a resident within those 5 years for information that is equivalent to the information specified in par. (am) 4. If that person is seeking subsidized guardianship payments under s. 48.623 (6) or is an adult nonclient resident of the home of that person and if the person or adult nonclient resident is not, or at any time within the 5 years preceding the date of the search has not been, a resident of this state, the department in a county having a population of 750,000 or more or county department shall conduct that child abuse or neglect registry check. The department, county department, or child welfare agency may not use any information obtained under this subdivision for any purpose other than a search of the person's background under par. (am). ✓
3. Page 9, lines 20-22 in Section 22: need to be modified because when an agency from another state is running a background check, they will be investigating under their own statute not under 48.685. Should read more like "or for the purposes of conducting a background investigation of an adult congregate care worker as defined in s. 48.685(1)(ap) under 48.685 or 42 USC 671(a)(20)(D)." ✓

Rationale: The technical corrections above are needed to comply with federal Family First Prevention Services Act (FFPSA) and other federal law. FFPSA requires that fingerprint based criminal background checks of national crime information databases and child abuse registry checks be applied to any adult working in a congregate care setting. As noted above, confidentiality of these checks is required under 42 USC 67(a)(20).

Item: Family first prevention services statutory change (AODA Placements)

Location (BB Bill Reference(s)/Budget Book/Budget System): LFB 19-0691/P3

Description of Requested Change:

The following edits are requested:

Updates to the bill analysis:

1. Page 1 analysis, line 12: after program, insert "and the county agency or Department is in agreement with such a request."
2. Page 1, analysis, lines 12-15: Change "The bill requires DCF to prepare a permanency plan..." to "The bill requires a county department or the Department of Children and Families in a county over 750,000 people/in Milwaukee County to prepare a permanency plan for such a child, and allows such a child to be placed by a county department or the Department of Children and Families in a county over 750,000 people/in Milwaukee County or by an order of the children's court if the parent consents and if such a placement is recommended by the permanency plan." (A county or DCF in Milwaukee County will be required to do the perm plan and may make the placement).
3. Page 1, analysis, line 17 to read "the bill authorizes foster care funding for the placement if applicable requirements are met." (DCF or the county may provide foster care payments).

Requested changes to statutory language:

4. Section 3, Page 4, line 19, After the "child's parent is residing in a qualifying residential family-based treatment facility" add "or will be residing in a qualifying residential family-based treatment facility at the time of at the time of a child's placement with the parent in a qualifying residential family-based treatment facility".
5. Section 3, Page 4, line 22 after facility, insert "and the county agency or Department is in agreement with such a request." *-already requires the department's consent*
6. Section 12, Page 4, line 19, change "a similar facility regulated in" to "similar facilities regulated in" to match language for counties on Section 14, Page 7, line 15. *2 instances in that provision*
7. Section 16, Page 8, line 10 after "48.38" add "(4)(em) before the placement is made" to be consistent with Section 4, Page 5, line 1.
8. Section 19, Page 9, lines 10-12, do not create 48.645(a)5. - instead add "a qualifying residential family based treatment facility" to 48.645(2)(a)2., 3., and 4.

Rationale: The technical corrections above are needed to comply with federal Family First Prevention Services Act (FFPSA). The edits will also improve the clarity and accuracy of the proposed statutes and ensure consistency with existing statutes.

Kim Swissdorf

Budget Director

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CHILD ABUSE AND NEGLECT PREVENTION BOARD
CHILDREN AND FAMILIES

Economic Support and TANF-Funded Programs, Child Welfare Services,
Child Support, and Departmentwide

[LFB Papers #185 thru 192, #205 thru #210, and #215]
Omnibus Motion

Motion:

Move to adopt the following.

A. Child Abuse and Neglect Prevention Board

1. *Standard Budget Adjustments (LFB Summary #1)*. Adopt the Governor's recommendation.

2. *Shaken Baby Syndrome/Abusive Head Trauma (LFB Summary #2)*. Adopt the Governor's recommendation.

B. Economic Support and TANF-Funded Programs

1. *Revised Estimates of TANF-Funded Programs. (Paper #185)*. Adopt the modification to reduce federal funding budgeted for Temporary Assistance for Needy Families (TANF) related expenditures by \$27,769,400 FED in 2019-21 and \$26,787,500 FED in 2020-21 due to reestimates for the 2019-21 biennium as follows: (a) decrease funding for W-2 benefits by \$10,046,900 FED in 2019-20 and by \$9,425,000 FED in 2020-21; (b) decrease funding for W-2 service contracts by \$1,528,300 FED annually; (c) decrease funding for direct child care subsidies by \$834,200 FED annually; (d) increase funding for child care state administration by \$430,000 FED in 2019-20 and by \$1,340,000 FED in 2020-21; (e) increase funding for state administration of public assistance programs by \$210,000 FED in 2019-20 and by \$660,000 FED in 2020-21; and (f) decreasing funding for the refundable portion of the EITC by \$16,000,000 FED in 2019-20 and by \$17,000,000 FED in 2020-21. In summary, the change to base is -\$13,175,000 FED in 2019-20 and -\$11,192,800 FED in 2020-21. ✓

2. *Transform Milwaukee Jobs for Childless Adults (Paper #186)*. Adopt Alternative 4 to provide \$500,000 FED annually to support expanding the eligibility of childless adults in the Transform Milwaukee and Transitional Jobs programs from up to age 24 to up to age 25.

3. *Children First (Paper #187)*. Adopt Alternative 3 to increase from \$400 to \$800 the maximum annual per capita reimbursement rate. ✓

4. *Wisconsin Shares Child Care Subsidies Maximum Reimbursement Rates (Paper #188)*. Adopt Alternative 3b to adopt the Governor's recommendation to maintain the cost to continue the Wisconsin Shares child care subsidy program (including the October, 2018, and January, 2019, reimbursement rate increases) and allocate \$11,630,800 FED in 2019-2020 and \$11,920,900 FED in 2020-21 to raise maximum reimbursement rates to be within 15% of their 75th percentile rate. TANF Subsidy?

5. *Wisconsin Shares Rates for Certified Providers (Paper #189)*. Adopt Alternative 3 to allocate \$1,020,000 FED annually and increase the reimbursement limit under Wisconsin Shares for regularly and provisionally certified child care providers from 75% and 50% of the maximum reimbursement rates set by DCF for licensed family providers, respectively, to be no more than 90% of the licensed family hourly rate. ✓

6. *Child Care Quality and Availability Initiatives (Paper #190)*. Adopt Alternatives A2, B1, and C1, to allocate federal funding of \$4,033,600 in 2019-20 and \$4,247,600 FED from TANF block grant and child care development funds for the following: (a) modify the Governor's recommendation to provide an additional \$1,935,700 FED annually to increase the YoungStar adjustment for four- and five-star providers to 15% and 30%, respectively, effective on the date of the bill, and to maintain the cost of the adjustment for 2-star providers at -1%; (b) \$415,000 FED in 2019-20 and \$535,000 FED in 2020-21 to increase use of the pyramid model in child care programs statewide; and (c) \$655,000 FED in 2019-20 and \$749,000 FED 2020-21 for DCF to award grants to improve overall child care for families that reside in a geographic area with high-poverty levels (as identified DCF) in the City of Milwaukee. No Stat. changes ✓

DCF would be directed to increase the YoungStar adjustment effective on the date of the bill through June 30, 2021. On and after July 1, 2021, DCF would retain authority to set the YoungStar adjustments up to 15% and up to 30%, for four- and five-star programs respectively. ✓

7. *TANF-Funded Grant Programs (Paper #191)*. Adopt Alternative A1 to adopt the Governor's recommendation as to grants to the Boys and Girls Clubs of America. Further, adopt Alternatives B2, C2, D2, and E2, with the modification to provide an additional \$1,000,000 GPR in 2020-21 for the family foundations home visiting program. repeat C-p? 48,983 - 3042192 - just fiscal change ✓

8. *Background Checks -- Fee Collections (Paper #192)*. Adopt the modification to create an all moneys received program revenue appropriation for the collection of fees related to DOJ background checks. Provide that all funding collected by DCF and credited to the appropriation would be transferred to DOJ for that purpose. Estimate fee collections at \$2,040,000 in 2019-20 and \$886,000 in 2020-21, and reduce funding by correspond amounts from a current PR appropriation that funds child care licensing activities [s. 20.437(2)(jn)].

9. *Wisconsin Works Benefits (LFB Summary #2)*. Adopt the Governor's recommendation. ✓

10. *Wisconsin Works Administrative Contracts (LFB Summary #9)*. Adopt the Governor's recommendation. ✓

11. *Transform Milwaukee and Transitional Jobs (LFB Summary #11)*. Adopt the Governor's recommendation. ✓

12. *Child Care Administration and Licensing (LFB Summary #18)*. Adopt the Governor's recommendation. ✓

13. *Caretaker Supplement (LFB Summary #21)*. Adopt the Governor's recommendation. ✓

14. *Emergency Assistance (LFB Summary #22)*. Adopt the Governor's recommendation. ✓

15. *State Administration of Wisconsin Works and Other Related TANF Programs. (LFB Summary #23)*. Adopt the Governor's recommendation. ✓

16. *TANF Revenue Adjustments (LFB Summary #31)*. Adopt the Governor's recommendation. ✓

17. *Child Care Background Checks Modifications (LFB Summary #33)*. Adopt the Governor's recommendation. ✓

18. *High School Equivalency and General Education Development (GED) Test Assistance*. Allocate \$60,000 FED TANF annually to support GED test assistance for individuals who are eligible for TANF assistance. ✓

C. Child Welfare Services

1. *Children and Family Aids Funding Increase (Paper #205)*. Adopt Alternative (B2) to provide \$5,000,000 GPR in 2019-20 and \$18,500,000 GPR and \$7,000,000 FED matching funds under Title IV-E of the Social Security Act in 2020-21 in order to increase funding for the children and family aids (CFA) program. ✓

Further, modify Milwaukee County's contribution for child welfare services provided by the Division of Milwaukee Child Protective Services (DMCPS) as follows. Under current law, Milwaukee County contributes \$58,893,500 per fiscal year for the provision of DMCPS services, primarily through the reduction from state aid and shared revenue payments to the county. Modify Milwaukee's contribution from \$58,893,500 to the greater of that amount or the amount in the schedule for the child welfare services aids appropriation for providing services to children and families in a county having a population of 750,000 or more. Based on the funding provided under the bill for DMPCS child welfare services aids, the amounts in that appropriation would exceed the prior contribution amount of \$58,893,500, and thereby reducing shared revenue payments, by \$6,824,500 in 2020 and by \$7,599,100 in 2021. Estimate GPR lapse from the sum sufficient appropriation of \$6,824,500 in 2020-21 and an additional GPR lapse outside the biennium of \$7,599,100 in 2021-22. ✓ - 3139 ✓

2. *Adoption Assistance, State Foster Care, and Subsidized Guardianship (Paper #206).* Adopt the modification to increase funding in the bill by \$1,133,200 (\$880,800 GPR and \$252,400 FED) in 2019-20 and \$3,662,100 (\$2,201,400 GPR and \$1,460,700 FED) in 2020-21 to reflect reestimates of state costs for foster care and adoption assistance in the 2019-21 biennium. no lang. change

3. *Tribal Family Services (Paper #207).* Adopt Alternative 1 and approve the Governor's recommendation. ✓

4. *Qualified Residential Family-Based Treatment Facilities and Placements in Other States (LFB Paper #208).* Adopt the modification to bill to clarify that a QRFTF where a child may be placed with a parent in a residential alcohol or drug abuse treatment facility means a facility that is certified by DHS as a residential alcohol or drug abuse treatment facility and is approved by DCF as meeting the criteria for a residential family-based alcohol or drug abuse treatment facility. Further, modify the bill to clarify that a court would have jurisdiction over a child whose parent will be residing in a QRFTF at the time of a child's placement with the parent (rather than currently residing in the QRFTF at the time of the CHIPS petition, as provided in the bill). Further, modify the bill to specify that either a county agency or DCF (rather than only DCF) must consent to the placement in the QRFTF and also prepare the permanency plan. Also, modify the bill sections related to the foster care aid program to insert cross references to the newly created QRFTF, instead of creating a new subdivision relating exclusively to QRFTF placements (as provided in the bill, which is unnecessary). Finally, modify the language used in the bill in order to match the language used elsewhere in related sections of the bill as follows: (a) change facility to the plural "facilities;" and (b) insert a more specific reference to the statutory subsection related to permanency plans and clarify that such a plan would need to be made before the placement in a QRFTF. ① ② ③

5. *Foster Care and Kinship Care Rate and Foster Youth Driver's Licensing Program (LFB Paper #209).* Adopt Alternatives A2b and B2 and provide \$301,500 GPR and \$4,027,200 FED in 2019-20 and \$493,100 GPR and \$5,674,900 FED to modify the Governor's recommendations to: (a) reestimate the cost to continue the kinship care program based upon more recent caseload data; and (b) increase foster care and kinship care rates by 4.0% in in 2020. *only 4% + drivers license (remove)*

6. *Background Check for Congregate Care Workers Modification (LFB Paper #210).* Adopt the modification to require DCF (or the licensing entity) to perform child abuse and neglect registry checks of congregate care workers who have lived in other jurisdictions. Also, modify the bill to limit the use of the child abuse and neglect registry checks for the purposes of background checks for congregate workers as provided under federal law. Further, modify the bill to transfer provisions in the bill that would allow disclosure of congregate care fingerprint background check information, as permitted under federal law, from a subsection pertaining to background checks for certain caregivers to which the federal provisions do not apply to a newly created subsection pertaining to congregate care workers. Finally, in another provision relating to the disclosure of confidential reports and records specifically to agencies, include a cross reference to federal law to clarify that records may be disclosed to agencies in other states for purposes of a background check of a congregate care worker under the reference federal law. ✓

7. *Milwaukee Child Protective Services -- Aids Payments and Contracted Services. (LFB*

Summary #2). Adopt the Governor's recommendation. ✓

8. *Grants for Runaway and Homeless Youth Services (LFB Summary #5)*. Adopt the Governor's recommendation. ✓

9. *Child Welfare Data System Improvements (LFB Summary #6)*. Adopt the Governor's recommendation. ✓

10. *Qualified Residential Family-based Treatment Facilities (LFB Summary #7)*. Adopt the Governor's recommendation. ✓

11. *Read to Lead (LFB Summary #11)*. Adopt the Governor's recommendation. ✓

12. *Background Check for Congregate Care Workers (LFB Summary #13)*. Adopt the Governor's recommendation. ✓

D. Child Support

1. *Child Support Operations and Local Child Support Enforcement (Paper #215)*. Adopt Alternative B3 to provide an all-funds increase of \$750,000 in 2019-20 and \$1,500,000 in 2020-21 to increase incentive payments to counties for child support enforcement activities. Further, adopt Alternative A1 to approve the Governor's recommendation to increase the annual fee charged to custodial parents by \$10, from \$25 to \$35, as required by federal law with the modification that the fee increase would take effect on October 1, 2019, or if the effective date of the bill is after October 1, 2019, then on the later of January 1, 2020, or the effective date of the bill.

E. Departmentwide

1. *Standard Budget Adjustments (LFB Summary #1)*. Adopt the Governor's recommendation. ✓

2. *Program Revenue and Federal Appropriations Adjustments (LFB Summary #2)*. Adopt the Governor's recommendation. ✓

3. *Funding and Position Realignments (LFB Summary #3)*. Adopt the Governor's recommendation. ✓

Note:

This motion addresses: (a) each item in the bill proposed by the Governor that has not been previously addressed by the Committee, except items summarized under "Youth Services -- Juvenile Justice" in the LFB Summary of the Governor's Budget Recommendations. As part of Motion #5, no action was taken on the Governor's recommendations in LFB Summary items 3 through 8, 10, and 32. Items 26 and 41 were addressed as part of Motion #41.

A listing of the fiscal effect of each item in this motion is provided in the attachment.

[Change to Base: \$42,915,100 (\$3,530,700 GPR, \$29,352,200 FED, and \$10,032,200 PR) in 2019-20 and \$82,609,400 (\$20,293,900 GPR, \$52,615,600 FED, and \$9,969,900 PR) in 2020-21. In addition, there would be a GPR lapse from the county and municipal aids appropriation of \$6,824,500 in 2020-21]

Attachment

Child Abuse and Neglect Prevention Board

No.	Paper/LFB	Change to Bill		Change to Base	
		2019-20	2020-21	2019-20	2020-21
1	Standard Budget Adjustments	\$0	\$0	\$7,200	FED
2	Shaken Baby Syndrome/Abusive Head Trauma	\$0	\$0	\$37,000	PR
				\$0	\$0
				1.0 FTE	1.0 FTE
Children and Families					
B. Economic Support and TANF-Funded Programs					
1	185 Revised Estimates of TANF-Funded Programs	\$27,769,400	-\$26,787,500	\$13,175,000	FED
2	186 Transform Milwaukee Jobs for Childless Adults	-500,000	-500,000		GPR
3	187 Children First	500,000	500,000	500,000	FED
4	188 Wisconsin Shares Child Care Subsidies	-1,140,000	-1,140,000		FED
5	189 Wisconsin Shares Rates for Certified Providers	-11,292,000	-11,573,700	34,369,000	FED
6	190 Child Care Quality and Availability Initiatives	-680,000	-680,000	1,020,000	FED
7	191 TANF-Funded Grant Programs	1,935,700	1,935,700	5,969,300	FED
8	192 Background Checks -- Fee Collections	0	1,000,000	0	GPR
9	2 Wisconsin Works Benefits	-2,099,100	-2,152,600	2,900,000	FED
10	9 Wisconsin Works Administrative Contracts	0	0	0	FED
11	11 Transform Milwaukee and Transitional Jobs	0	0	-9,145,300	FED
13	18 Child Care Administration and Licensing	0	0	-3,071,700	FED
14	21 Caretaker Supplement	0	0	0	FED
15	22 Emergency Assistance	0	0	2,892,700	FED
16	23 State Administration of Wisconsin Works and Other Related TANF Programs	0	0	-1,924,700	FED
17	TANF Revenue Adjustments	0	0	-1,000,000	FED
18	33 Child Care Background Checks Modifications	0	0	319,000	FED
19	GED Test Assistance	60,000	60,000	-141,400	FED
				0	GPR
				141,400	PR
				60,000	FED
C. Child Welfare Services					
1	205 Children and Family Aids Funding Increase	1,250,000	3,500,000	5,000,000	GPR
2	206 Adoption Assistance, State Foster Care, and Subsidized Guardianship	880,800	2,201,400	-4,292,200	GPR
3	207 Tribal Family Services	252,400	1,460,700	2,746,300	FED
		0	0	1,718,600	PR
				-1,271,900	GPR
				18,500,000	GPR
				7,000,000	FED
				-3,129,800	GPR
				3,860,900	FED
				1,867,500	PR
				-1,271,900	GPR



LRBb0335/7
EAW:...
P1
KF
A+EHK

LFB:.....Gentry - Motion #111; TANF omnibus

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

In 6/11

TO ASSEMBLY BILL 56

Move to p. 4, line 15

The material beginning with "50" on line 9 and ending with "percent of" on line 10

1 At the locations indicated, amend the bill as follows:

2 1. Page 523, line 9: delete "75 percent of" and substitute "75 90 percent of".

3 2. Page 395, line 3: after that line insert:

4 "SECTION 215m. 20.437 (1) (jn) of the statutes is created to read:

5 20.437 (1) (jn) *Child care worker background check*. All monies received under

6 s. 48.686 (2) (ag) 3. to be transferred to the department of justice for the purposes of

7 obtaining a fingerprint-based criminal history search under s. 48.686 (2) (am) 1."

8 3. Page 395, line 23: delete lines 23 to 25.

9 4. Page 481, line 10: after "facility" insert "or will be residing at such a facility

10 at the time of a child's placement with the parent in the facility".

INS 2-1

1 **5.** Page 484, line 25: delete “a similar facility” and substitute “similar
2 facilities”.

INS 2-3

3 **6.** Page 489, line 3: after that line insert:

4 “**SECTION 522m.** 48.561 (3) (a) of the statutes is amended to read:

5 48.561 (3) (a) A county having a population of 750,000 or more shall contribute
6 the greater of \$58,893,500 or the amount in the schedule for the appropriation under
7 s. 20.437 (1) (cx) in each state fiscal year for the provision of child welfare services
8 in that county by the department. That contribution shall be made as follows:

9 1. Through a reduction of \$37,209,200 from the amounts distributed to that
10 county under ss. 46.40 (2) and 48.563 (2) in each state fiscal year.

11 2. Through a reduction of \$1,583,000 from the amount distributed to that
12 county under s. 46.40 (2m) (a) in each state fiscal year.

13 3. Through a deduction of \$20,101,300 the remainder of the payment after the
14 county's contribution under subs. 1. and 2. from any state payment due that county
15 under s. 79.035, 79.04, or 79.08 as provided in par. (b).”.

16 **7.** Page 489, line 6: substitute “\$80,125,200” for “\$78,708,100”.

17 **8.** Page 489, line 7: substitute “\$101,145,500” for “\$90,478,400”.

INS 2-18

18 **9.** Page 492, line 10: after “48.38” insert “(4) (em) before the placement is
19 made”.

20 **10.** Page 493, line 9: delete lines 9 to 12 and substitute:

21 **SECTION 532c.** 48.645 (2) (a) 2. of the statutes is amended to read:

22 48.645 (2) (a) 2. A county or, in a county having a population of 750,000 or more,
23 the department, on behalf of a child in the legal custody of a county department under
24 s. 46.215, 46.22, or 46.23 or the department under s. 48.48 (17) or on behalf of a child

1 who was removed from the home of a relative as a result of a judicial determination
2 that continuance in the home of a relative would be contrary to the child's welfare
3 for any reason when the child is placed in a licensed residential care center for
4 children and youth or a qualifying residential family-based treatment center by the
5 county department or the department. Reimbursement shall be made by the state
6 as provided in subd. 1.

History: 2007 a. 20 ss. 894 to 903; Stats. 2007 s. 48.645; 2007 a. 97 s. 61; 2009 a. 28, 94, 180; 2011 a. 32; 2013 a. 20, 334.

7 **SECTION 532d.** 48.645 (2) (a) 3. of the statutes is amended to read:

8 48.645 (2) (a) 3. A county or, in a county having a population of 750,000 or more,
9 the department, when the child is placed in a licensed foster home, group home, or
10 residential care center for children and youth, or a qualifying residential family-
11 based treatment facility, in a subsidized guardianship home, or in a supervised
12 independent living arrangement by a licensed child welfare agency or by a governing
13 body of an Indian tribe in this state or by its designee, if the child is in the legal
14 custody of the county department under s. 46.215, 46.22, or 46.23 or the department
15 under s. 48.48 (17) or if the child was removed from the home of a relative as a result
16 of a judicial determination that continuance in the home of the relative would be
17 contrary to the child's welfare for any reason and the placement is made under an
18 agreement with the county department or the department.

History: 2007 a. 20 ss. 894 to 903; Stats. 2007 s. 48.645; 2007 a. 97 s. 61; 2009 a. 28, 94, 180; 2011 a. 32; 2013 a. 20, 334.

19 **SECTION 532e.** 48.645 (2) (a) 4. of the statutes is amended to read:

20 48.645 (2) (a) 4. A licensed foster home, group home, or residential care center
21 for children and youth, or a qualifying residential family-based treatment facility or
22 a subsidized guardianship home when the child is in the custody or guardianship of
23 the state, when the child is a ward of a tribal court in this state and the placement

1 is made under an agreement between the department and the governing body of the
2 Indian tribe of the tribal court, or when the child was part of the state's direct service
3 case load and was removed from the home of a relative as a result of a judicial
4 determination that continuance in the home of a relative would be contrary to the
5 child's welfare for any reason and the child is placed by the department. ^{//} [^]

History: 2007 a. 20 ss. 894 to 903; Stats. 2007 s. 48.645; 2007 a. 97 s. 61; 2009 a. 28, 94, 180; 2011 a. 32; 2013 a. 20, 334.

6 **11.** Page 496, line 7: after "5m." insert "The department, county department,
7 or child welfare agency may release any information obtained under this paragraph
8 only as permitted under 32 USC 20962 (e)."

9 **12.** Page 498, line 3: delete the material beginning with "may" and ending
10 with "(e)" on line 5 and substitute ^{paragraph} "may not use any information obtained under this
11 subdivision for any purpose other than a search of the person's background under
12 par. (am) or (b)." ^{//} [^]

13 **13.** Page 515, line 9: delete "under s. 48.685".

14 **14.** Page 523, line 5: delete "75 percent of" and substitute "75 90 percent of".

15 **15.** Page 525, line 16: after that line insert:
16 "**SECTION 640m.** 49.163 (2) (am) 2. of the statutes is amended to read:

17 49.163 (2) (am) 2. If over 24 25 years of age, be a biological or adoptive parent
18 of a child under 18 years of age whose parental rights to the child have not been
19 terminated or be a relative and primary caregiver of a child under 18 years of age."

History: 2013 a. 20, 113; 2013 a. 151 s. 27; 2015 a. 55.

Page 526, line 5: delete "(m)".

20 **16.** Page 525, line 18: delete lines 18 to 22.

21 **17.** Page 526, line 8: substitute "\$31,110,000" for "\$41,156,900".

22 **18.** Page 526, line 9: substitute "\$31,732,200" for "\$41,157,200".

Page 526, line 6: delete the material beginning with "(u)" and ending with "(zh)" and substitute with "(u), (w), (y), (z) and (zh)".

ANSWERS FROM P. 1

- 1 **19.** Page 526, line 12: substitute “\$50,000,000” for “\$51,528,300”.
- 2 **20.** Page 526, line 13: substitute “\$50,000,000” for “\$51,528,300”.
- 3 **21.** Page 526, line 23: substitute “\$16,671,200” for “\$16,461,200”.
- 4 **22.** Page 526, line 24: substitute “\$17,268,300” for “\$16,608,300”.
- 5 **23.** Page 527, line 6: substitute “\$8,500,000” for “\$8,000,000”.
- 6 **24.** Page 527, line 7: substitute “\$9,500,000” for “\$9,000,000”.
- 7 **25.** Page 527, line 9: substitute “\$1,140,000” for “\$2,280,000”.
- 8 **26.** Page 527, line 17: substitute “\$357,097,500” for “\$367,967,800”.
- 9 **27.** Page 527, line 18: substitute “\$365,700,400” for “\$376,852,600”.
- 10 **28.** Page 527, line 21: substitute “\$40,152,100” for “\$39,722,100”.
- 11 **29.** Page 527, line 22: substitute “\$41,555,200” for “\$40,215,200”.
- 12 **30.** Page 528, line 9: substitute “\$26,640,000” for “\$26,847,200”.
- 13 **31.** Page 528, line 10: substitute “\$28,159,200” for “\$28,448,100”.
- 14 **32.** Page 528, line 14: substitute “\$8,314,300” for “\$9,300,900”.
- 15 **33.** Page 528, line 15: substitute “9,314,300” for “\$10,191,900”.
- 16 **34.** Page 528, line 20: delete “\$6,302,100 in fiscal year 2019-20 and
17 \$7,464,600” and substitute “\$5,789,600 in fiscal year 2019-20 and
18 6,789,600”.
- 18 **35.** Page 528, line 22: after that line insert:
- 19 “(v) *General education development.* For general education development
- 20 testing and preparation for individuals who are eligible for temporary assistance for
- 21 needy families under 42 USC 601 et seq., \$115,000 \$175,000 in each fiscal year.

Handwritten notes: "that line and ending with" and "page line?" with arrows pointing to lines 2 and 3. Another note: "and substitute" with a circle around "and" in line 2. A larger note: "wisconsin (title) Services Community grants." with a circle around "and" in line 2.

Handwritten numbers: "528" and "23" with arrows pointing to lines 2 and 3.

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36. Page 529, line 2: delete the material beginning with "~~and~~" and ending with "~~year~~" on line 3.

37. Page 529, line 6: substitute "\$250,000" for "\$825,000".

38. Page 530, line 1: delete lines 1 to 4.

39. Page 532, line 7: after that line insert:

"SECTION 650m. 49.36 (7) of the statutes is amended to read:

49.36 (7) The department shall pay a county, tribal governing body, or Wisconsin works agency not more than \$400 \$800 for each person who participates in the program under this section in the region in which the county, tribal governing body, or Wisconsin works agency administers the program under this section. The county, tribal governing body, or Wisconsin works agency shall pay any additional costs of the program."

History: 1987 a. 413; 1989 a. 31; 1991 a. 39; 1993 a. 16; 1995 a. 27 ss. 2135 to 2142; 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2005 a. 25; 2005 a. 443 s. 265; 2007 a. 20; 2013 a. 20; 2015 a. 55.

40. Page 1101, line 7: after that line insert:

(5m) CHILD CARE QUALITY RATING SYSTEM INCENTIVES. Notwithstanding s. 49.155 (6) (e) 3. d., for a child care provider who receives a 4-star rating ^{e under} in the child care quality rating system under s. 48.659, the department of children and families shall increase the maximum payment rate ^{for that provider} under s. 49.155 (6) (e) 2, by 15 percent for the period between the effective date of this subsection and June 30, 2021. Notwithstanding s. 49.155 (6) (e) 3. e., for a child care provider who receives a 5-star rating ^{e under} in the child care quality rating system under s. 48.659, the department of children and families shall increase the maximum payment rate ^{for that provider} under s. 49.155 (6) (e) 2, by 30 percent for the period between the effective date of this subsection and June 30, 2021."

Handwritten note: "the discretion granted to the department of children and families under" with a circle around "under".

Handwritten notes: "nB" and "5F" with arrows pointing to lines 14 and 15.

2019-2020 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0335/P1ins
EHS:...

1 **INSERT 2-1** ✓

2 **1.** Page 484, line 22: delete “a similar facility” and substitute “similar
3 facilities”.

4 **INSERT 2-3** ✓

5 **2.** Page 485, line 14: delete the material beginning with that line and ending
6 with page 486, line 3.

7 **INSERT 2-18** ✓

8 **3.** Page 490, line 5: delete the material beginning with that line and ending
9 with page 491, line 22 and substitute:

10 “**SECTION 526.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:
11 48.57 (**3m**) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
12 (me), and (s), the department shall reimburse counties having populations of less
13 than 750,000 for payments made under this subsection and shall make payments
14 under this subsection in a county having a population of 750,000 or more. Subject
15 to par. (ap), a county department and, in a county having a population of 750,000 or
16 more, the department shall make payments in the amount of ~~\$238~~ \$254 per month
17 beginning on January 1, 2018, and ~~\$244 per month beginning on January 1, 2019~~
18 2020, to a kinship care relative who is providing care and maintenance for a child if
19 all of the following conditions are met:

History: 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 271, 354, 418, 447, 449; 1979 c. 34, 221; 1981 c. 329; 1983 a. 189 s. 329 (17); 1983 a. 447; 1985 a. 176; 1987 a. 339; 1993 a. 385, 395, 446, 491; 1995 a. 27 ss. 2575 to 2579m, 9126 (19); 1995 a. 77, 289, 443; 1997 a. 3, 27, 35, 36, 41, 105, 237, 252, 292; 1999 a. 9, 103, 133, 162; 2001 a. 16 ss. 1629, 4036-4038, 4040, 4042, 4043; 2001 a. 38, 59, 69, 109; 2005 a. 25, 232, 293; 2007 a. 20; 2009 a. 28, 71, 94, 180; 2011 a. 32; 2013 a. 20, 334, 335, 362; 2015 a. 55, 166, 172; 2017 a. 59, 145, 365, 366.

20 **SECTION 527.** 48.57 (3n) (am) (intro.) of the statutes is amended to read: ✓

1 48.57 **(3n)** (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
 2 (me), and (s), the department shall reimburse counties having populations of less
 3 than 750,000 for payments made under this subsection and shall make payments
 4 under this subsection in a county having a population of 750,000 or more. Subject
 5 to par. (ap), a county department and, in a county having a population of 750,000 or
 6 more, the department shall make monthly payments for each child in the amount of
 7 \$238 ~~\$254~~ per month beginning on January 1, 2018, and \$244 per month beginning
 8 on January 1, 2019 ~~2020~~, to a long-term kinship care relative who is providing care
 9 and maintenance for that child if all of the following conditions are met:

History: 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 271, 354, 418, 447, 449; 1979 c. 34, 221; 1981 c. 329; 1983 a. 189 s. 329 (17); 1983 a. 447; 1985 a. 176; 1987 a. 339; 1993 a. 385, 395, 446, 491; 1995 a. 27 ss. 2575 to 2579m, 9126 (19); 1995 a. 77, 289, 443; 1997 a. 3, 27, 35, 36, 41, 105, 237, 252, 292; 1999 a. 9, 103, 133, 162; 2001 a. 16 ss. 1629, 4036-4038, 4040, 4042, 4043; 2001 a. 38, 59, 69, 109; 2005 a. 25, 232, 293; 2007 a. 20; 2009 a. 28, 71, 94, 180; 2011 a. 32; 2013 a. 20, 334, 335, 362; 2015 a. 55, 166, 172; 2017 a. 59, 145, 365, 366.

10 **SECTION 528.** ^m 48.62 (4) of the statutes is amended to read:

11 48.62 (4) Monthly payments in foster care shall be provided according to the
 12 rates specified in this subsection. Beginning on January 1, 2018 ~~2020~~, the rates are
 13 \$238 ~~\$254~~ for care and maintenance provided for a child of any age by a foster home
 14 that is certified to provide level one care, as defined in the rules promulgated under
 15 sub. (8) (a) and, for care and maintenance provided by a foster home that is certified
 16 to provide care at a level of care that is higher than level one care, \$394 ~~\$420~~ for a
 17 child under 5 years of age; \$431 ~~\$460~~ for a child 5 to 11 years of age; \$490 ~~\$522~~ for
 18 a child 12 to 14 years of age; and \$511 ~~\$545~~ for a child 15 years of age or over.
 19 Beginning on January 1, 2019, the rates are \$244 for care and maintenance provided
 20 for a child of any age by a foster home that is certified to provide level one care, as
 21 defined in the rules promulgated under sub. (8) (a) and, for care and maintenance
 22 provided by a foster home that is certified to provide care at a level of care that is
 23 higher than level one care, \$404 for a child under 5 years of age; \$442 for a child 5

1 to 11 years of age; \$502 for a child 12 to 14 years of age; and \$524 for a child 15 years
2 of age or over. In addition to these grants for basic maintenance, the department,
3 county department, or licensed child welfare agency shall make supplemental
4 payments for foster care to a foster home that is receiving an age-related rate under
5 this subsection that are commensurate with the level of care that the foster home is
6 certified to provide and the needs of the child who is placed in the foster home
7 according to the rules promulgated by the department under sub. (8) (c).”

History: 1977 c. 354 s. 101; 1977 c. 418, 447; 1981 c. 20; 1985 a. 29 s. 3202 (23); 1985 a. 176, 281, 332, 403; 1989 a. 31, 336; 1993 a. 395 ss. 31m, 39; 1993 a. 437 s. 67; 1993 a. 446 ss. 79 to 82, 134m; 1993 a. 491; 1995 a. 275; 1997 a. 27, 334; 1999 a. 9; 2001 a. 69; 2005 a. 25, 232, 387; 2007 a. 20 ss. 810, 1322, 1323; 2009 a. 28, 71; 2011 a. 32, 87; 2013 a. 20; 2017 a. 59, 251.

Cross-reference: See also ch. DCF 56, Wis. adm. code.



State of Wisconsin
2019 - 2020 LEGISLATURE

LRBb0335/P1 ep2
EAW&EHS:kjf amw

LFB:.....Gentry - Motion #111; TANF omnibus

**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 56**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 395, line 3: after that line insert:

3 “SECTION 215m. 20.437 (1)(jn) of the statutes is created to read:

4 20.437 (1)(jn) *Child care worker background check*. All moneys received under

5 s. 48.686 (2) (ag) 3. to be transferred to the department of justice for the purposes of

6 obtaining a fingerprint-based criminal history search under s. 48.686 (2) (am) 1.”

7 **2.** Page 395, line 23: delete lines 23 to 25.

8 **3.** Page 481, line 10: after “facility” insert “or will be residing at such a facility
9 at the time of a child’s placement with the parent in the facility”.

10 **4.** Page 484, line 22: delete “a similar facility” and substitute “similar
11 facilities”.

from fees
used
with respect to child care programs

1 **5.** Page 484, line 25: delete “a similar facility” and substitute “similar
2 facilities”.

3 **6.** Page 485, line 14: delete the material beginning with that line and ending
4 with page 486, line 3.

5 **7.** Page 489, line 3: after that line insert:

6 “**SECTION 522m.** 48.561 (3) (a) of the statutes is amended to read:

7 48.561 (3) (a) A county having a population of 750,000 or more shall contribute
8 the greater of \$58,893,500 or the amount in the schedule for the appropriation under
9 s. 20.437 (1) (cx) in each state fiscal year for the provision of child welfare services
10 in that county by the department. That contribution shall be made as follows:

11 1. Through a reduction of \$37,209,200 from the amounts distributed to that
12 county under ss. 46.40 (2) and 48.563 (2) in each state fiscal year.

13 2. Through a reduction of \$1,583,000 from the amount distributed to that
14 county under s. 46.40 (2m) (a) in each state fiscal year.

15 3. Through a deduction of ~~\$20,101,300~~ the remainder of the payment after the
16 county’s contribution under subds. 1. and 2. from any state payment due that county
17 under s. 79.035, 79.04, or 79.08 as provided in par. (b).”.

18 **8.** Page 489, line 6: substitute “\$80,125,200” for “\$78,708,100”.

19 **9.** Page 489, line 7: substitute “\$101,145,500” for “\$90,478,400”.

20 **10.** Page 490, line 5: delete the material beginning with that line and ending
21 with page 491, line 22, and substitute:

22 “**SECTION 526m.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

23 48.57 (3m) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
24 (me), and (s), the department shall reimburse counties having populations of less

1 than 750,000 for payments made under this subsection and shall make payments
2 under this subsection in a county having a population of 750,000 or more. Subject
3 to par. (ap), a county department and, in a county having a population of 750,000 or
4 more, the department shall make payments in the amount of ~~\$238~~ \$254 per month
5 beginning on January 1, 2018, and ~~\$244 per month beginning on January 1, 2019~~
6 2020, to a kinship care relative who is providing care and maintenance for a child if
7 all of the following conditions are met:

8 **SECTION 527m.** 48.57 (3n) (am) (intro.) of the statutes is amended to read:

9 48.57 (3n) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
10 (me), and (s), the department shall reimburse counties having populations of less
11 than 750,000 for payments made under this subsection and shall make payments
12 under this subsection in a county having a population of 750,000 or more. Subject
13 to par. (ap), a county department and, in a county having a population of 750,000 or
14 more, the department shall make monthly payments for each child in the amount of
15 ~~\$238~~ \$254 per month beginning on January 1, 2018, and ~~\$244 per month beginning~~
16 ~~on January 1, 2019~~ 2020, to a long-term kinship care relative who is providing care
17 and maintenance for that child if all of the following conditions are met:

18 **SECTION 528m.** 48.62 (4) of the statutes is amended to read:

19 48.62 (4) Monthly payments in foster care shall be provided according to the
20 rates specified in this subsection. Beginning on January 1, 2018 2020, the rates are
21 ~~\$238~~ \$254 for care and maintenance provided for a child of any age by a foster home
22 that is certified to provide level one care, as defined in the rules promulgated under
23 sub. (8) (a) and, for care and maintenance provided by a foster home that is certified
24 to provide care at a level of care that is higher than level one care, ~~\$394~~ \$420 for a
25 child under 5 years of age; ~~\$431~~ \$460 for a child 5 to 11 years of age; ~~\$490~~ \$522 for

1 a child 12 to 14 years of age; and ~~\$511~~ \$545 for a child 15 years of age or over.
2 ~~Beginning on January 1, 2019, the rates are \$244 for care and maintenance provided~~
3 ~~for a child of any age by a foster home that is certified to provide level one care, as~~
4 ~~defined in the rules promulgated under sub. (8) (a) and, for care and maintenance~~
5 ~~provided by a foster home that is certified to provide care at a level of care that is~~
6 ~~higher than level one care, \$404 for a child under 5 years of age; \$442 for a child 5~~
7 ~~to 11 years of age; \$502 for a child 12 to 14 years of age; and \$524 for a child 15 years~~
8 ~~of age or over. In addition to these grants for basic maintenance, the department,~~
9 ~~county department, or licensed child welfare agency shall make supplemental~~
10 ~~payments for foster care to a foster home that is receiving an age-related rate under~~
11 ~~this subsection that are commensurate with the level of care that the foster home is~~
12 ~~certified to provide and the needs of the child who is placed in the foster home~~
13 ~~according to the rules promulgated by the department under sub. (8) (c).”~~

14 **11.** Page 492, line 10: after “48.38” insert “(4) (em) before the placement is
15 made”.

16 **12.** Page 493, line 9: delete lines 9 to 12 and substitute:

17 **“SECTION 532c.** 48.645 (2) (a) 2. of the statutes is amended to read:

18 48.645 (2) (a) 2. A county or, in a county having a population of 750,000 or more,
19 the department, on behalf of a child in the legal custody of a county department under
20 s. 46.215, 46.22, or 46.23 or the department under s. 48.48 (17) or on behalf of a child
21 who was removed from the home of a relative as a result of a judicial determination
22 that continuance in the home of a relative would be contrary to the child’s welfare
23 for any reason when the child is placed in a licensed residential care center for
24 children and youth or a qualifying residential family-based treatment center by the

1 county department or the department. Reimbursement shall be made by the state
2 as provided in subd. 1.

3 **SECTION 532d.** 48.645 (2) (a) 3. of the statutes is amended to read:

4 48.645 (2) (a) 3. A county or, in a county having a population of 750,000 or more,
5 the department, when the child is placed in a licensed foster home, group home, or
6 residential care center for children and youth, or a qualifying residential
7 family-based treatment facility, in a subsidized guardianship home, or in a
8 supervised independent living arrangement by a licensed child welfare agency or by
9 a governing body of an Indian tribe in this state or by its designee, if the child is in
10 the legal custody of the county department under s. 46.215, 46.22, or 46.23 or the
11 department under s. 48.48 (17) or if the child was removed from the home of a relative
12 as a result of a judicial determination that continuance in the home of the relative
13 would be contrary to the child's welfare for any reason and the placement is made
14 under an agreement with the county department or the department.

15 **SECTION 532e.** 48.645 (2) (a) 4. of the statutes is amended to read:

16 48.645 (2) (a) 4. A licensed foster home, group home, or residential care center
17 for children and youth, or a qualifying residential family-based treatment facility
18 or a subsidized guardianship home when the child is in the custody or guardianship
19 of the state, when the child is a ward of a tribal court in this state and the placement
20 is made under an agreement between the department and the governing body of the
21 Indian tribe of the tribal court, or when the child was part of the state's direct service
22 case load and was removed from the home of a relative as a result of a judicial
23 determination that continuance in the home of a relative would be contrary to the
24 child's welfare for any reason and the child is placed by the department.”.

1 **13.** Page 496, line 7: after “5m.” insert “The department, county department,
2 or child welfare agency may release any information obtained under this paragraph
3 only as permitted under 32 USC 20962 (e).”.

4 **14.** Page 498, line 3: delete the material beginning with “may” and ending
5 with “(e)” on line 5 and substitute “may not use any information obtained under this
6 paragraph for any purpose other than a search of the person’s background under par.
7 (am) or (b)”.

8 **15.** Page 515, line 9: delete “under s. 48.685”.

9 **16.** Page 523, line 5: delete “~~75 percent of~~” and substitute “75 90 percent of”.

10 **17.** Page 523, line 9: delete the material beginning with “~~50~~” and ending with
11 “~~percent of~~” on line 10 and substitute “50 90 percent of”.

12 **18.** Page 525, line 16: after that line insert:

13 “**SECTION 640m.** 49.163 (2) (am) 2. of the statutes is amended to read:

14 49.163 (2) (am) 2. If over 24 25 years of age, be a biological or adoptive parent
15 of a child under 18 years of age whose parental rights to the child have not been
16 terminated or be a relative and primary caregiver of a child under 18 years of age.”.

17 **19.** Page 525, line 18: delete lines 18 to 22.

18 **20.** Page 526, line 5: delete “(m),”.

19 **21.** Page 526, line 6: delete “(u), (w), (y), (z) and (zh)” and substitute “(u), (v),
20 (y) and (z)”.

21 **22.** Page 526, line 8: substitute “\$31,110,000” for “\$41,156,900”.

22 **23.** Page 526, line 9: substitute “\$31,732,200” for “\$41,157,200”.

23 **24.** Page 526, line 12: substitute “\$50,000,000” for “\$51,528,300”.

- 1 **25.** Page 526, line 13: substitute “\$50,000,000” for “\$51,528,300”.
- 2 **26.** Page 526, line 23: substitute “\$16,671,200” for “\$16,461,200”.
- 3 **27.** Page 526, line 24: substitute “\$17,268,300” for “\$16,608,300”.
- 4 **28.** Page 527, line 6: substitute “\$8,500,000” for “\$8,000,000”.
- 5 **29.** Page 527, line 7: substitute “\$9,500,000” for “\$9,000,000”.
- 6 **30.** Page 527, line 8: delete lines 8 and 9.
- 7 **31.** Page 527, line 17: substitute “\$357,097,500” for “\$367,967,800”.
- 8 **32.** Page 527, line 18: substitute “\$365,700,400” for “\$376,852,600”.
- 9 **33.** Page 527, line 21: substitute “\$40,152,100” for “\$39,722,100”.
- 10 **34.** Page 527, line 22: substitute “\$41,555,200” for “\$40,215,200”.
- 11 **35.** Page 528, line 9: substitute “\$26,640,000” for “\$26,847,200”.
- 12 **36.** Page 528, line 10: substitute “\$28,159,200” for “\$28,448,100”.
- 13 **37.** Page 528, line 14: substitute “\$8,314,300” for “\$9,300,900”.
- 14 **38.** Page 528, line 15: substitute “\$9,314,300” for “\$10,191,900”.
- 15 **39.** Page 528, line 21: delete “\$6,302,100 in fiscal year 2019-20 and
16 \$7,464,600” and substitute “\$5,789,600 in fiscal year 2019-20 and \$6,789,600”.
- 17 **40.** Page 528, line 22: after that line insert:
18 “(v) *General education development.* For general education development
19 testing and preparation for individuals who are eligible for temporary assistance for
20 needy families under 42 USC 601 et seq., ~~\$115,000~~ \$175,000 in each fiscal year.”.
- 21 **41.** Page 528, line 23: delete the material beginning with that line and ending
22 with page 529, line 3.

1 **42.** Page 529, line 6: substitute “\$250,000” for “\$825,000”.

2 **43.** Page 530, line 1: delete lines 1 to 4.

3 **44.** Page 532, line 7: after that line insert:

4 “**SECTION 650m.** 49.36 (7) of the statutes is amended to read:

5 49.36 (7) The department shall pay a county, tribal governing body, or
6 Wisconsin works agency not more than ~~\$400~~ \$800 for each person who participates
7 in the program under this section in the region in which the county, tribal governing
8 body, or Wisconsin works agency administers the program under this section. The
9 county, tribal governing body, or Wisconsin works agency shall pay any additional
10 costs of the program.”.

11 **45.** Page 1101, line 7: after that line insert:

12 “(5f) CHILD CARE QUALITY RATING SYSTEM INCENTIVES. Notwithstanding the
13 discretion granted to the department of children and families under s. 49.155 (6) (e)
14 3. d., for a child care provider who receives a 4-star rating under the child care
15 quality rating system under s. 48.659, the department of children and families shall
16 increase the maximum payment rate for that provider under s. 49.155 (6) by 15
17 percent for the period between the effective date of this subsection and June 30, 2021.
18 Notwithstanding the discretion granted to the department of children and families
19 under s. 49.155 (6) (e) 3. e., for a child care provider who receives a 5-star rating
20 under the child care quality rating system under s. 48.659, the department of
21 children and families shall increase the maximum payment rate for that provider
22 under s. 49.155 (6) by 30 percent for the period between the effective date of this
23 subsection and June 30, 2021.”.



State of Wisconsin
2019 - 2020 LEGISLATURE

LRBb0335/P2
EAW&EHS:kjf&amn

LFB:.....Gentry - Motion #111; TANF omnibus

**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 56**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 395, line 23: delete lines 23 to 25.

3 **2.** Page 396, line 1: after that line insert:

4 **"SECTION 220m.** 20.437 (2) (jm) of the statutes is created to read:

5 20.437 (2) (jm) *Child care worker background check.* All moneys received from
6 fees under s. 48.686 to be used for the purposes of obtaining a fingerprint-based
7 criminal history search with respect to child care programs."

8 **3.** Page 481, line 10: after "facility" insert "or will be residing at such a facility
9 at the time of a child's placement with the parent in the facility".

10 **4.** Page 484, line 22: delete "a similar facility" and substitute "similar
11 facilities".

1 **5.** Page 484, line 25: delete “a similar facility” and substitute “similar
2 facilities”.

3 **6.** Page 485, line 14: delete the material beginning with that line and ending
4 with page 486, line 3.

5 **7.** Page 489, line 3: after that line insert:

6 “**SECTION 522m.** 48.561 (3) (a) of the statutes is amended to read:

7 48.561 (3) (a) A county having a population of 750,000 or more shall contribute
8 the greater of \$58,893,500 or the amount in the schedule for the appropriation under
9 s. 20.437 (1) (cx) in each state fiscal year for the provision of child welfare services
10 in that county by the department. That contribution shall be made as follows:

11 1. Through a reduction of \$37,209,200 from the amounts distributed to that
12 county under ss. 46.40 (2) and 48.563 (2) in each state fiscal year.

13 2. Through a reduction of \$1,583,000 from the amount distributed to that
14 county under s. 46.40 (2m) (a) in each state fiscal year.

15 3. Through a deduction of \$20,101,300 the remainder of the payment after the
16 county’s contribution under subds. 1. and 2. from any state payment due that county
17 under s. 79.035, 79.04, or 79.08 as provided in par. (b).”.

18 **8.** Page 489, line 6: substitute “\$80,125,200” for “\$78,708,100”.

19 **9.** Page 489, line 7: substitute “\$101,145,500” for “\$90,478,400”.

20 **10.** Page 490, line 5: delete the material beginning with that line and ending
21 with page 491, line 22, and substitute:

22 “**SECTION 526m.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

23 48.57 (3m) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
24 (me), and (s), the department shall reimburse counties having populations of less

1 than 750,000 for payments made under this subsection and shall make payments
2 under this subsection in a county having a population of 750,000 or more. Subject
3 to par. (ap), a county department and, in a county having a population of 750,000 or
4 more, the department shall make payments in the amount of ~~\$238~~ \$254 per month
5 beginning on January 1, 2018, and ~~\$244 per month beginning on January 1, 2019~~
6 2020, to a kinship care relative who is providing care and maintenance for a child if
7 all of the following conditions are met:

8 **SECTION 527m.** 48.57 (3n) (am) (intro.) of the statutes is amended to read:

9 48.57 (3n) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
10 (me), and (s), the department shall reimburse counties having populations of less
11 than 750,000 for payments made under this subsection and shall make payments
12 under this subsection in a county having a population of 750,000 or more. Subject
13 to par. (ap), a county department and, in a county having a population of 750,000 or
14 more, the department shall make monthly payments for each child in the amount of
15 ~~\$238~~ \$254 per month beginning on January 1, 2018, and ~~\$244 per month beginning~~
16 on January 1, 2019 2020, to a long-term kinship care relative who is providing care
17 and maintenance for that child if all of the following conditions are met:

18 **SECTION 528m.** 48.62 (4) of the statutes is amended to read:

19 48.62 (4) Monthly payments in foster care shall be provided according to the
20 rates specified in this subsection. Beginning on January 1, 2018 2020, the rates are
21 ~~\$238~~ \$254 for care and maintenance provided for a child of any age by a foster home
22 that is certified to provide level one care, as defined in the rules promulgated under
23 sub. (8) (a) and, for care and maintenance provided by a foster home that is certified
24 to provide care at a level of care that is higher than level one care, ~~\$394~~ \$420 for a
25 child under 5 years of age; ~~\$431~~ \$460 for a child 5 to 11 years of age; ~~\$490~~ \$522 for

1 a child 12 to 14 years of age; and ~~\$511~~ \$545 for a child 15 years of age or over.
2 ~~Beginning on January 1, 2019, the rates are \$244 for care and maintenance provided~~
3 ~~for a child of any age by a foster home that is certified to provide level one care, as~~
4 ~~defined in the rules promulgated under sub. (8) (a) and, for care and maintenance~~
5 ~~provided by a foster home that is certified to provide care at a level of care that is~~
6 ~~higher than level one care, \$404 for a child under 5 years of age; \$442 for a child 5~~
7 ~~to 11 years of age; \$502 for a child 12 to 14 years of age; and \$524 for a child 15 years~~
8 ~~of age or over. In addition to these grants for basic maintenance, the department,~~
9 ~~county department, or licensed child welfare agency shall make supplemental~~
10 ~~payments for foster care to a foster home that is receiving an age-related rate under~~
11 ~~this subsection that are commensurate with the level of care that the foster home is~~
12 ~~certified to provide and the needs of the child who is placed in the foster home~~
13 ~~according to the rules promulgated by the department under sub. (8) (c).”.~~

14 **11.** Page 492, line 10: after “48.38” insert “(4) (em) before the placement is
15 made”.

16 **12.** Page 493, line 9: delete lines 9 to 12 and substitute:

17 **“SECTION 532c.** 48.645 (2) (a) 2. of the statutes is amended to read:

18 48.645 (2) (a) 2. A county or, in a county having a population of 750,000 or more,
19 the department, on behalf of a child in the legal custody of a county department under
20 s. 46.215, 46.22, or 46.23 or the department under s. 48.48 (17) or on behalf of a child
21 who was removed from the home of a relative as a result of a judicial determination
22 that continuance in the home of a relative would be contrary to the child’s welfare
23 for any reason when the child is placed in a licensed residential care center for
24 children and youth or a qualifying residential family-based treatment center by the

1 county department or the department. Reimbursement shall be made by the state
2 as provided in subd. 1.

3 **SECTION 532d.** 48.645 (2) (a) 3. of the statutes is amended to read:

4 48.645 (2) (a) 3. A county or, in a county having a population of 750,000 or more,
5 the department, when the child is placed in a licensed foster home, group home, or
6 residential care center for children and youth, or a qualifying residential
7 family-based treatment facility, in a subsidized guardianship home, or in a
8 supervised independent living arrangement by a licensed child welfare agency or by
9 a governing body of an Indian tribe in this state or by its designee, if the child is in
10 the legal custody of the county department under s. 46.215, 46.22, or 46.23 or the
11 department under s. 48.48 (17) or if the child was removed from the home of a relative
12 as a result of a judicial determination that continuance in the home of the relative
13 would be contrary to the child's welfare for any reason and the placement is made
14 under an agreement with the county department or the department.

15 **SECTION 532e.** 48.645 (2) (a) 4. of the statutes is amended to read:

16 48.645 (2) (a) 4. A licensed foster home, group home, or residential care center
17 for children and youth, or a qualifying residential family-based treatment facility
18 or a subsidized guardianship home when the child is in the custody or guardianship
19 of the state, when the child is a ward of a tribal court in this state and the placement
20 is made under an agreement between the department and the governing body of the
21 Indian tribe of the tribal court, or when the child was part of the state's direct service
22 case load and was removed from the home of a relative as a result of a judicial
23 determination that continuance in the home of a relative would be contrary to the
24 child's welfare for any reason and the child is placed by the department.”

- 1 **13.** Page 496, line 7: after “5m.” insert “The department, county department,
2 or child welfare agency may release any information obtained under this paragraph
3 only as permitted under 32 USC 20962 (e).”.
- 4 **14.** Page 498, line 3: delete the material beginning with “may” and ending
5 with “(e)” on line 5 and substitute “may not use any information obtained under this
6 paragraph for any purpose other than a search of the person’s background under par.
7 (am) or (b)”.
- 8 **15.** Page 515, line 9: delete “under s. 48.685”.
- 9 **16.** Page 523, line 5: delete “75 percent of” and substitute “75 90 percent of”.
- 10 **17.** Page 523, line 9: delete the material beginning with “50” and ending with
11 “percent of” on line 10 and substitute “50 90 percent of”.
- 12 **18.** Page 525, line 16: after that line insert:
13 “**SECTION 640m.** 49.163 (2) (am) 2. of the statutes is amended to read:
14 49.163 (2) (am) 2. If over 24 25 years of age, be a biological or adoptive parent
15 of a child under 18 years of age whose parental rights to the child have not been
16 terminated or be a relative and primary caregiver of a child under 18 years of age.”.
- 17 **19.** Page 525, line 18: delete lines 18 to 22.
- 18 **20.** Page 526, line 5: delete “(m),”.
- 19 **21.** Page 526, line 6: delete “(u), (w), (y), (z) and (zh)” and substitute “(u), (v),
20 (y) and (z)”.
- 21 **22.** Page 526, line 8: substitute “\$31,110,000” for “\$41,156,900”.
- 22 **23.** Page 526, line 9: substitute “\$31,732,200” for “\$41,157,200”.
- 23 **24.** Page 526, line 12: substitute “\$50,000,000” for “\$51,528,300”.

- 1 **25.** Page 526, line 13: substitute “\$50,000,000” for “\$51,528,300”.
- 2 **26.** Page 526, line 23: substitute “\$16,671,200” for “\$16,461,200”.
- 3 **27.** Page 526, line 24: substitute “\$17,268,300” for “\$16,608,300”.
- 4 **28.** Page 527, line 6: substitute “\$8,500,000” for “\$8,000,000”.
- 5 **29.** Page 527, line 7: substitute “\$9,500,000” for “\$9,000,000”.
- 6 **30.** Page 527, line 8: delete lines 8 and 9.
- 7 **31.** Page 527, line 17: substitute “\$357,097,500” for “\$367,967,800”.
- 8 **32.** Page 527, line 18: substitute “\$365,700,400” for “\$376,852,600”.
- 9 **33.** Page 527, line 21: substitute “\$40,152,100” for “\$39,722,100”.
- 10 **34.** Page 527, line 22: substitute “\$41,555,200” for “\$40,215,200”.
- 11 **35.** Page 528, line 9: substitute “\$26,640,000” for “\$26,847,200”.
- 12 **36.** Page 528, line 10: substitute “\$28,159,200” for “\$28,448,100”.
- 13 **37.** Page 528, line 14: substitute “\$8,314,300” for “\$9,300,900”.
- 14 **38.** Page 528, line 15: substitute “\$9,314,300” for “\$10,191,900”.
- 15 **39.** Page 528, line 21: delete “\$6,302,100 in fiscal year 2019-20 and
16 \$7,464,600” and substitute “\$5,789,600 in fiscal year 2019-20 and \$6,789,600”.
- 17 **40.** Page 528, line 22: after that line insert:
18 “(v) *General education development.* For general education development
19 testing and preparation for individuals who are eligible for temporary assistance for
20 needy families under 42 USC 601 et seq., ~~\$115,000~~ \$175,000 in each fiscal year.”.
- 21 **41.** Page 528, line 23: delete the material beginning with that line and ending
22 with page 529, line 3.

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21 children and families shall increase the maximum payment rate for that provider
22 under s. 49.155 (6) by 30 percent for the period between the effective date of this
23 subsection and June 30, 2021.”.

