

1973 Senate Bill 129

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CHAPTER 330, Laws of 1973

AN ACT to amend 49.046 of the statutes, relating to standards for the administration of relief of needy Indian persons residing on tax-free lands or in Menominee county.

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

49.046 of the statutes is amended to read:

49.046 (title) Relief of needy indian persons. (1) From the appropriation made in s. 20.435 (4) (e) and (o) the department ~~may~~ shall grant relief to needy ~~Indians~~ Indian persons not eligible for aid under ss. 49.18, 49.19, 49.20 to 49.37, 49.46 or 49.47, or 49.61 and residing on tax-free lands or ~~may appoint the welfare agency in the county or municipality wherein such needy Indians reside to administer such relief in Menominee county and shall appoint the tribal councils administering federal assistance on such lands or the Menominee county department of social services to administer relief under this section.~~ If there is no tribal council administering federal assistance on such lands, or if the local tribal council so chooses, the department may appoint the welfare agency or an appropriate Indian organization in the county or municipality wherein such needy Indian persons reside to administer relief under this section. Any ~~such~~ agency so appointed shall make such reports as are required and such accounting for funds as are made available under this section. ~~The department shall adopt and publish suitable rules and regulations governing eligibility for the amount of and the furnishing and paying of relief under this section~~ Reimbursement for the costs of administering relief under this section shall be included in the grant authorized by this section. The department may enter into suitable agreements with any appropriate agency of the federal government for provision of relief to needy ~~Indians~~ Indian persons.

(2) The department shall adopt rules establishing eligibility requirements and the uniform administration of such eligibility requirements and the amounts of aid under this section. Grants to persons under this section shall equal 95% of need beginning on the first day of the month following the effective date of this amendment (1973). Need shall be based on standards established by the department and updated semiannually on January 1 and July 1 to reflect increases in the cost of living as reported in the consumer price index.

(3) Any person whose application for aid under this section is not acted upon with reasonable promptness after the filing of the application, or is denied in whole or in part, or whose award is modified or canceled, or who believes his award to be insufficient, shall enjoy the same rights of fair hearing and review of such actions as are set forth in s. 49.50 (8) for the benefit of applicants and recipients of other forms of public assistance. The procedures to be followed shall be as described in s. 49.50 (8), except that, where that section provides rights and duties of counties and county officers charged with administering public assistance, tribal councils and tribal council officers charged with administering relief of needy Indian persons shall have such rights and duties where tribal councils have been appointed to administer relief under this section.