

1993 Senate Bill 418

Date of enactment: December 13, 1993
Date of publication: December 27, 1993

1993 Wisconsin Act 99

(Vetoed in Part)

AN ACT ~~to repeal the unnumbered subch. title preceding 49.001, the unnumbered subch. title preceding 49.19, the unnumbered subch. title preceding 49.43 and the unnumbered subch. title preceding 49.50; to renumber 49.43 (9m); to amend 16.352 (5) (b), 20.435 (3) (ho), 20.435 (4) (ci), 20.435 (4) (cn), 20.435 (4) (dc), 20.435 (4) (de), 20.435 (4) (df), 20.435 (4) (e), 20.435 (4) (eb), 20.435 (4) (L), 20.435 (4) (Lm), 20.435 (4) (pm), 20.435 (4) (ps), 20.435 (7) (b), 20.435 (7) (dd), 20.435 (7) (pd), 46.03 (23), 46.03 (35), 46.032, 46.033 (1) (a), 46.206 (1) (a), 46.215 (1) (fm), 46.215 (1) (g), 46.215 (1) (k), 46.215 (1) (L), 46.22 (1) (b) 14, 46.22 (1) (b) 1, 46.22 (1) (b) 4, 46.22 (1) (b) 5, 46.22 (1) (b) 7, c., 46.31 (1) (a), 46.995 (2) (c), 49.037 (4), 49.124, 49.127 (8) (d), 49.15 (2), 49.17 (2), 49.25 (1), 49.46 (1) (a) 12, 49.46 (1) (a) 1, 49.46 (1) (a) 1m, 49.46 (1) (a) 6, 49.46 (1) (c) (intro.), 49.46 (1) (cg), 49.46 (1) (co) 1, 49.46 (1) (cr) (intro.), 49.46 (1) (e), 49.50 (2), 49.50 (3), 49.50 (6g), 49.50 (11), 49.51 (2), 49.52 (1) (am), 49.52 (1) (d), 49.53 (2) (a), 49.90 (6), 101.30, 101.35 (10) (b) 3, 101.38 (1) (g), 115.40 (4) (b), 118.17, 360.14 (3) (c) 6, 767.078 (1) (d) 3 and 799.40 (4); and to create 39.45 (8), 46.32 (4), 49.002 (3), 49.015 (2) (c), 49.015 (5), 49.02 (13), 49.032 (5), 49.035 (8), 49.037 (12), 49.046 (2) (e) and (f), 49.046 (6), 49.047 (8), 49.048 (10), 49.049 (4), 49.05 (11), 49.053 (13), 49.055 (3), 49.057 (6), 49.06 (4), 49.123 (1m), 49.123 (2m), 49.126, 49.13 (4m), 49.133 (6), 49.19 (20), 49.193 (10m), 49.193 (12), 49.197 (5), 49.20 (5), 49.27, 49.46 (1)~~ **Vetoed in Part**

Vetoed in Part (cs) ~~49.46 (1) (ct), 49.50 (6e) (c), 49.50 (6d) (c), 49.50 (7) (k), 49.50 (8) (c), 49.50 (9) (c), 49.52 (1) (ad) 3, 49.70 (7), 49.82 (6), 230.04 (13) (f) and 230.147 (5)~~ of the statutes, relating to sunsetting the aid to families with dependent children program, the food stamps program, the general relief program and the relief to needy Indian persons program; creating a pilot public assistance program; modifying eligibility for general relief, food stamp and medical assistance benefits; creating a pilot job opportunities and basic skills program; granting rule-making authority; requiring the department of health and social services to submit proposed legislation; providing an exemption from emergency rule procedures; and making appropriations.

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

Vetoed in Part SECTION 1. ~~16.352 (5) (b) of the statutes is amended to read:~~

~~16.352 (5) (b) No county or municipality may use any money received under this section to reduce the any shelter benefits it is obligated to provide under s. 49.02 to recipients of general relief.~~

~~SECTION 2. 20.435 (3) (ho) of the statutes is amended to read:~~

~~20.435 (3) (ho) Juvenile residential aftercare. Under s. 46.26 (4) (e), the amounts in the schedule for providing foster care, group home care and institutional child care to delinquent children under ss. 48.48 (4) and (14), 48.52 and 49.19 (10) (d). All moneys received in payment for providing foster care, group home care and institutional child care to delinquent children under ss. 48.48 (4) and (14), 48.52 and 49.19 (10) (d) shall be credited to this appropriation. If moneys generated by the monthly rate exceed actual fiscal year foster care, group home care and institutional child care costs by 2% or more, all moneys in excess of 2% shall be remitted to the counties during the subsequent calendar year. Each county shall receive a proportionate share of the remittance depending on the total number of days of placement in foster care, group home care or institutional child care. No moneys may be encumbered under this paragraph after December 31, 1998, for payments under s. 49.19 (10) (d).~~

SECTION 3. 20.435 (4) (ci) of the statutes, as created by 1993 Wisconsin Act 16, is amended to read:

20.435 (4) (ci) *County child support assistance.* The amounts in the schedule for assistance to pilot counties in establishing paternity and obtaining child support under s. ss. 49.25 (8) and 49.27 (10) (e) and for assistance to counties under s. 46.25 (14). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds allocated by the department but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance. No funds may be encumbered under this paragraph after July 1, 1998.

SECTION 4. 20.435 (4) (cn) of the statutes, as affected by 1993 Wisconsin Act 16, is amended to read:

20.435 (4) (cn) *Child care for recipients and former recipients of aid to families with dependent children.* The amounts in the schedule for paying child care

costs of individuals who secure unsubsidized employment and lose eligibility for aid to families with dependent children as provided under s. 49.50 (6g) (a), for child care and related transportation costs under s. 49.50 (7) (e), for child care costs under s. 49.50 (6e) (b) and, with the approval of the department under s. 49.50 (6k) (b), for child care costs under s. 49.193 (8) or 49.50 (6e) (a). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds allocated by the department but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance. No funds may be encumbered under this paragraph after December 31, 1998.

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SECTION 5. 20.435 (4) (dc) of the statutes is amended to read:

20.435 (4) (dc) *Emergency assistance program.* The amounts in the schedule for emergency assistance for families with needy children under s. 49.19 (11) (b). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds allocated but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance. No funds may be encumbered under this paragraph after December 31, 1998.

SECTION 6. 20.435 (4) (de) of the statutes, as affected by 1993 Wisconsin Act 16, is amended to read:

20.435 (4) (de) *Income maintenance county administration.* The amounts in the schedule for payment distribution under s. 49.52 (1) for county administration of public assistance benefits and medical assistance eligibility determination and payments to American Indian tribes for administration of public assistance programs. Payments may be made from this appropriation to agencies under contract with the department for administration of relief to needy Indian persons under ss. 49.046 and 49.047. Payments may be made from this appropriation for the purpose authorized in s. 49.049. No funds may be encumbered under this paragraph for benefits provided, or programs operated, under ss. 49.046 to 49.049 after December 31, 1998. Payments may be made from this appropriation to counties for fraud investigation and error reduction under s. 49.197 (1m) and (4) and before January 1, 1994, for the cost of the case management pilot project under s. 49.56 (7w) (e). Not

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~~withstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. The department may transfer funds returned to this appropriation between calendar years.~~

SECTION 7. 20.435 (4) (df) of the statutes, as affected by 1993 Wisconsin Act 16, is amended to read:

20.435 (4) (df) *Employment and training programs.* The amounts in the schedule for the school attendance requirement under s. 49.50 (7) (g), the job opportunities and basic skills program under s. 49.193, the work experience and job training program under s. 46.253, the food stamp employment and training project under s. 49.124, the parental responsibility pilot program under s. 49.25, paying child care costs under s. 49.50 (6e) (a) and, with the approval of the department under s. 49.193 (8) (bm), for child care costs under s. 49.50 (6e) (b), (6g) (a) or (7) (e). Moneys appropriated under this paragraph may be used to match federal funds received under par. (ps). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds allocated by the department but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance. ~~No funds may be encumbered under this paragraph after December 31, 1998.~~

Vetoed
in Part

SECTION 8. 20.435 (4) (e) of the statutes is amended to read:

20.435 (4) (e) *Relief of needy Indian persons.* A sum sufficient for state aid under s. 49.046. ~~No funds may be encumbered under this paragraph for state aid for benefits provided under s. 49.046 after December 31, 1998.~~

SECTION 9. 20.435 (4) (ob) of the statutes, as affected by 1993 Wisconsin Act 16, is amended to read:

20.435 (4) (ob) *General relief aid.* The amounts in the schedule for state aid to counties for eligible general relief costs as determined under s. 49.035 (4e) (a) and (b). ~~No funds may be encumbered under this paragraph for state aid to counties for eligible general relief costs under s. 49.035 (4e) (a) and (b) that are incurred after December 31, 1998.~~

SECTION 10. 20.435 (4) (L) of the statutes is amended to read:

20.435 (4) (L) *Welfare fraud and error reduction; state operations.* From the moneys received as the state's share of the recovery of overpayments and incorrect payments under ss. 49.125 (2), 49.195 and 49.497 (1), the amounts in the schedule for the department's activities to reduce error and fraud in the food stamp, aid to families with dependent children and medical assistance programs. ~~No moneys may be encumbered under this paragraph after December 31,~~

~~1998, for reducing error and fraud in the food stamp and aid to families with dependent children programs.~~

Vetoed
in Part

SECTION 11. 20.435 (4) (Lm) of the statutes is amended to read:

20.435 (4) (Lm) *Welfare fraud and error reduction; local assistance.* From the moneys received as the state's share of the recovery of overpayments and incorrect payments under ss. 49.125 (2), 49.195 and 49.497 (1), all moneys not appropriated under par. (L) for county and tribal activities to reduce error and fraud in the food stamp, aid to families with dependent children and medical assistance program. ~~No moneys may be encumbered under this paragraph after December 31, 1998, for reducing error and fraud in the food stamp and aid to families with dependent children programs.~~

SECTION 12. 20.435 (4) (pm) of the statutes, as affected by 1993 Wisconsin Act 16, is amended to read:

20.435 (4) (pm) *Employment programs; administration.* All federal moneys received for the administrative costs associated with the school attendance requirement under s. 49.50 (7) (g), the job opportunities and basic skills program under s. 49.193 and the food stamp employment and training program under s. 49.124, to carry out that purpose. ~~No moneys may be encumbered under this paragraph after December 31, 1998.~~

SECTION 13. 20.435 (4) (ps) of the statutes, as affected by 1993 Wisconsin Act 16, is amended to read:

20.435 (4) (ps) *Employment programs; aids.* All federal moneys received for the provision or purchase of services for the school attendance requirement under s. 49.50 (7) (g), the job opportunities and basic skills program under s. 49.193, the parental responsibility pilot program under s. 49.25 and the food stamp employment and training program under s. 49.124, to carry out those purposes. ~~No moneys may be encumbered under this paragraph after December 31, 1998.~~

SECTION 14. 20.435 (7) (b) of the statutes, as affected by 1993 Wisconsin Act 16, section 434, is amended to read:

20.435 (7) (b) *Community aids.* The amounts in the schedule for human services under s. 46.40, for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services under s. 48.06 (4), for shelter care under ss. 48.22 and 48.58 and, before January 1, 1999, for foster care under s. 49.19 (10). Social services disbursements under s. 46.03 (20) (b) may be made from this appropriation. Refunds received relating to payments made under s. 46.03 (20) (b) for the provision of services for which moneys are appropriated under this paragraph shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and social services may transfer funds between fiscal years under this paragraph. The

Vetoed in Part department shall deposit into this appropriation funds it recovers under ss. 49.52 (2) (b) and 51.423 (15) from prior year audit adjustments including those resulting from audits of services under s. 46.26 or 46.27. Except for amounts authorized to be carried forward under s. 46.45, all funds recovered under ss. 49.52 (2) (b) and 51.423 (15) and all funds allocated under s. 46.40 and not spent or encumbered by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless carried forward to the next calendar year by the joint committee on finance.

SECTION 15. 20.435 (7) (dd) of the statutes is amended to read:

20.435 (7) (dd) *State foster care and adoption services.* The amounts in the schedule for foster care, institutional child care and subsidized adoptions under ss. 48.48 (4), (12) and (14) and 48.52, for the cost of care for children under s. 49.19 (10) (d) and for the cost of the foster care monitoring system and, before January 1, 1999, for the care for children under s. 49.19 (10) (d).

SECTION 16. 20.435 (7) (pd) of the statutes is amended to read:

20.435 (7) (pd) *Federal aid, state foster care and adoption services.* All federal moneys received for meeting the costs of providing foster care and institutional child care under ss. 48.48 (4) and (14) and 48.52, and, before January 1, 1999, for the cost of care for children under s. 49.19 (10) (d), to carry out those purposes. Disbursements for foster care under s. 46.08 (20) and for the purposes described under s. 48.627 may be made from this appropriation.

SECTION 17. 39.45 (8) of the statutes is created to read:

39.45 (8) No grants may be awarded under this section after December 31, 1998.

SECTION 18. 46.03 (23) of the statutes is amended to read:

46.03 (23) **UNIFORM MANUAL.** Adopt policies and procedures and a uniform county policy and procedure manual to minimize unnecessary variations between counties in the administration of the aid to families with dependent children program. The department shall also require each county to use the manual in the administration of the program. This subsection does not apply after December 31, 1998.

SECTION 19. 46.03 (35) of the statutes is amended to read:

46.03 (35) **EMPLOYMENT OF AID RECIPIENTS.** Assist state agencies in efforts under s. 230.147 to employ recipients of aid under s. 49.19. This subsection does not apply after December 31, 1998.

SECTION 20. 46.032 of the statutes, as affected by 1993 Wisconsin Act 16, is amended to read:

46.032 Income maintenance administration. County When so appointed by the department, county departments under ss. 46.215, 46.22 and 46.23 shall annually enter into a contract with the department detailing the

reasonable cost of administering the income maintenance programs under ss. 49.046, 49.40, 49.45 to 49.47 and, before January 1, 1999, the income maintenance programs under ss. 49.046, 49.19 and 49.50 (7) and the food stamp program under 7 USC 2011 to 2029 when so appointed by the department. Contracts created under this section control the distribution of payments under s. 20.435 (4) (de) and (nL) in accordance with the reimbursement method established under s. 49.52 (1) (ad). The department may reduce its payment to any county under s. 20.435 (4) (de) and (nL) if federal reimbursement is withheld due to audits, quality control samples or program reviews.

SECTION 21. 46.033 (1) (a) of the statutes is amended to read:

46.033 (1) (a) "Income maintenance program" means relief of needy Indian persons under s. 49.046, aid to families with dependent children under s. 49.19, medical assistance under ss. 49.45 to 49.47 or, before January 1, 1999, aid to families with dependent children under s. 49.19, relief of needy Indian persons under s. 49.046 or the food stamp program under 7 USC 2011 to 2029.

SECTION 22. 46.206 (1) (a) of the statutes is amended to read:

46.206 (1) (a) The department shall supervise the administration of social services and aid to families with dependent children, including related employment and training programs. The department shall submit to the federal authorities state plans for the administration of social services and aid under s. 49.19 in such form and containing such information as the federal authorities require, and shall comply with all requirements prescribed to ensure their effectiveness. This paragraph does not apply with respect to the administration of aid to families with dependent children under s. 49.19 after December 31, 1998.

SECTION 23. 46.215 (1) (fm) of the statutes is amended to read:

46.215 (1) (fm) Fe Before January 1, 1999, to administer general relief under s. 49.02.

SECTION 24. 46.215 (1) (g) of the statutes is amended to read:

46.215 (1) (g) Fe Before January 1, 1999, to administer aid to families with dependent children under s. 49.19.

SECTION 25. 46.215 (1) (k) of the statutes is amended to read:

46.215 (1) (k) Fe Before January 1, 1999, to certify eligibility for and issue food coupons to needy households in conformity with the federal food stamp act of 1964 as amended, and, in addition, 7 USC 2011 to 2029.

(km) At the discretion of the county department of social services may, to certify eligibility for and distribute surplus commodities and food stuffs.

SECTION 26. 46.215 (1) (L) of the statutes is amended to read:

Vetoed in Part

Vetoed
in Part

~~46.215 (1) (D). Within the limits of available state and federal funds and of county funds appropriated to match state funds, to provide social services for persons eligible for or receiving benefits under the supplementary security income program under federal Title XVI, the supplemental payments program under s. 49.177 or, before January 1, 1999, aid to families with dependent children under s. 49.19.~~

~~SECTION 27. 46.22 (1) (b) 1 of the statutes is amended to read:~~

~~46.22 (1) (b) 1. To Before January 1, 1999, to administer aid to families with dependent children under s. 49.19.~~

~~SECTION 28. 46.22 (1) (b) 4 of the statutes is amended to read:~~

~~46.22 (1) (b) 4. To Before January 1, 1999, to administer relief to needy Indians under s. 49.046 when appointed by the department of health and social services under s. 49.046.~~

~~SECTION 29. 46.22 (1) (b) 5 of the statutes is amended to read:~~

~~46.22 (1) (b) 5. To Before January 1, 1999, to certify eligibility for and issue food coupons to needy households in conformity with the federal food stamp act of 1964 as amended.~~

~~SECTION 30. 46.22 (1) (b) 7. c of the statutes is amended to read:~~

~~46.22 (1) (b) 7. c. Persons Before January 1, 1999, persons eligible for or receiving aid to families with dependent children under s. 49.19.~~

~~SECTION 31. 46.22 (1) (b) 14 of the statutes is amended to read:~~

~~46.22 (1) (b) 14. To Before January 1, 1999, to administer general relief under s. 49.02.~~

~~SECTION 32. 46.31 (1) (a) of the statutes is amended to read:~~

~~46.31 (1) (a) A person who lives in either of the 2 areas is eligible to enter the project if he or she is at least 18 years of age and has a family income below 200% of the poverty line, as defined in s. 49.43 (9m) 49.01 (6m), for a family the size of the person's family.~~

Vetoed
in Part

~~SECTION 33. 46.32 (4) of the statutes is created to read:~~

~~46.32 (4) Federal welfare reform savings may not be paid out under this section after December 31, 1998.~~

~~SECTION 34. 46.995 (2) (c) of the statutes is amended to read:~~

~~46.995 (2) (c) Highest Before January 1, 1999, highest rate, by county population, of participation in the aid to families with dependent children program under s. 49.19.~~

~~SECTION 35. The unnumbered subchapter title preceding 49.001 of the statutes is repealed.~~

~~SECTION 36. 49.002 (3) of the statutes is created to read:~~

~~49.002 (3) This section does not apply after December 31, 1998.~~

SECTION 37. 49.015 (2) (c) of the statutes is created to read:

49.015 (2) (c) If the person is or was a member of a work-not-welfare group, as defined in s. 49.27 (1) (c), other than a nonlegally responsible relative caretaker of a dependent child, as defined in s. 49.19 (1) (a), or an adult who was a dependent child at the time that he or she was a member of the work-not-welfare group, the person is not eligible for general relief cash benefits under s. 49.032 or general relief medical or dental care, if the work-not-welfare group received benefits determined under s. 49.27 (4) or (11) (a) to (f) for any of the preceding 36 months.

Vetoed
in Part

~~SECTION 38. 49.015 (5) of the statutes is created to read:~~

~~49.015 (5) No person is eligible for general relief under this chapter after December 31, 1998.~~

Vetoed
in Part

~~SECTION 39. 49.02 (13) of the statutes is created to read:~~

~~49.02 (13) A general relief agency may not provide any benefits under this section after December 31, 1998.~~

~~SECTION 40. 49.032 (5) of the statutes is created to read:~~

~~49.032 (5) A general relief agency may not provide any benefits under this section after December 31, 1998.~~

~~SECTION 41. 49.035 (8) of the statutes is created to read:~~

~~49.035 (8) The department may not reimburse a general relief agency under this section for general relief benefits that are provided by the general relief agency after December 31, 1998.~~

~~SECTION 42. 49.037 (4) of the statutes is amended to read:~~

~~49.037 (4) The general relief agency shall inform each applicant for general relief of other public assistance programs administered by county, state or federal agencies, including temporary and interim assistance, low-income energy assistance authorized under 42 USC 8621 to 8629, aid to families with dependent children, emergency assistance for families with children, medical assistance, food stamps and supplemental security income and, before January 1, 1999, aid to families with dependent children, emergency assistance for families with dependent children and food stamps, and shall refer individuals to any local agency administering these programs. Application to or potential eligibility for aid under any of these programs, unemployment compensation or Hill-Burton benefits authorized under 42 USC 291c (e) may not constitute a basis for denial of eligibility for general relief. Any benefits expected by but not immediately available to a general relief applicant from any of these programs may not be considered presently available money, income, property or credit, or other means by which it can be presently obtained.~~

~~SECTION 43. 49.037 (12) of the statutes is created to read:~~

Vetoed
in Part

~~49.037 (12) This section applies only with respect to general relief benefits that are paid or payable before January 1, 1999.~~

~~SECTION 44. 49.046 (2) (e) and (f) of the statutes are created to read:~~

~~49.046 (2) (e) The person is not a member of a work-not-welfare group, as defined in s. 49.27 (1) (c), that received benefits determined under s. 49.27 (4) or (11) (a) to (f) during that month.~~

~~(f) If the person is or was a member of a work-not-welfare group, as defined in s. 49.27 (1) (c), other than a nonlegally responsible relative caretaker of a dependent child, as defined in s. 49.19 (1) (a), or an adult who was a dependent child at the time that he or she was a member of the work-not-welfare group, the work-not-welfare group has not received benefits determined under s. 49.27 (4) or (11) (a) to (f) for any of the preceding 36 months.~~

Vetoed
in Part

~~SECTION 45. 49.046 (6) of the statutes is created to read:~~

~~49.046 (6) No benefits may be provided under this section after December 31, 1998.~~

~~SECTION 46. 49.047 (8) of the statutes is created to read:~~

~~49.047 (8) No agency may operate a work experience program under this section after December 31, 1998.~~

~~SECTION 47. 49.048 (10) of the statutes is created to read:~~

~~49.048 (10) No agency may operate a grant diversion program under this section after December 31, 1998.~~

~~SECTION 48. 49.049 (4) of the statutes is created to read:~~

~~49.049 (4) This section does not apply after December 31, 1998.~~

~~SECTION 49. 49.05 (11) of the statutes is created to read:~~

~~49.05 (11) A general relief agency may not operate a work relief program under this section after December 31, 1998 and the department may not reimburse a general relief agency for work relief payments under sub. (2) or educational payments under sub. (9) that are made after December 31, 1998.~~

~~SECTION 50. 49.053 (13) of the statutes is created to read:~~

~~49.053 (13) The department may not reimburse a county for the value of wage subsidization that is provided to employers under sub. (4) after December 31, 1998.~~

~~SECTION 51. 49.055 (3) of the statutes is created to read:~~

~~49.055 (3) This section does not apply after December 31, 1998.~~

~~SECTION 52. 49.057 (6) of the statutes is created to read:~~

~~49.057 (6) A general relief agency may not operate an enhanced general relief work program after December 31, 1998.~~

~~SECTION 53. 49.06 (4) of the statutes is created to read:~~

~~49.06 (4) This section does not apply after December 31, 1998.~~

~~SECTION 54. 49.123 (1m) of the statutes is created to read:~~

~~49.123 (1m) Subsection (1) does not apply after December 31, 1998.~~

~~SECTION 55. 49.123 (2m) of the statutes is created to read:~~

~~49.123 (2m) Subsection (2) does not apply after December 31, 1998.~~

~~SECTION 56. 49.124 of the statutes is amended to read:~~

~~49.124 Food stamp employment and training program. The department shall administer an employment and training program for recipients of food stamp benefits under 7 USC 2011 to 2029. This section does not apply after December 31, 1998.~~

~~SECTION 57. 49.126 of the statutes is created to read:~~

~~49.126 Food stamp program sunset. The department shall inform the secretary of the federal department of agriculture that, after December 31, 1998, the state does not request, under 7 USC 2013 (a), that eligible households in this state be issued food coupons under 7 USC 2011 to 2029.~~

~~SECTION 58. 49.127 (8) (d) of the statutes is amended to read:~~

~~49.127 (8) (d) In addition to the penalties applicable under par. (a) or (b), the court may suspend a person who violates this section from participation in the food stamp program up to 18 months. The person may apply to the county department under s. 46.215, 46.22 or 46.23 or the federally recognized American Indian tribal governing body or, if the person is a supplier, to the federal department of agriculture for reinstatement following the period of suspension. This paragraph does not apply after December 31, 1998.~~

~~SECTION 59. 49.13 (4m) of the statutes is created to read:~~

~~49.13 (4m) Subsections (3) and (4) do not apply after December 31, 1998.~~

~~SECTION 60. 49.133 (6) of the statutes is created to read:~~

~~49.133 (6) Notwithstanding subs. (1) to (5), the department need not conduct any periodic records matches relating to the aid to families with dependent children program under s. 49.19 or the food stamp program under 7 USC 2011 to 2029 after December 31, 1998.~~

~~SECTION 61. 49.15 (2) of the statutes is amended to read:~~

~~49.15 (2) The actual cost for care and maintenance rendered a general relief recipient who has residence in~~

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~~another county shall be a proper general relief charge and a liability against the county of residence. This subsection does not apply after December 31, 1998.~~

~~SECTION 62. 49.17 (2) of the statutes is amended to read:~~

~~49.17 (2) The actual cost for hospitalization and treatment rendered a general relief recipient who has residence in another county shall be a proper general relief charge and a liability against the county of residence. This subsection does not apply after December 31, 1998.~~

~~SECTION 63. The unnumbered subchapter title preceding 49.19 of the statutes is repealed.~~

~~SECTION 64. 49.19 (20) of the statutes is created to read:~~

~~49.19 (20) After December 31, 1998, no person is eligible to receive benefits under this section and no aid may be granted under this section. No additional notice, other than the enactment of this subsection, is required to be given under sub. (13) to recipients of aid under this section to terminate their benefits under this subsection.~~

~~SECTION 65. 49.193 (10m) of the statutes is created to read:~~

Vetoed
in Part

~~49.193 (10m) WORK-FIRST PROGRAM. The department shall select Kenosha county and 8 additional counties, 4 of which shall be urban counties, as defined in s. 45.352 (1) (c), and 4 of which shall be rural counties, as defined in s. 45.352 (1) (b), in which to pilot the work-first program under this subsection. The work-first program shall be conducted as part of the job opportunities and basic skills program under this section and shall be funded from s. 20.435 (4) (df). The work-first program shall seek to increase the amount of job opportunities and basic skills program services provided to recipients of aid to families with dependent children and to minimize the time between the date on which a person in a pilot county first applies for aid to families with dependent children under s. 49.19 and the date on which the person begins to participate in the job opportunities and basic skills program under this section.~~

Vetoed
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~~SECTION 66. 49.193 (12) of the statutes is created to read:~~

~~49.193 (12) APPLICABILITY. This section does not apply after December 31, 1998.~~

~~SECTION 67. 49.197 (5) of the statutes is created to read:~~

~~49.197 (5) APPLICABILITY. Subsections (3) and (4) do not apply with respect to the aid to families with dependent children program under s. 49.19 and the food stamp program under 7 USC 2011 to 2029 after December 31, 1998.~~

~~SECTION 68. 49.20 (5) of the statutes is created to read:~~

~~49.20 (5) APPLICABILITY. This section does not apply after December 31, 1998.~~

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~~SECTION 69. 49.25 (1) of the statutes, as affected by 1993 Wisconsin Act 16, is amended to read:~~

~~49.25 (1) WAIVER, APPLICABILITY. The department shall request a waiver from the secretary of the federal department of health and human services to allow the department to conduct a parental responsibility pilot program as part of the program under s. 49.19. If the department receives the federal waiver and if sufficient funds are available, the department may conduct the program in a county with a population of 500,000 or more and up to 3 other counties. The county department under s. 46.215, 46.22 or 46.23 in each pilot county shall administer the program under a contract with the department. Subsections (3) to (8) apply only while the waiver is in effect and the department is conducting the program and do not apply after December 31, 1998.~~

~~SECTION 70. 49.27 of the statutes is created to read:~~

~~49.27 Work-not-welfare pilot program. (1) DEFINITIONS. In this section:~~

~~(a) "Benefit period" means, with respect to a work-not-welfare group, a period commencing on the work-not-welfare group's enrollment date and ending 48 months later, except as the benefit period may be extended under sub. (4) (g).~~

~~(b) "Enrollment date" means the first day of the first month for which a work-not-welfare group receives a benefit payment determined under sub. (4), unless the work-not-welfare group has not received a benefit payment determined under sub. (4) within the previous 36 months, in which case the enrollment date means the first day of the first month, after that 36-month period, for which the work-not-welfare group receives a benefit payment determined under sub. (4).~~

~~(c) "Work-not-welfare group" means all persons in an aid to families with dependent children case, if the head of household of the case is subject, under sub. (3), to the work-not-welfare pilot program under this section. "Work-not-welfare group" includes a caretaker of dependent children, regardless of whether the needs of the caretaker are not considered in determining the amount of the benefit determined under sub. (4) or (11) (a) to (f), and all dependent children in the household, including dependent children born more than 10 months after the work-not-welfare group's enrollment date.~~

~~(2) WAIVER; APPLICABILITY. The department shall request a waiver from the secretaries of the federal department of health and human services and the federal department of agriculture to conduct a work-not-welfare pilot program as part of the aid to families with dependent children program under s. 49.19, the food stamp program under 7 USC 2011 to 2029 and the medical assistance program under ss. 49.45 to 49.47. If the department receives the federal waivers and if sufficient funds are available, the department shall pilot the program, beginning on January 1, 1995, in Milwaukee county and may pilot the program in~~

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one or more pilot counties selected by the department. If a pilot county is a county in which a demonstration project under s. 49.19 (11m) is being conducted or a county selected for participation in the parental responsibility pilot program under s. 49.25, the department shall promulgate rules regarding the relationship between the work-not-welfare pilot program and the other demonstration or pilot programs operating in the pilot counties. These rules shall provide that a person may not be required to participate in more than one of these demonstration or pilot programs at a time. Subsections (3) to (11) apply only while the waiver is in effect and the department is conducting the program. ~~Subsections (3) to (11) do not apply to any person after December 31, 1998.~~

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(3) PARTICIPATION. A person is subject to the work-not-welfare pilot program under this section if at least one of the following conditions is met:

(a) The person resides in a pilot county; is receiving, or is the caretaker of a child who is receiving, aid to families with dependent children benefits, other than benefits under s. 49.19 (10) or (11) (b), on January 1, 1995; and has had a regularly scheduled reinvestigation under s. 49.19 (5) (e) after January 1, 1995.

(b) The person resides in a pilot county and applies for aid to families with dependent children benefits, other than benefits under s. 49.19 (10) or (11) (b), for himself or herself or for a dependent child, on or after January 1, 1995.

(c) The person moves to a pilot county on or after January 1, 1995, and, at the time of the move, the person is receiving, or is the caretaker of a child who is receiving, aid to families with dependent children benefits, other than benefits under s. 49.19 (10) or (11) (b).

(d) The person resides in this state in a county other than a pilot county and, within the preceding 36 months, the person had resided in a pilot county, was subject to the work-not-welfare program under par. (a), (b) or (c) and received benefits determined under sub. (4).

(4) CASH BENEFITS. (a) *Relation with other public assistance benefits.* Except as determined under this subsection or sub. (7) or (11) (a) to (f), a member of a work-not-welfare group may not receive an aid to families with dependent children benefit, other than aid to families with dependent children benefits under s. 49.19 (10) or (11) (b). Except as determined under this subsection or sub. (11) (a) to (f), a member of a work-not-welfare group may not receive food stamp benefits under 7 USC 2011 to 2029 for a month unless the work-not-welfare group has received the maximum number of benefit payments permitted under pars. (e) and (g).

(b) *Eligibility requirements.* A county department under s. 46.215, 46.22 or 46.23 in a pilot county shall determine the eligibility of a work-not-welfare group for benefits determined under this subsection in the same manner as it determines eligibility for aid to fam-

ilies with dependent children benefits under s. 49.19, except as follows:

1. Once eligibility for a work-not-welfare group is established, the work-not-welfare group does not lose continued eligibility solely because one or more wage earners in the work-not-welfare group work more than 100 hours in a month.

2. Once eligibility for a work-not-welfare group is established, the work-not-welfare group remains eligible until the next eligibility review, unless the benefit determined under this subsection could be adjusted under par. (d) prior to the next regularly scheduled reinvestigation under s. 49.19 (5) (e).

3. Instead of the child support disregard under s. 49.19 (5) (a) 1m, the department shall disregard \$50 of the unearned income received under par. (h) by a work-not-welfare group in a month.

(c) *Calculation of benefit amount.* Notwithstanding s. 49.19, subject to the limitations in pars. (d) to (g) and except as provided in subs. (5) (f) and (9), a county department under s. 46.215, 46.22 or 46.23 in a pilot county shall pay to a work-not-welfare group that is eligible under par. (b) a combined monthly aid to families with dependent children benefit under s. 49.19 and monthly food stamp benefit under 7 USC 2011 to 2029. The combined monthly benefit amount is equal to the sum of the following:

1. An amount equal to the aid to families with dependent children benefit that would be payable under s. 49.19 if the waiver under sub. (2) were not in effect, except as follows:

a. Child support payments shall be treated as provided in par. (h).

b. The amount of the portion of the benefit amount determined under this subdivision is not increased to reflect the birth of a child into the work-not-welfare group, if the birth occurs more than 10 months after the work-not-welfare group's enrollment date.

c. The amount of child support to be disregarded in determining the portion of the benefit amount determined under this subdivision is determined by applying par. (b) 3 instead of s. 49.19 (5) (a) 1m.

d. Instead of the earned income disregards under s. 49.19 (5) (a) 2, 4 and 4m and (am), \$120 and an amount equal to one-sixth of the remaining monthly income earned from the unsubsidized employment of a person who is a member of a work-not-welfare group is disregarded from the monthly earned income of that person. Notwithstanding s. 49.19 (5) (a) 4 or 4m or (am), the disregard in this subd. 1. d. shall apply to a person as long as the person is a member of a work-not-welfare group.

e. The portion of the benefit amount calculated under this subdivision is based on the average income of the work-not-welfare group, estimated prospectively for a 6-month period, except that for the first 2 months for which benefits calculated under this paragraph are paid the portion of the benefit amount cal-

culated under this subdivision is based on the estimated average income for those first 2 months.

f. The income received as a result of the application of subd. 2 is not considered income in determining the portion of the benefit amount calculated under this subdivision.

2. An amount equal to the cash value of the food coupons that the work-not-welfare group would receive under 7 USC 2011 to 2029 if the waiver under sub. (2) were not in effect, except as follows:

a. Child support payments shall be treated as provided in par. (h).

b. The portion of the benefit amount calculated under this subdivision is based on the average income of the work-not-welfare group, estimated prospectively for a 6-month period, except that for the first 2 months for which benefits calculated under this paragraph are paid the portion of the benefit amount calculated under this subdivision is based on the estimated average income for those first 2 months.

(d) *Partial freezing of benefits.* 1. Notwithstanding s. 49.19 (2) (a), (4) (es) and (k) and (11), the benefit amount calculated under par. (c) may be adjusted, after the first 2 months for which benefits calculated under par. (c) are paid, only at a regularly scheduled reinvestigation under s. 49.19 (5) (e), except as follows:

a. The benefit amount calculated under par. (c) may be adjusted to reflect a significant change in circumstances under subd. 2.

b. The benefit amount calculated under par. (c) may be adjusted to reflect a decrease in earned income if there is good cause, as defined by the department by rule, for the decrease.

c. The benefit amount calculated under par. (c) may be adjusted to reflect an increase in earned income if the head of household of the work-not-welfare group requests a reduction in the benefit amount determined under this subsection.

2. A work-not-welfare group experiences a significant change in circumstances, for purposes of subd. 1. a., in any month in which at least one of the following occurs:

a. The number of persons in the work-not-welfare group changes.

b. A person in the work-not-welfare group is sanctioned under sub. (5) (f) or s. 49.12, 49.123 (2), 49.127, 49.19 (4) (h) 2 or 49.49.

c. A person in the work-not-welfare group obtains a new source of unsubsidized employment.

d. A person in the work-not-welfare group receives a new source of unearned income in an amount greater than was estimated and that source of unearned income is expected to continue until the next regularly scheduled reinvestigation under s. 49.19 (5) (e).

e. The work-not-welfare group experiences an increase or decrease in the amount of unearned income

in a month that differs from the estimated amount of monthly unearned income by more than \$50.

f. The combined equity value of all of a work-not-welfare group's assets exceeds the limitation in s. 49.19 (4) (bm).

g. A person in the work-not-welfare group enters the 7th month of pregnancy.

h. A person in the work-not-welfare group experiences a life-threatening emergency, as defined by the department by rule.

(e) *Maximum number of benefit payments.* Except as provided in par. (g), a work-not-welfare group may not receive more than 24 monthly benefit payments determined under this subsection during the work-not-welfare group's benefit period. The benefit payments need not be for consecutive months.

(f) *Period of ineligibility.* A work-not-welfare group may not receive a benefit payment determined under this subsection after the work-not-welfare group's benefit period has elapsed unless it has been at least 36 months since the work-not-welfare group received a benefit payment determined under this subsection.

(g) *Additional monthly payments; extension of benefit period.* 1. A work-not-welfare group shall receive one monthly benefit payment in addition to the 24 monthly benefit payments permitted under par. (e) and a one-month extension to the work-not-welfare group's benefit period for each month after the work-not-welfare group's enrollment date in which each person in the work-not-welfare group meets at least one of the following conditions:

a. The person receives a supplemental security income payment under 42 USC 1381 to 1383c or a supplemental payment under s. 49.177 for the month.

b. The person is the head of household of the work-not-welfare group, is a nonlegally responsible relative of a dependent child in the work-not-welfare group and is not included in determining the payment under this subsection.

c. The person is required to attend school as part of the learnfare program under s. 49.50 (7).

d. The person is under 18 years of age.

e. The person is incapacitated or is needed in the home to care for a member of the work-not-welfare group who is incapacitated.

f. The person is needed in the home to care for a child who is under one year of age and who was born not more than 10 months after the work-not-welfare group's enrollment date.

g. The person requires child care services in order to participate in the employment and training program under sub. (5), is subject to the employment and training requirements under sub. (5) (b) and child care services are not available to the person under sub. (10) (d) 3 for at least the number of hours specified as part of the person's assignment under sub. (10) (d) 3.

2. A work-not-welfare group may receive monthly benefit payments in addition to the 24 monthly benefit payments permitted under par. (e) and extensions to the group's benefit period if a county department under s. 46.215, 46.22 or 46.23 determines, in accordance with rules promulgated by the department, that unusual circumstances exist that warrant an additional benefit payment and an extension of the benefit period.

(h) *Child support payments.* Notwithstanding s. 49.19 (4) (h) 1. b., the rights of work-not-welfare group members to support or maintenance from other persons, including rights to unpaid amounts accrued on the work-not-welfare group's enrollment date and rights to unpaid amounts accruing during the time that the work-not-welfare group member is subject to the work-not-welfare pilot program under sub. (3), are not assigned to the state. Work-not-welfare group members shall comply with s. 49.19 (4) (h) 1. a. and are subject to sanction under s. 49.19 (4) (h) 2. Child support payments shall be treated as unearned income in determining eligibility for benefits and in determining the amount of a monthly benefit determined under this subsection. If child support payments are being received by the work-not-welfare group regularly, such payments shall be budgeted prospectively in determining the amount of any benefit determined under this subsection. If child support payments are not being received regularly, the payments may not be budgeted prospectively in determining the amount of any benefit determined under this subsection.

(5) **EMPLOYMENT AND TRAINING REQUIREMENTS.** (a) *Relation with other public assistance employment and training requirements.* The department shall conduct the employment and training program described in this subsection as part of the job opportunities and basic skills program under s. 49.193. Compliance with the employment and training program described in this subsection by a person in a work-not-welfare group satisfies the employment and training requirements of the job opportunities and basic skills program under s. 49.193 and the food stamps workfare program under 7 CFR 273.22.

(b) *Persons subject to employment and training requirements.* Notwithstanding s. 49.193 (2) and except as provided in par. (c), every person in a work-not-welfare group who is over 16 years of age shall comply with the requirements of the employment and training program described in this subsection, as a condition to receiving a benefit determined under sub. (4).

(c) *Exemptions.* A person is not subject to the requirements of the employment and training program described in this subsection in any month in which at least one of the following conditions is met:

1. The person is ill, incapacitated or of an advanced age within the meaning of 7 USC 602 (a) (19) (C) (i).

2. The person is needed in the home because of the illness or incapacity of another member of the work-not-welfare group.

3. The person receives a supplemental security income payment under 42 USC 1381 to 1383c or a supplemental payment under s. 49.177 for that month.

4. The person is a nonlegally responsible relative of a dependent child in the work-not-welfare group and the person's needs are not considered in calculating the amount of the benefit determined under sub. (4).

5. The person is required to attend school as part of the learnfare program under s. 49.50 (7).

6. The person is the head of household of the work-not-welfare group and is under 18 years of age.

7. The person is the caretaker of a child who is under 6 months of age.

8. The person is the caretaker of a child who is under one year of age and who was born no more than 10 months after the work-not-welfare group's enrollment date.

9. The person is pregnant and a physician has indicated that the person is unable to work.

10. The county department under s. 46.215, 46.22 or 46.23 determines, in accordance with rules promulgated by the department, that the person has good cause for not complying with the employment and training requirements of this subsection.

(d) *Participation requirements.* Within a 2-month period beginning on the work-not-welfare group's enrollment date, each member of the work-not-welfare group who is subject to the employment and training program described in this subsection shall participate in orientation activities under sub. (10) (d) 2. Beginning on the first day of the month following the completion of the orientation activities under sub. (10) (d) 2, each member of the work-not-welfare group who is subject to the employment and training program described in this subsection is required to participate in the employment and training program for a specified number of hours each month. The number of hours of participation required shall be based on the amount of the monthly benefit determined under sub. (4) that is paid to the work-not-welfare group and on the number of persons in the work-not-welfare group who are subject to the the employment and training program described in this subsection. The department shall promulgate a rule specifying the manner in which the number of required hours is to be calculated. No person may be required to spend more than 40 hours per week participating in the employment and training program described under this subsection. The number of hours of participation required under this paragraph may not exceed the number of hours that a person is assigned under sub. (10) (d) 3. If the person needs child care services, the number of hours of participation required under this paragraph also may not exceed the number of hours for which child care is made available under sub. (10) (d) 3.

(e) *Program components and requirements.* A county department under s. 46.215, 46.22 or 46.23 shall operate the employment and training program described in this subsection in a manner designed to provide members of a work-not-welfare group who are over age 16 with the means to achieve long-term independence from public assistance, including, where appropriate, education. The employment and training program described in this subsection shall include all of the same program components and requirements as in s. 49.193, except that:

1. The services priorities in s. 49.193 (2) (b) do not apply to persons who are subject to the employment and training program described in this subsection, all of whom shall receive equal priority.

2. A county department under s. 46.215, 46.22 or 46.23 may not give a person subject to the employment and training program described in this subsection an education or training assignment, if the education or training is not likely to be completed within a 24-month period. A person who is subject to the employment and training program described in this subsection may not fulfill the hours of participation requirement under par. (d), in whole or in part, through participation in a self-initiated education or training program, if the program is not likely to be completed within a 24-month period. ~~A county department under s. 46.215, 46.22 or 46.23 may permit a person who is subject to the employment and training program described in this subsection to fulfill the employment and training requirements under this subsection by participating in a self-initiated education or training program if the self-initiated program is likely to lead to one of the following within 24 months:~~

- ~~a. A high school diploma.~~
- ~~b. A declaration of equivalency of high school graduation.~~
- ~~c. A degree from a vocational, technical and adult education school.~~
- ~~d. A bachelor's degree.~~
- ~~e. A degree, diploma or certificate from a school approved by the educational approval board or from a school, course of instruction or training program specified under s. 38.51 (9) that is not covered under subd. 2 a. to d.~~

3. Notwithstanding s. 49.193 (6) (c), a person who is subject to the employment and training program described in this subsection may be required to work more than 32 hours per week and more than 16 weeks in a 12-month period in a community work experience program.

4. Notwithstanding s. 49.193 (4) (g), a county department under s. 46.215, 46.22 or 46.23 may require participation in a work supplementation program.

5. A person in need of a high school diploma shall be assigned to a course of study meeting the standards established by the state superintendent of public

instruction for the granting of a declaration of equivalency of high school graduation unless the person demonstrates a basic literacy level or the employability plan for the individual identifies a long-term employment goal that does not require a high school diploma or a declaration of equivalency.

6. In addition to the employment and training activities under s. 49.193 (4) to (7), the employment and training program described in this subsection shall include an independence jobs program, providing for subsidized employment in the public sector.

7. Participation in alcohol and other drug abuse prevention and treatment programs may be required to fulfill employment and training requirements described in this subsection.

8. The employment and training requirements described in this subsection may be satisfied through working the number of hours required under par. (d) in unsubsidized employment or in a combination of unsubsidized employment and employment and training activities.

9. The subsidized employment components of the employment and training program described in this subsection may not be operated so as to do any of the following:

- a. Displace any regular employe or reduce the wages, employment benefits or hours of work of any regular employe.
- b. Impair an existing contract for services or collective bargaining agreement.
- c. Fill a position when any other person is on layoff from the same or a substantially equivalent job within the same organizational unit.
- d. Have the effect of filling a vacancy created by an employer terminating a regular employe or otherwise reducing its work force for the purpose of hiring an individual under this subsection.
- e. Infringe in the promotional opportunities of a regular employe.

10. The department shall establish a grievance procedure for resolving complaints by regular employes or their representatives that the subsidized employment components of the employment and training program under this subsection violate subd. 9.

(f) *Sanctions.* If, after the first month for which a work-not-welfare group receives cash benefits determined under sub. (4), a person in the work-not-welfare group fails to meet the employment and training requirements under this subsection in a month, the work-not-welfare group may be sanctioned by reducing, or by not paying, the benefit amount determined under sub. (4) for that month. For purposes of the maximum number of monthly benefit payments permitted under sub. (4) (e), a work-not-welfare group shall be considered to have received a monthly benefit in a month in which, as a result of sanctions under this paragraph, a reduced monthly benefit or no monthly benefit is paid. The notice requirement under s. 49.193 (9) and the fair hearing and review provisions under s.

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49.50 (8) apply to a sanction imposed under this paragraph.

(g) *Voluntary participation.* To the extent that funding permits, persons who are exempt under par. (c) may participate in the employment and training program under this subsection and, to the extent that funding permits, persons may participate in the employment and training program described in this subsection for more hours than are required under par. (d).

(6) TRANSITIONAL CHILD CARE. (a) *Eligibility.* Except as provided in par. (b), a work-not-welfare group is eligible for transitional child care services under par. (c) in any month in which all of the following conditions are met:

1. The work-not-welfare group has received at least one monthly cash benefit determined under sub. (4).

2. The work-not-welfare group will not receive benefits determined under sub. (4) or (11) (a) to (f) for the month.

3. The work-not-welfare group's benefit period has not yet expired.

4. At least one person in the work-not-welfare group is employed in unsubsidized employment.

(b) *Time limitations on transitional child care benefits.* A work-not-welfare group that is eligible for transitional child care under par. (a) may receive transitional child care benefits under par. (c) for a maximum of 12 months during a benefit period. These months need not be consecutive. A work-not-welfare group may not receive transitional child care benefits under this subsection after the work-not-welfare group's benefit period has elapsed unless it has been at least 36 months since the work-not-welfare group received benefits determined under sub. (4) or (11) (a) to (f).

(c) *Benefits.* A county department under s. 46.215, 46.22 or 46.23 shall provide assistance in paying the child care costs of a work-not-welfare group that is eligible to receive benefits under this paragraph if the child care is provided by a child care provider, as defined in s. 46.98 (1) (am). The formula for determining the amount of assistance shall be the same as the formula established by the department under s. 49.50 (6g). The rates for child care services under this paragraph shall be determined under s. 46.98 (4) (d), or, if a higher rate is established under s. 46.98 (4) (e) and if the child care services meet the quality standards established under s. 46.98 (4) (e), the rates for child care services under this paragraph that meet those standards shall be determined under s. 46.98 (4) (e). The department shall promulgate rules for the disbursement of funds under this paragraph.

(7) SHELTER PAYMENTS. (a) *Eligibility.* A work-not-welfare group is eligible for shelter payment benefits under this subsection if all of the following conditions are met:

1. The work-not-welfare group has received the maximum number of benefit payments determined

under sub. (4) or (11) (a) to (f), as provided in sub. (4) (e) and (g).

2. The period of ineligibility under sub. (4) (f) and (g) for the work-not-welfare group has not yet expired.

3. The work-not-welfare group is in danger of becoming homeless, as defined by the department by rule.

(b) *Benefits.* For a work-not-welfare group that is eligible for benefits under this subsection, the department shall pay a shelter benefit equal to the lesser of the work-not-welfare group's shelter expenses or the benefit amount that the work-not-welfare group would have received under s. 49.19 if a waiver under sub. (2) were not in effect, based only on the number of children in the work-not-welfare group. The shelter benefit under this subsection shall be paid directly to the provider of the shelter or in the form of a voucher that may be used only for shelter expenses.

(8) TRANSITIONAL MEDICAL BENEFITS. (a) *Eligibility.* Except as provided in par. (b), all members of a work-not-welfare group are eligible for transitional medical benefits under par. (c) for any month in which all of the following conditions are met:

1. The work-not-welfare group has received at least one monthly cash benefit determined under sub. (4).

2. The work-not-welfare group will not receive benefits determined under sub. (4) or (11) (a) to (f) for the month.

3. The work-not-welfare group's benefit period has not yet expired.

4. At least one member of the work-not-welfare group is employed in unsubsidized employment.

5. The income of the work-not-welfare group is not greater than 185% of the poverty line for a family the size of the work-not-welfare group.

6. If the income of the work-not-welfare group is greater than 100% of the poverty line for a family the size of the work-not-welfare group, the work-not-welfare group pays, notwithstanding ss. 49.45 (18) and 49.47 (8), a health care services premium to the department in an amount equal to 10% of the amount by which the income of the work-not-welfare group exceeds the poverty line for a family the size of the work-not-welfare group.

(b) *Time limitation on benefits.* The work-not-welfare group is eligible for transitional medical benefits under par. (c) for a maximum of 12 months during a benefit period. The months need not be consecutive. A work-not-welfare group may not receive transitional medical benefits under this subsection after the work-not-welfare group's benefit period has elapsed unless it has been at least 36 months since the work-not-welfare group received benefits determined under sub. (4) or (11) (a) to (f).

(c) *Benefits.* Each person in a work-not-welfare group that is eligible for benefits under this paragraph in a month shall receive medical assistance coverage under s. 49.46 (1) (cs) or, if a person could be covered

by an insurance plan offered by the employer of one of the members in the work-not-welfare group and if the department determines that it would be cost-effective to do so, a payment equal to the amount of the premium that is required to be paid by the employe member of the work-not-welfare group, if any.

(9) COOPERATION REQUIREMENT. As a condition for continued benefits under this section, a person who is subject to the work-not-welfare pilot program under this section shall comply with reasonable requests for cooperation by work-not-welfare case management workers in applying for programs or resources that these workers believe may be available to the person.

(10) ADMINISTRATION IN PILOT COUNTIES. (a) *Contracts.* The department shall enter into a contract with the county department under s. 46.215, 46.22 or 46.23 in each pilot county. The contract shall specify the obligations of the county department in administering the work-not-welfare pilot program in that county and shall require at least the following:

1. The establishment of a community steering committee under par. (b).
2. The establishment of a children's services network under par. (c).
3. The provision of case management services under par. (d).

(b) *Community steering committee.* 1. Each county department under s. 46.215, 46.22 or 46.23 entering into a contract with the department under par. (a) shall establish a community steering committee instead of an employment and training council under s. 49.193 (10). The chairperson and the other members of the community steering committee shall be appointed by the county executive or county administrator in the pilot county or, if the pilot county has no county executive or county administrator, by the chairperson of the county board of supervisors. The appointments shall be made in consultation with the department. The community steering committee shall have at least 12 members but not more than 15 members. The chairperson of the community steering committee shall be a person who represents business interests.

2. The community steering committee shall do all of the following:

- a. Perform the functions of an employment and training council under s. 49.193 (10).
- b. Identify and encourage employers to provide permanent jobs for persons who are subject to the employment and training program described in sub. (5).
- c. Create and encourage others to create subsidized jobs for persons who are subject to the employment and training program described in sub. (5).
- d. Create and encourage others to create on-the-job training sites for persons who are subject to the employment and training program described in sub. (5).

e. Foster and guide the entrepreneurial efforts of persons who are subject to the employment and training program described in sub. (5).

f. Provide mentors, both from its membership and from recruitment of members of the community, to provide job-related guidance, including assistance in resolving job-related issues and the provision of job leads or references, to persons who are subject to the requirements of the employment and training program described in sub. (5).

(c) *Children's services network.* Each county department under s. 46.215, 46.22 or 46.23 entering into a contract with the department under par. (a) shall establish a children's services network. The children's services network shall provide information about community resources available to the children in a work-not-welfare group during the work-not-welfare group's benefit period and the work-not-welfare group's period of ineligibility under sub. (4) (f), including charitable food and clothing centers; the state supplemental food program for women, infants and children under s. 146.185; and child care programs under s. 46.98.

(d) *Case management services.* 1. The county department under s. 46.215, 46.22 or 46.23 administering a work-not-welfare pilot program under this section shall assign each work-not-welfare group to a case management team. The case management team shall be composed of case managers representing the income maintenance, job opportunities and basic skills, child care and child support components of the work-not-welfare pilot program under this section.

2. During the month beginning with the work-not-welfare group's enrollment date, the county department under s. 46.215, 46.22 or 46.23 shall provide work-not-welfare group members with orientation services. The services shall include provision of oral and written explanations of the limitations on the benefits described under this section and of the participation requirements for the employment and training program described in sub. (5). As a condition of receiving benefits under this section, adult work-not-welfare group members may be required to sign a statement, which may be referred to as an "Independence Pact", indicating that they received a copy of the written explanation of benefits and understand the employment and training requirements and the time-limited benefits of the work-not-welfare pilot program under this section. The orientation services shall also include the provision of a benefit account book, in which the case management team will indicate the remaining number of months of eligibility for cash and transitional benefits under this section.

3. To the extent that assignments are available, the case management team shall assign to persons who are subject to the employment and training requirements described in sub. (5) an employment or training assignment that enables the person to fulfill the participation requirements described in sub. (5) (d). To the

extent that funding for child care is available, the case management team shall also assist persons who are subject to the employment and training program described in sub. (5) in obtaining child care services.

(e) *Child support assistance.* From the appropriation under s. 20.435 (4) (ci), the department may provide funds to pilot counties for assistance in establishing paternity and obtaining child support.

(11) ADMINISTRATION IN NONPILOT COUNTIES. A county department under s. 46.215, 46.22 or 46.23 in a nonpilot county may not pay aid to families with dependent children benefits under s. 49.19 to any person in a work-not-welfare group, except as provided in this subsection. With respect to persons in a work-not-welfare group residing in a nonpilot county, the county department in the nonpilot county shall do all of the following:

(a) Determine the eligibility of a work-not-welfare group member for aid to families with dependent children under s. 49.19 without regard to sub. (4) (b).

(b) Determine the amount of aid to families with dependent children under s. 49.19 without regard to sub. (4) (c).

(c) Issue food coupons in administering the food stamp program under s. 46.215 (1) (k) or 46.22 (1) (b) 5 without regard to sub. (4) (c) 2.

(d) Adjust aid to families with dependent children and food stamp benefits without regard to sub. (4) (d).

(e) Apply the limitations contained in sub. (4) (e) to (g) to aid to families with dependent children payments under s. 49.19.

(f) Treat child support payments as provided in s. 49.19 without regard to sub. (4) (h).

(g) Administer the job opportunities and basic skills program under s. 49.193 and the food stamp employment and training program under s. 49.124 without regard to any of the provisions in sub. (5), including the hours-of-participation requirement under sub. (5) (d) and the sanctions provisions under sub. (5) (f).

(h) Give priority for receipt of services under s. 49.193 (2) (b).

(i) Provide transitional child care services under sub. (6), shelter payments under sub. (7) and transitional medical assistance coverage under sub. (8).

(12) EVALUATION. If the work-not-welfare program under this section is conducted, the department shall enter into a contract with the legislative audit bureau. Under this contract, the legislative audit bureau shall be required to contract with a public or private agency for the preparation of evaluations of the work-not-welfare program under this section. Each of these evaluations shall include an implementation evaluation, an outcome evaluation and an impact evaluation and shall use methodologies approved by the joint committee on finance. The legislative audit bureau shall submit the first of these reports no later than January 1, 1997, and shall submit subsequent reports by January 1 of each succeeding

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~~year as long as the work-not-welfare program is operated under this section. The legislative audit bureau shall submit these reports to the legislature under s. 13.172 (2).~~

Vetoed in Part

~~SECTION 71. The unnumbered subchapter title preceding 49.43 of the statutes is repealed.~~

Vetoed in Part

SECTION 72. 49.43 (9m) of the statutes is renumbered 49.01 (6m).

~~SECTION 73. 49.46 (1) (a) 1 of the statutes, as affected by 1993 Wisconsin Act 16, is amended to read:~~

Vetoed in Part

~~49.46 (1) (a) 1. Any Before January 1, 1999, any person included in the grant of aid to families with dependent children and any person who does not receive such aid solely because of the application of s. 49.19 (1) (a) 7.~~

~~SECTION 74. 49.46 (1) (a) 1m of the statutes is amended to read:~~

~~49.46 (1) (a) 1m. Any Before January 1, 1999, any pregnant woman who meets the resource and income limits under s. 49.19 (4) (bm) and (cs) and whose pregnancy is medically verified. Eligibility continues to the last day of the month in which the 60th day after the last day of the pregnancy falls.~~

~~SECTION 75. 49.46 (1) (a) 6 of the statutes is amended to read:~~

~~49.46 (1) (a) 6. Any Before January 1, 1999, any person not described in pars. (c) to (e) who is considered, under federal law, to be receiving aid to families with dependent children or supplemental security income for the purpose of determining eligibility for medical assistance.~~

~~SECTION 76. 49.46 (1) (a) 12 of the statutes is amended to read:~~

~~49.46 (1) (a) 12. Any Before January 1, 1999, any child not described under subs. 1 who is under 19 years of age and who meets the resource and income limits under s. 49.19 (4).~~

SECTION 77. 49.46 (1) (c) (intro.) of the statutes is amended to read:

49.46 (1) (c) (intro.) Except as provided under ~~par. (co), (cs) and (ct)~~, a family that becomes ineligible for aid to families with dependent children under s. 49.19 because of increased income from employment or increased hours of employment or because of the expiration of the time during which the disregards under s. 49.19 (5) (a) 4 or 4m or (am) apply shall receive medical assistance for:

Vetoed in Part

SECTION 78. 49.46 (1) (cg) of the statutes is amended to read:

49.46 (1) (cg) ~~Medical~~ Except as provided in pars. (cs) and (ct), medical assistance shall be provided to a dependent child, a relative with whom the child is living or the spouse of the relative, if the spouse meets the requirements of s. 49.19 (1) (c) 2. a. or b., for 4 calendar months beginning with the month in which the child, relative or spouse is ineligible for aid to families with dependent children because of the collection or

Vetoed in Part

increased collection of maintenance or support, if the child, relative or spouse received aid to families with dependent children in 3 or more of the 6 months immediately preceding the month in which that ineligibility begins.

SECTION 79. 49.46 (1) (co) 1 of the statutes is amended to read:

Vetoed in Part 49.46 (1) (co) 1. Except as provided under subd. 2 and pars. (cs) and (cc), medical assistance shall be provided to a family for 12 consecutive calendar months following the month in which the family becomes ineligible for aid to families with dependent children because of increased income from employment, because the family no longer receives the earned income disregard under s. 49.19 (5) (a) 4 or 4m or (am) due to the expiration of the time limit during which the disregards are applied or because of the application of the monthly employment time eligibility limitation under 45 CFR 233.100 (a) (1) (i).

SECTION 80. 49.46 (1) (cr) (intro.) of the statutes is amended to read:

Vetoed in Part 49.46 (1) (cr) (intro.) Medical Except as provided in pars. (cs) and (ct), medical assistance shall be provided for 9 consecutive calendar months to a family that ceased to receive aid to families with dependent children after September 30, 1981, and prior to October 1, 1984, solely because of the loss of the disregards for earned income under s. 49.19 (5) (a) 4, after receiving the disregards for 4 consecutive months, if the family:

SECTION 81. 49.46 (1) (cs) of the statutes is created to read:

Vetoed in Part 49.46 (1) (cs) ~~Except as provided in par. (st),~~ medical assistance shall be provided to members of a work-not-welfare group, as defined in s. 49.27 (1) (c), that is eligible for transitional medical assistance coverage under s. 49.27 (8) (c). If the person is or was a member of a work-not-welfare group, as defined in s. 49.27 (1) (c), and if the period of ineligibility under s. 49.27 (4) (f) and (g) for that work-not-welfare group has not yet expired, the person is not eligible for medical assistance under par. (a), (c), (cg), (co), (cr) or (e), unless the person meets at least one of the following conditions:

1. The person is eligible under par. (a) for reasons that are unrelated to aid to families with dependent children eligibility.
2. The person was a dependent child, as defined in s. 49.19 (1) (a), at the time that he or she was a member of the work-not-welfare group.
3. The person has a documented need for medical care relating to a life-threatening chronic health condition.

Vetoed in Part SECTION 82. 49.46 (1) (ct) of the statutes is created to read:

49.46 (1) (st) Paragraphs (c) to (cs) do not apply after December 31, 1998.

Vetoed in Part SECTION 83. 49.46 (1) (c) of the statutes is amended to read:

~~49.46 (1) (e). If an application under s. 49.47 (3) shows that the person has income and resources within the limitations of s. 49.19, federal Title XVI or s. 49.177 or, before January 1, 1999, s. 49.19, or that the person is an essential person, an accommodated person or a patient in a public medical institution, the person shall be granted the benefits enumerated under sub. (2) whether or not the person requests or receives a grant of any of such aids.~~ **Vetoed in Part**

~~SECTION 84. The unnumbered subchapter title preceding 49.50 of the statutes is repealed.~~

~~SECTION 85. 49.50 (2) of the statutes is amended to read:~~

~~49.50 (2) RULES MERIT SYSTEM. The department shall promulgate rules for the efficient administration of aid to families with dependent children in agreement with the requirement for federal aid, including the establishment and maintenance of personnel standards on a merit basis. The provisions of this section relating to personnel standards on a merit basis supersede any inconsistent provisions of any law relating to county personnel. This subsection shall not be construed to invalidate the provisions of s. 46.22 (1) (d). This subsection does not apply after December 31, 1998.~~

~~SECTION 86. 49.50 (3) of the statutes is amended to read:~~

~~49.50 (3) PERSONNEL EXAMINATIONS. Statewide examinations to ascertain qualifications of applicants in any county department administering aid to families with dependent children shall be given by the administrator of the division of merit recruitment and selection in the department of employment relations. The department of employment relations shall be reimbursed for actual expenditures incurred in the performance of its functions under this section from the appropriations available to the department of health and social services for administrative expenditures. This subsection does not apply after December 31, 1998.~~

~~SECTION 87. 49.50 (6c) (c) of the statutes is created to read:~~

~~49.50 (6c) (c) This subsection does not apply after December 31, 1998.~~

~~SECTION 88. 49.50 (6g) of the statutes is amended to read:~~

~~49.50 (6g) DAY CARE FUNDS FOR FORMER RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN. The department shall pay the child care costs of an individual who secures unsubsidized employment and loses eligibility for aid to families with dependent children because of earned income or number of hours worked for up to 12 months following the loss of eligibility if the child care is provided by a child care provider. The department shall establish a formula for assistance based on ability to pay. The rates for child care services under this subsection shall be determined under s. 46.98 (4) (d), or, if a higher rate is established under~~

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in Part

s. 46.98 (4) (e) and if the child care services meet the quality standards established under s. 46.98 (4) (e), the rates for child care services under this subsection that meet those standards shall be determined under s. 46.98 (4) (e). The department shall promulgate rules for the disbursement of funds under this subsection. This subsection does not apply after December 31, 1998.

SECTION 89. 49.50 (6k) (c) of the statutes is created to read:

49.50 (6k) (c). This subsection does not apply after December 31, 1998.

SECTION 90. 49.50 (7) (k) of the statutes is created to read:

49.50 (7) (k). This subsection does not apply after December 31, 1998.

SECTION 91. 49.50 (8) (c) of the statutes is created to read:

49.50 (8) (c). This subsection applies only with respect to aid that is paid or payable before December 31, 1998.

SECTION 92. 49.50 (9) (c) of the statutes is created to read:

49.50 (9) (c). This subsection does not apply to any termination of payments of state or federal aid after December 31, 1998.

SECTION 93. 49.50 (11) of the statutes is amended to read:

49.50 (11). PERIODIC EARNINGS CHECK BY DEPARTMENT. The department shall make a periodic check of the amounts earned by recipients of medical assistance under s. 49.46, 49.468 or 49.47, and, before December 31, 1998, aid to families with dependent children under s. 49.19 and food stamps under 7 USC 2011 to 2029, through a check of the amounts credited to the recipient's social security number. The department shall make an investigation into any discrepancy between the amounts credited to a social security number and amounts reported as income on the declaration application and take appropriate action under s. 49.12 when warranted. The department shall use the state wage reporting system developed by the department of industry, labor and human relations under 1985 Wisconsin Act 17, section 65 (1), when the system is implemented, to make periodic earnings checks. The department of industry, labor and human relations shall cooperate with the department in supplying this information.

SECTION 94. 49.51 (2) of the statutes, as affected by 1993 Wisconsin Act 16, is amended to read:

49.51 (2). The provider in a county may contract with the county to provide job opportunity and basic skills services under s. 49.193 to recipients of general relief under s. 49.02. The number of general relief recipients receiving services under this subsection in a county may not exceed 20% of the number of aid to families with dependent children recipients receiving services under s. 49.193 in the county. The county

shall reimburse the provider for the actual cost of services provided under this subsection. This subsection does not apply after December 31, 1998.

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SECTION 95. 49.52 (1) (ad) 3 of the statutes is created to read:

49.52 (1) (ad) 3. The department may not reimburse a county under this paragraph for any expenses related to the administration of the relief to needy Indian persons program that are incurred after December 31, 1998.

SECTION 96. 49.52 (1) (am) of the statutes is amended to read:

49.52 (1) (am). The department shall reimburse each county from the appropriations under s. 20.435 (4) (d) and (p) and (7) (b) and (c) for 100% of the cost of aid to families with dependent children granted under s. 49.19, for social services as approved by the department under ss. 46.215 (1), (2) (c) and (3) and 46.22 (1) (b) 8 and (e) 3, and for funeral expenses paid for recipients of aid under s. 49.30, except that no reimbursement may be made for the administration of or aid granted under s. 49.02 or, after December 31, 1998, for the cost of aid to families with dependent children granted under s. 49.19.

SECTION 97. 49.52 (1) (d) of the statutes, as affected by 1993 Wisconsin Act 16, is amended to read:

49.52 (1) (d). From the appropriations under s. 20.435 (7) (b) and (c), the department shall distribute the funding for social services, including funding for foster care of a child receiving aid under s. 49.19, to county departments under ss. 46.215, 46.22 and 46.23 as provided under s. 46.40. County matching funds are required for the distributions under s. 46.40 (2), (3), (3m), (4), (8), (9), (11) and (12). Each county's required match for a year equals 9.89% of the total of the county's distributions for that year for which matching funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile delinquency-related services from its distribution for 1987. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the county that meet the requirements specified in s. 51.423 (5). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds distributed for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds. The department may not distribute funding for foster care under s. 49.19 after December 31, 1998.

SECTION 98. 49.53 (2) (a) of the statutes is amended to read:

49.53 (2) (a). Each Before January 1, 1999, each county department under s. 46.215 or 46.22 administering aid to families with dependent children and each official or agency administering general relief

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shall maintain a monthly report at its office showing the names and addresses of all persons receiving such aids together with the amount paid during the preceding month. Nothing in this paragraph shall be construed to authorize or require the disclosure in the report of any information (names, addresses, amounts of aid or otherwise) pertaining to adoptions, or aid furnished for the care of children in foster homes under s. 49.19 (10).

SECTION 99. 49.70 (7) of the statutes is created to read:

49.70 (7) After December 31, 1998, the department may not, for the purpose of providing relief, public assistance or welfare aid, exercise any options to purchase securities under this section except an assignment of securities under this section or make loans under sub. (4).

SECTION 100. 49.90 (6) of the statutes is amended to read:

49.90 (6) If any relative who has been ordered to maintain an institutionalized dependent person or an institutionalized child of a dependent person under 18 years of age neglects to do as ordered, the authorities in charge of the dependent or child or in charge of the institution may recover in an action on behalf of the general relief agency or institution for general relief or support, or, before January 1, 1999, on behalf of the general relief agency for general relief, accorded the dependent person or child against such relative the sum prescribed for each week the order was disobeyed up to the time of judgment, with costs.

SECTION 101. 101.30 of the statutes, as affected by 1993 Wisconsin Act 16, is amended to read:

101.30 Job opportunities and basic skills program aid to families with dependent children recipients. The department may contract with the department of health and social services for the provision of supportive and employment services under the job opportunities and basic skills program under s. 49.193. Fees charged for the contractual services provided shall be credited to the appropriation under s. 20.445 (1) (ka). This section does not apply after December 31, 1998.

SECTION 102. 101.35 (10) (b) 3 of the statutes is amended to read:

101.35 (10) (b) 3. Before January 1, 1999, the eligible job applicant is eligible for aid to families with dependent children under s. 49.19.

SECTION 103. 101.38 (1) (g) of the statutes is amended to read:

101.38 (1) (g). "Public assistance" means general relief under s. 49.02, relief of needy Indian persons under s. 49.046, aid to families with dependent children under s. 49.19, medical assistance under ss. 49.45 to 49.47, low-income energy assistance under s. 49.80 and, before January 1, 1999, aid to families with dependent children under s. 49.19 and the food stamp program under 7 USC 2011 to 2029.

SECTION 104. NS.40 (4) (b) of the statutes is amended to read:

NS.40 (4) (b). The state superintendent and the secretary of health and social services shall review the applications and jointly determine the grant recipients and the amount of each grant. Before January 1, 1999, a grant may not be awarded to a school board, agency or organization unless the percentage of the participating school district's membership in the previous school year for whom aid to families with dependent children was being received under s. 49.19 was greater than 5%. In this paragraph, "membership" has the meaning given in s. 121.004 (5).

SECTION 105. 118.17 of the statutes is amended to read:

118.17 Indigent children. The principal or teacher in charge of any public school shall report to the authority administering general relief, or, after December 31, 1998, to the county department under s. 46.215, 46.22 or 46.23, for the county wherein the school is situated the name and address of any child in the school whose parent, guardian or other person having control, charge or custody of the child is without sufficient means to furnish the child with food or clothing necessary to enable the child to attend school.

SECTION 106. 119.82 (6) of the statutes is created to read:

119.82 (6) This section does not apply after December 31, 1998.

SECTION 107. 230.04 (13) (f) of the statutes is created to read:

230.04 (13) (f) This subsection does not apply after December 31, 1998.

SECTION 108. 230.147 (5) of the statutes is created to read:

230.147 (5) This section does not apply after December 31, 1998.

SECTION 109. 560.14 (3) (c) 6 of the statutes, as created by 1993 Wisconsin Act 16, is amended to read:

560.14 (3) (c) 6. How Before January 1, 1999, how the percentage of households receiving aid to families with dependent children under s. 49.19 in the area in which the business incubator or technology-based incubator is or will be located compares to the percentage of households receiving aid to families with dependent children in the state.

SECTION 110. 767.078 (1) (d) 3 of the statutes is amended to read:

767.078 (1) (d) 3. Subdivisions 1 and 2 only apply while the department of health and social services conducts the program under s. 49.25 and do not apply after December 31, 1998.

SECTION 111. 799.40 (4) of the statutes is amended to read:

799.40 (4) STAY OF PROCEEDING. The court shall stay the proceedings in a civil action of eviction if the tenant applies for emergency assistance under s. 49.19 (1) (b). The tenant shall inform the court of the out-

Vetoed in Part some of the determination of eligibility for emergency assistance. The stay remains in effect until the tenant's eligibility for emergency assistance is determined and, if the tenant is determined to be eligible, until the tenant receives the emergency assistance. This subsection does not apply after December 31, 1998.

Vetoed in Part SECTION 112. **Nonstatutory provisions; proposed legislation.** No later than January 1, 1995, the secretary of health and social services shall submit to the legislature, in the manner provided under section 13.172 (2) of the statutes, a proposal for welfare reform in this state. The proposal shall provide for the replacement, by December 31, 1998, of the general relief program administered under section 49.02 of the statutes, the relief of needy Indian persons program under section 49.046 of the statutes, the aid to families with dependent children program under section 49.19

Vetoed in Part of the statutes and, to the extent that recipients of food coupons under the food stamp program also receive aid to families with dependent children, general relief or relief of needy Indian persons, the food stamp program under 7 USC 2011 to 2029. The program shall provide for the continuation of the food stamp program for food stamp recipients who are not also recipients of aid to families with dependent children, general relief or relief of needy Indian persons. The program shall also meet all of the following requirements:

- (1) The program shall offer basic income support to low-income persons who cannot work.
- (2) The program shall offer employment opportunities to low-income persons who can work, but who cannot find employment. These employment opportunities may not supplant existing employees.
- (3) The program shall provide low-income persons with affordable child care and with affordable health care.

SECTION 113. **Nonstatutory provisions; rule-making.** (1) The department of health and social services shall submit proposed rules required under section 49.27 of the statutes, as created by this act, to the legislative council staff under section 227.15 of the statutes no later than July 1, 1994.

(2) Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate rules required under section 49.27 of the statutes, as created by this act, for the period prior to the effective date of the rules submitted under subsection (1). Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not required to make a finding of emergency in promulgating the rules under this subsection.

SECTION 114. **Nonstatutory provisions; federal position authorizations.** (1) The authorized FTE positions for the department of health and social services are increased by 1.0 FED position on the effective date of this subsection, to be funded from the appropriation under section 20.435 (4) (n) of the statutes, to

provide management information services related to the work-not-welfare program.

(2) The authorized FTE positions for the department of health and social services are increased by 0.5 FED position on the effective date of this subsection and by 2.0 FED positions on July 1, 1994, to be funded from the appropriation under section 20.435 (4) (n) of the statutes, to administer the work-not-welfare program.

SECTION 115. **Appropriation changes.** (1) STATE ADMINISTRATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (4) (a) of the statutes, as affected by the acts of 1993, the dollar amount is increased by \$255,300 for fiscal year 1993-94 and the dollar amount is increased by \$430,500 for fiscal year 1994-95 to increase the authorized FTE positions for the department by 1.0 GPR position on the effective date of this subsection to provide management information services related to the work-not-welfare program, by 0.5 GPR position on the effective date of this subsection and by 2.0 GPR positions on July 1, 1994, and for other costs to administer the work-not-welfare program.

(2) STUDY. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (4) (br) of the statutes, as affected by the acts of 1993, the dollar amount is increased by \$79,100 for fiscal year 1994-95 to fund a study of the work-not-welfare program.

(3) CHILD SUPPORT ASSISTANCE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (4) (ci) of the statutes, as affected by the acts of 1993, the dollar amount is increased by \$11,900 for fiscal year 1994-95 to provide child support assistance to work-not-welfare pilot counties.

(4) COUNTY ADMINISTRATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (4) (de) of the statutes, as affected by the acts of 1993, the dollar amount is increased by \$73,000 for fiscal year 1994-95 for county costs of administering the work-not-welfare program.

(5) EMPLOYMENT AND TRAINING. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (4) (df) of the statutes, as affected by the acts of 1993, the dollar amount is increased by \$251,300 for fiscal year 1994-95 to fund employment and training services for the work-not-welfare program.

(6) TRANSITIONAL CHILD CARE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (4) (cn) of the statutes, as affected by the acts of 1993, the dollar amount is

increased by \$40,000 for fiscal year 1994-95 to pay child care costs of individuals who secure unsubsidized employment and lose eligibility for aid to families with dependent children as provided under section 49.50 (6g) of the statutes.

(7) **WORK-FIRST PROGRAM.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (4) (df) of the statutes, as affected by the acts of 1993, the dollar amount is increased by

\$450,000 for fiscal year 1993-94 and the dollar amount is increased by \$900,000 for fiscal year 1994-95 to provide funding for the work-first program under section 49.193 (10m) of the statutes, as created by this act.

~~SECTION 116. **Effective dates.** This act takes effect on the day after publication, except as follows:~~ **Vetoed in Part**

~~(1) The treatment of section 49.46 (1) (a) 1 of the statutes takes effect on July 1, 1994, or on the day after publication, whichever is later.~~