



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1997 ASSEMBLY BILL 581**

January 20, 1998 – Offered by JOINT COMMITTEE ON FINANCE.

1 **AN ACT to amend** 49.175 (1) (intro.) and 253.06 (2); and **to create** 49.175 (1) (vm)
2 of the statutes; **relating to:** funding for the supplemental food program for
3 women, infants and children and making an appropriation.

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

4 **SECTION 1.** 49.175 (1) (intro.) of the statutes, as created by 1997 Wisconsin Act
5 27, section 1857p, is amended to read:

6 49.175 (1) FUNDS DISTRIBUTION. (intro.) Except as provided in par. (vm) and sub.
7 (2), within the limits of the appropriations under s. 20.445 (3) (a), (br), (cm), (dc), (dz),
8 (e), (em), (g), (jg), (jL), (L), (Lm), (mc), (md), (nL), (pm) and (ps), the department shall
9 allocate the following amounts for the following purposes:

10 **SECTION 2.** 49.175 (1) (vm) of the statutes is created to read:

11 49.175 (1) (vm) *Supplemental food program for women, infants and children.*
12 From the appropriation under s. 20.445 (3) (md), for per capita nutritional services

1 and administration funding to local agencies that administer the federal special
2 supplemental food program for women, infants and children under 42 USC 1786 and
3 the state supplemental food program for women, infants and children under s.
4 253.06, \$172,700 in fiscal year 1997-98 and \$518,100 in fiscal year 1998-99.
5 Notwithstanding sub. (2), the department may not use any funds allocated under
6 this paragraph for any other purpose under this subsection. No money may be
7 distributed under this paragraph unless the department has received explicit
8 authority from the federal department of health and human services to expend the
9 money under s. 20.445 (3) (md) for the purposes specified in this paragraph.

10 **SECTION 3.** 253.06 (2) of the statutes, as affected by 1997 Wisconsin Act 27, is
11 amended to read:

12 253.06 (2) USE OF FUNDS. From the appropriation under s. 20.435 (5) (em), the
13 department of health and family services shall supplement the provision of
14 supplemental foods and, except to the extent that moneys are distributed by the
15 department of workforce development for the purposes specified in s. 49.175 (1) (vm),
16 nutrition education and other services, including nutritional counseling, to
17 low-income women, infants and children who meet the eligibility criteria under the
18 federal special supplemental food program for women, infants and children
19 authorized under 42 USC 1786. To the extent that funds are available under this
20 section and to the extent that funds are available under 42 USC 1786, the
21 department of health and family services shall provide the supplemental food, and,
22 except to the extent that moneys are distributed by the department of workforce
23 development for the purposes specified in s. 49.175 (1) (vm), the nutrition education
24 and other services authorized under this section and shall administer that provision

1 in every county. The department of health and family services may enter into
2 contracts for this purpose.

3 **SECTION 4. Nonstatutory provisions.**

4 (1) SEEKING FEDERAL AUTHORITY FOR USE OF CERTAIN FUNDS. No later than 30 days
5 after the effective of this subsection, the department of workforce development shall
6 seek federal approval for the use of funds received under the temporary assistance
7 to needy children block grant to provide nutritional services and administration
8 funding to local agencies that administer the federal or state supplemental food
9 program for women, infants and children. The department of workforce
10 development shall inform the department of health and family services and the
11 cochairs of the joint committee on finance when the department of workforce
12 development has received notice of approval, partial approval or denial from the
13 federal department of health and human services.

14 (2) REQUEST FOR FUNDING. If the department of workforce development informs
15 the department of health and family services that the federal department of health
16 and human services has refused to grant, or has only partially granted, approval
17 sought under subsection (1), the department of health and family services shall
18 immediately submit a request for funds under subsection (3) (a) 1. If, by July 1, 1998,
19 the federal department of health and human services has neither granted nor
20 refused to grant approval, the department of health and family services shall request
21 funds under subsection (3) (a) 1. on July 1, 1998.

22 (3) APPROPRIATION SUPPLEMENTATION FOR THE SUPPLEMENTAL FOOD PROGRAM FOR
23 WOMEN, INFANTS AND CHILDREN.

24 (a) From the appropriation under section 20.865 (4) (a) of the statutes, as
25 affected by this act, the joint committee on finance shall supplement the

1 appropriation to the department of health and family services under section 20.435
2 (5) (em) of the statutes for the purpose of increasing the per capita nutritional
3 services and administration funding to local agencies that administer the federal or
4 state supplemental food program for women, infants and children to the extent that
5 funding is unavailable from the appropriation under section 20.445 (3) (md) of the
6 statutes for that purpose, if all of the following occur:

7 1. The department of health and family services submits to the committee a
8 request for the funds.

9 2. The committee approves the request, or the cochairpersons do not notify
10 within 14 working days after the receipt of the request the secretary of health and
11 family services that it has scheduled a meeting for the purpose of reviewing the
12 request.

13 (b) Notwithstanding section 13.101 (3) (a) of the statutes, the committee is not
14 required to find that an emergency exists to supplement the appropriation under
15 section 20.435 (5) (em) of the statutes as provided in this subsection.

16 **SECTION 5. Appropriation changes; legislature.**

17 (1) SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN. In the
18 schedule under section 20.005 (3) of the statutes for the appropriation to the joint
19 committee on finance under section 20.865 (4) (a) of the statutes, as affected by the
20 acts of 1997, the dollar amount is increased by \$172,700 for fiscal year 1997-98 and
21 the dollar amount is increased by \$518,100 for fiscal year 1998-99 to supplement the
22 appropriation to the department of health and family services under section 20.435
23 (5) (em) of the statutes for the purposes specified and to the extent permitted under
24 SECTION 4 (3).

25 (END)