



State of Wisconsin
2005 - 2006 LEGISLATURE

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**SENATE AMENDMENT 4,
TO 2005 ASSEMBLY BILL 100**

June 29, 2005 – Offered by Senators ROBSON, HANSEN, BRESKE, LASSA, TAYLOR, CARPENTER, DECKER, WIRCH, MILLER, ERPENBACH, PLALE, COGGS and RISSER.

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

2 **1.** Page 99, line 1: increase the dollar amount for fiscal year 2005–06 by
3 \$500,000 to increase funding to help advance research into the underlying causes of
4 and potential treatment for diabetes, Alzheimer’s disease, and Parkinson’s disease.

5 **2.** Page 167, line 6: increase the dollar amount for fiscal year 2005–06 by
6 \$2,097,300 and increase the dollar amount for fiscal year 2006–07 by \$3,975,400 to
7 increase funding for the purpose for which the appropriation is made.

8 **3.** Page 167, line 9: increase the dollar amount for fiscal year 2005–06 by
9 \$118,100 and increase the dollar amount for fiscal year 2006–07 by \$108,900 to
10 increase funding for the purposes for which the appropriation is made.

11 **4.** Page 182, line 5: increase the dollar amount for fiscal year 2005–06 by
12 \$900,400 and increase the dollar amount for fiscal year 2006–07 by \$1,800,800 to
13 increase funding for benefits for pregnant women grants under Wisconsin Works.

1 **5.** Page 484, line 18: after that line insert:

2 “**SECTION 1062c.** 49.148 (1m) (title) of the statutes is amended to read:

3 49.148 **(1m)** (title) CUSTODIAL PARENT OF INFANT; UNMARRIED, PREGNANT WOMAN.

4 **SECTION 1062d.** 49.148 (1m) (a) (intro.) of the statutes is created to read:

5 49.148 **(1m)** (a) (intro.) Any of the following may receive a monthly grant of
6 \$673:

7 **SECTION 1064c.** 49.148 (1m) (a) of the statutes is renumbered 49.148 (1m) (a)
8 1. and amended to read:

9 49.148 **(1m)** (a) 1. ~~A~~ An individual who meets the eligibility requirements
10 under s. 49.145 (2) and (3) and who is a custodial parent of a child who is 12 weeks
11 old or less and who meets the eligibility requirements under s. 49.145 (2) and (3) may
12 ~~receive a monthly grant of \$673,~~ unless another adult member of the custodial
13 parent’s Wisconsin ~~works~~ Works group is participating in, or is eligible to participate
14 in, a Wisconsin ~~works~~ Works employment position or is employed in unsubsidized
15 employment, as defined in s. 49.147 (1) (c).

16 **(bm)** A Wisconsin ~~works~~ Works agency may not require a participant under this
17 subsection to participate in any employment positions.

18 **(c) 1.** Receipt of a grant under this subsection by a participant under par. (a)
19 1. does not constitute participation in a Wisconsin ~~works~~ Works employment position
20 ~~for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (e), (4) (b) or (5)~~
21 ~~(b) 2.~~ if the child is born to the participant not more than 10 months after the date
22 that the participant was first determined to be eligible for assistance under s. 49.19
23 or for a Wisconsin ~~works~~ Works employment position.

24 **SECTION 1064h.** 49.148 (1m) (a) 2. of the statutes is created to read:

1 49.148 (1m) (a) 2. An unmarried woman who would be eligible under s. 49.145
2 except that she is not a custodial parent of a dependent child and who is in the 3rd
3 trimester of a pregnancy that is medically verified and that is shown by medical
4 documentation to be at risk and renders the woman unable to participate in the
5 workforce.

6 **SECTION 1064m.** 49.148 (1m) (b) of the statutes is renumbered 49.148 (1m) (c)
7 2. and amended to read:

8 49.148 (1m) (c) 2. Receipt of a grant under this subsection by a participant
9 under par. (a) 1. constitutes participation in a Wisconsin ~~works~~ Works employment
10 position ~~for purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (c), (4)~~
11 ~~(b) or (5) (b) 2.~~ if the child is born to the participant more than 10 months after the
12 date that the participant was first determined to be eligible for assistance under s.
13 49.19 or for a Wisconsin ~~works~~ Works employment position unless the child was
14 conceived as a result of a sexual assault in violation of s. 940.225 (1), (2), or (3) in
15 which the mother did not indicate a freely given agreement to have sexual
16 intercourse or of incest in violation of s. 944.06 or 948.06 and that incest or sexual
17 assault has been reported to a physician and to law enforcement authorities.

18 **SECTION 1064r.** 49.148 (1m) (c) (intro.) of the statutes is created to read:

19 49.148 (1m) (c) (intro.) For purposes of the time limits under s. 49.145 (2) (n)
20 or 49.147 (3) (c), (4) (b), or (5) (b) 2., all of the following apply:

21 **SECTION 1064w.** 49.148 (1m) (c) 3. of the statutes is created to read:

22 49.148 (1m) (c) 3. Receipt of a grant under this subsection by a participant
23 under par. (a) 2. does not constitute participation in a Wisconsin Works employment
24 position.”.

1 **6.** Page 487, line 16: after that line insert:

2 “**SECTION 1084c.** 49.159 (4) of the statutes is amended to read:

3 49.159 (4) PREGNANT WOMEN. A pregnant woman whose pregnancy is medically
4 verified, who would be eligible under s. 49.145 except that she is not a custodial
5 parent of a dependent child, and who does not satisfy the requirements under s.
6 49.148 (1m) (a) 2. is eligible for employment training and job search assistance
7 services provided by the Wisconsin works Works agency.”.

8 **7.** Page 488, line 10: delete “\$59,184,700” and substitute “\$59,632,900”.

9 **8.** Page 488, line 11: delete “\$51,930,000” and substitute “\$52,826,400”.

10 **9.** Page 489, line 10: delete “\$49,534,800” and substitute “\$49,987,000”.

11 **10.** Page 489, line 11: delete “\$43,463,000” and substitute “\$44,367,400”.

12 **11.** Page 506, line 16: after that line insert:

13 “**SECTION 1178m.** 49.665 (4) (a) 1. of the statutes is amended to read:

14 49.665 (4) (a) 1. The family’s income does not exceed ~~185%~~ 185 percent of the
15 poverty line, except as provided in par. (at) and except that a family that is already
16 receiving health care coverage under this section may have an income that does not
17 exceed ~~200%~~ 200 percent of the poverty line. ~~The Subject to par. (cm), the~~ department
18 shall establish by rule the criteria to be used to determine income.”.

19 **12.** Page 508, line 3: after that line insert:

20 “**SECTION 1181m.** 49.665 (4) (cm) of the statutes is created to read:

21 49.665 (4) (cm) For purposes of determining the income of a family or child
22 under this section, the department shall exclude from the calculation of farm income

1 any amounts claimed for income tax purposes for depreciation of equipment used in
2 the operation of the farm.

3 **SECTION 1181p.** 49.665 (4) (cm) of the statutes, as created by 2005 Wisconsin
4 Act (this act), is amended to read:

5 49.665 (4) (cm) For purposes of determining the income of a family ~~or~~ child, or
6 applicable person or persons specified in par. (ap) 1. under this section, the
7 department shall exclude from the calculation of farm income any amounts claimed
8 for income tax purposes for depreciation of equipment used in the operation of the
9 farm.”.

10 **13.** Page 510, line 23: after that line insert:

11 “**SECTION 1186t.** 49.688 (4r) of the statutes is created to read:

12 49.688 (4r) In determining a person’s annual household income under sub. (2)
13 (a) 4. and (b) for purposes of determining eligibility for prescription drug assistance
14 and under sub. (3) (b) 1. and 2. a. for purposes of establishing the required deductible
15 amount, the department shall deduct the amount of property taxes that the person
16 or any member of his or her household paid on the person’s primary residence in the
17 12-month period before the department makes an eligibility determination under
18 sub. (4).”.

19 **14.** Page 567, line 23: delete the material beginning with that line and ending
20 with page 571, line 20, and substitute:

21 “**SECTION 1288f.** 71.05 (6) (b) 36. of the statutes is created to read:

22 71.05 (6) (b) 36. For taxable years beginning after December 31, 2006, and
23 before January 1, 2008, an amount paid by an individual, other than a person to
24 whom subd. 19. applies, who has no employer and no self-employment income, for

1 medical care insurance for the individual, his or her spouse, and the individual's
2 dependents, calculated as follows:

3 a. Fifty percent of the amount paid by the individual for medical care insurance.

4 In this subdivision, “medical care insurance” means a medical care insurance policy
5 that covers the individual, his or her spouse, and the individual's dependents and
6 provides surgical, medical, hospital, major medical, or other health service coverage,
7 and includes payments made for medical care benefits under a self-insured plan, but
8 “medical care insurance” does not include hospital indemnity policies or policies with
9 ancillary benefits such as accident benefits or benefits for loss of income resulting
10 from a total or partial inability to work because of illness, sickness, or injury.

11 b. From the amount calculated under subd. 36. a., subtract the amounts
12 deducted from gross income for medical care insurance in the calculation of federal
13 adjusted gross income.

14 c. For an individual who is a nonresident or part-year resident of this state,
15 multiply the amount calculated under subd. 36. a. or b., by a fraction the numerator
16 of which is the individual's wages, salary, tips, unearned income, and net earnings
17 from a trade or business that are taxable by this state and the denominator of which
18 is the individual's total wages, salary, tips, unearned income, and net earnings from
19 a trade or business. In this subd. 36. c., for married persons filing separately “wages,
20 salary, tips, unearned income, and net earnings from a trade or business” means the
21 separate wages, salary, tips, unearned income, and net earnings from a trade or
22 business of each spouse, and for married persons filing jointly “wages, salary, tips,
23 unearned income, and net earnings from a trade or business” means the total wages,
24 salary, tips, unearned income, and net earnings from a trade or business of both
25 spouses.

1 d. Reduce the amount calculated under subd. 36. a., b., or c. to the individual's
2 aggregate wages, salary, tips, unearned income, and net earnings from a trade or
3 business that are taxable by this state.

4 **SECTION 1288g.** 71.05 (6) (b) 37. of the statutes is created to read:

5 71.05 (6) (b) 37. For taxable years beginning after December 31, 2007, an
6 amount paid by an individual, other than a person to whom subd. 19. applies, who
7 has no employer and no self-employment income, for medical care insurance for the
8 individual, his or her spouse, and the individual's dependents, calculated as follows:

9 a. One hundred percent of the amount paid by the individual for medical care
10 insurance. In this subdivision, "medical care insurance" means a medical care
11 insurance policy that covers the individual, his or her spouse, and the individual's
12 dependents and provides surgical, medical, hospital, major medical, or other health
13 service coverage, and includes payments made for medical care benefits under a
14 self-insured plan, but "medical care insurance" does not include hospital indemnity
15 policies or policies with ancillary benefits such as accident benefits or benefits for loss
16 of income resulting from a total or partial inability to work because of illness,
17 sickness, or injury.

18 b. From the amount calculated under subd. 37. a., subtract the amounts
19 deducted from gross income for medical care insurance in the calculation of federal
20 adjusted gross income.

21 c. For an individual who is a nonresident or part-year resident of this state,
22 multiply the amount calculated under subd. 37. a. or b., by a fraction the numerator
23 of which is the individual's wages, salary, tips, unearned income, and net earnings
24 from a trade or business that are taxable by this state and the denominator of which
25 is the individual's total wages, salary, tips, unearned income, and net earnings from

1 a trade or business. In this subd. 37. c., for married persons filing separately “wages,
2 salary, tips, unearned income, and net earnings from a trade or business” means the
3 separate wages, salary, tips, unearned income, and net earnings from a trade or
4 business of each spouse, and for married persons filing jointly “wages, salary, tips,
5 unearned income, and net earnings from a trade or business” means the total wages,
6 salary, tips, unearned income, and net earnings from a trade or business of both
7 spouses.

8 d. Reduce the amount calculated under subd. 37. a., b., or c. to the individual’s
9 aggregate wages, salary, tips, unearned income, and net earnings from a trade or
10 business that are taxable by this state.”.

11 **15.** Page 578, line 9: delete lines 9 to 15 and substitute:

12 “**SECTION 1311g.** 71.07 (5) (a) 15. of the statutes is amended to read:

13 71.07 (5) (a) 15. The amount claimed as a deduction for medical care insurance
14 under section 213 of the Internal Revenue Code that is exempt from taxation under
15 s. 71.05 (6) (b) 17. to 20., 35., 36., and 37. and the amount claimed as a deduction for
16 a long-term care insurance policy under section 213 (d) (1) (D) of the Internal
17 Revenue Code, as defined in section 7702B (b) of the Internal Revenue Code that is
18 exempt from taxation under s. 71.05 (6) (b) 26.”.

19 **16.** Page 695, line 9: delete lines 9 to 14.

20 **17.** Page 700, line 23: delete the material beginning with that line and ending
21 with page 701, line 7.

22 **18.** Page 1033, line 10: after that line insert:

23 “(10g) EXCLUDING DEPRECIATION FROM FARM INCOME FOR BADGERCARE. The
24 treatment of section 49.665 (4) (a) 1. of the statutes and the creation of section 49.665

1 (4) (cm) of the statutes first apply to eligibility determinations for the Badger Care
2 health care program that are made on the effective date of this subsection.”.

3 **19.** Page 1033, line 10: after that line insert:

4 “(10f) SENIOR CARE DEDUCTIBLE. The treatment of section 49.688 (4r) of the
5 statutes first applies to eligibility determinations made and deductible amounts paid
6 on the effective date of this subsection.”.

7 **20.** Page 1037, line 6: delete lines 6 and 7.

8 **21.** Page 1044, line 4: after “49.665” insert “(4) (cm) and”.

9 **22.** Page 1045, line 19: after that line insert:

10 “(13f) SENIOR CARE ELIGIBILITY. This act takes effect on the first day of the 2nd
11 month beginning after publication.”.

12 **23.** Page 1051, line 10: after that line insert:

13 “(1k) ELIGIBILITY OF PREGNANT WOMEN FOR WISCONSIN WORKS BENEFITS. The
14 treatment of sections 49.148 (1m) (title), (intro.), (b), and (c) (intro.) and 3. and 49.159
15 (4) of the statutes, the renumbering and amendment of section 49.148 (1m) (a) of the
16 statutes, and the creation of section 49.148 (1m) (a) 2. of the statute take effect on
17 January 1, 2006.”.

18 (END)