



1997 ASSEMBLY BILL 356

May 15, 1997 – Introduced by Representatives SYKORA, OURADA, KRUSICK, BALDWIN, HANDRICK, HASENOHRL, JOHNSRUD, KREIBICH, J. LEHMAN, MEYER, MURAT, MUSSER, OLSEN, PLOUFF, REYNOLDS, RYBA, SCHAFER, SERATTI, SPRINGER and R. YOUNG, cosponsored by Senators SHIBILSKI, ROSENZWEIG, BRESKE, ROESSLER, CLAUSING, GROBSCHMIDT, MOEN and PLACHE. Referred to Joint committee on Finance.

1 **AN ACT to renumber and amend** 71.07 (8) (a); **to amend** 46.81 (2) and 46.81
2 (5); and **to create** 71.07 (8) (a) 1. to 3. of the statutes; **relating to:** authorizing
3 positions for the board on aging and long-term care; increasing funding for
4 benefit specialist services, for training, supervision and legal backup services
5 for benefit specialists and for elder abuse services; limiting the personal
6 exemptions tax credit; and making appropriations.

Analysis by the Legislative Reference Bureau

Currently, the department of health and family services (DHFS) must allocate \$1,224,000 of general purpose revenues in each fiscal year to aging units to provide benefit specialist services to individuals who are aged at least 60 years. (An “aging unit” is directed by a county or tribal commission on aging and organized as an agency of county or tribal government, as a unit within a county department of social services or human services or as a private, nonprofit corporation; a “benefit specialist” provides information, advice and assistance to older individuals concerning eligibility for and problems with public benefits and services, health care financing, insurance, housing and other concerns.) DHFS must also allocate \$132,500 in each fiscal year to area agencies on aging for training, supervision and legal backup services for benefit specialists within the jurisdiction of each area agency on aging.

This bill increases the required expenditures of general purpose revenues for benefit specialist services, including for tribal benefit specialists, by \$1,150,000 in

ASSEMBLY BILL 356

each fiscal year. The bill increases the required expenditures of general purpose revenues for training, supervision and legal backup for benefit specialists by \$50,000 in each fiscal year. The bill also authorizes 2.0 additional full-time equivalent positions for the board on aging and long-term care, for treatment complaint investigations and service as mediators or advocates for the aged or disabled under the long-term care ombudsman program and appropriates general purpose revenues for the positions.

Under current law, every individual who reaches the age of 65 before the close of the taxable year to which his or her income tax return relates may claim a credit of \$25. Under this bill, for taxable years beginning on or after January 1, 1997, the credit may be claimed by such a person only if his or her adjusted gross income (AGI) is less than \$30,000 or, if the person is married and files a joint return, if the couple's AGI is less than \$40,000 or, if the person is married and files a separate return, if the taxpayer's AGI is less than \$20,000.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 46.81 (2) of the statutes is amended to read:

2 46.81 (2) From the appropriation under s. 20.435 (7) (dj), the department shall
3 ~~allocate \$1,224,000~~ distribute \$2,374,000 in each fiscal year to aging units to provide
4 benefit specialist services for older individuals. The department shall ensure that
5 each aging unit receives funds and shall take into account the proportion of the
6 state's population of low-income older individuals who reside in a county.

7 **SECTION 2.** 46.81 (5) of the statutes is amended to read:

8 46.81 (5) From the appropriation under s. 20.435 (7) (dj) the department shall
9 ~~allocate \$132,500~~ distribute \$182,500 in each fiscal year to area agencies on aging.
10 Each area agency on aging shall use the funds for training, supervision and legal
11 ~~back-up~~ backup services for benefit specialists within its area.

12 **SECTION 3.** 71.07 (8) (a) of the statutes is renumbered 71.07 (8) (a) (intro.) and
13 amended to read:

ASSEMBLY BILL 356

1 71.07 (8) (a) (intro.) An exemption of \$25 if the taxpayer has reached the age
2 of 65 prior to the close of the calendar or fiscal year: and if one of the following applies:

3 **SECTION 4.** 71.07 (8) (a) 1. to 3. of the statutes are created to read:

4 71.07 (8) (a) 1. The taxpayer is an individual, files an individual return, and
5 has adjusted gross income of less than \$30,000 in the year to which the claim relates.

6 2. The taxpayer is married, files a joint return, and has adjusted gross income
7 of less than \$40,000 in the year to which the claim relates.

8 3. The taxpayer is married, files a separate return, and has adjusted gross
9 income of less than \$20,000 in the year to which the claim relates.

10 **SECTION 5. Appropriation changes; aging and long-term care board.**

11 (1) LONG-TERM CARE OMBUDSMAN PROGRAM. In the schedule under section 20.005
12 (3) of the statutes for the appropriation to the board on aging and long-term care
13 under section 20.432 (1) (a) of the statutes, as affected by the acts of 1997, the dollar
14 amount is increased by \$100,000 for fiscal year 1997-98 and the dollar amount is
15 increased by \$100,000 for fiscal year 1998-99 to increase the authorized FTE
16 positions for the board on aging and long-term care by 2.0 GPR positions beginning
17 on July 1, 1997, for performance of services under section 16.009 (2) (b) of the
18 statutes.

19 **SECTION 6. Appropriation changes; health and family services.**

20 (1) BENEFIT SPECIALIST SERVICES. In the schedule under section 20.005 (3) of the
21 statutes for the appropriation to the department of health and family services under
22 section 20.435 (7) (dj) of the statutes, as affected by the acts of 1997, the dollar
23 amount is increased by \$1,000,000 for fiscal year 1997-98 and the dollar amount is
24 increased by \$1,000,000 for fiscal year 1998-99 to increase funding for benefit

ASSEMBLY BILL 356**SECTION 6**

1 specialist services to older individuals under section 46.81 (2) of the statutes, as
2 affected by this act.

3 (2) TRAINING, SUPERVISION AND LEGAL BACKUP SERVICES FOR BENEFIT SPECIALISTS.
4 In the schedule under section 20.005 (3) of the statutes for the appropriation to the
5 department of health and family services under section 20.435 (7) (dj) of the statutes,
6 as affected by the acts of 1997, the dollar amount is increased by \$50,000 for fiscal
7 year 1997-98 and the dollar amount is increased by \$50,000 for fiscal year 1998-99
8 to increase funding for training, supervision and legal backup services for benefit
9 specialists under section 46.81 (5) of the statutes, as affected by this act.

10 (3) TRIBAL BENEFIT SPECIALIST SERVICES. In the schedule under section 20.005
11 (3) of the statutes for the appropriation to the department of health and family
12 services under section 20.435 (7) (dj) of the statutes, as affected by the acts of 1997,
13 the dollar amount is increased by \$150,000 for fiscal year 1997-98 and the dollar
14 amount is increased by \$150,000 for fiscal year 1998-99 to increase funding for
15 benefit specialist services under an aging unit directed by a tribal commission on
16 aging to older tribal members under section 46.81 (2) of the statutes, as affected by
17 this act.

18 (4) ELDER ABUSE SERVICES. In the schedule under section 20.005 (3) of the
19 statutes for the appropriation to the department of health and family services under
20 section 20.435 (7) (dh) of the statutes, as affected by the acts of 1997, the dollar
21 amount is increased by \$400,000 for fiscal year 1997-98 and the dollar amount is
22 increased by \$400,000 for fiscal year 1998-99 to increase funding for elder abuse
23 services under section 46.90 (5m) of the statutes.

24 **SECTION 7. Initial applicability; revenue.**

