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Assembly Bill 5

Date of enactment: **June 9, 1988**
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1987 Wisconsin Act 413

(Vetoed in Part)

AN ACT to repeal 49.45 (28), 49.47 (4) (am) and (bm), 49.47 (4) (f) to (h) and 891.41 (2) (a) and (b); to renumber and amend 767.15 and 891.41 (2) (intro.); to amend 20.435 (1) (b), 20.435 (1) (gp), 20.435 (4) (de), 20.435 (4) (df), 46.03 (7) (bm), 46.03 (38) (a), 46.25 (7) (a), 46.25 (7) (b), 49.197 (1m), 49.197 (4), 49.46 (2) (a) (intro.) and (b) (intro.), 49.465 (2) (intro.), 49.47 (4) (c) 1, 49.47 (4) (c) 2 and 3, 49.50 (7j) (d) 2, 49.50 (7m) (j), 49.50 (7m) (jm), 59.47 (14), 69.15 (1) (b), 69.15 (3) (a) 3, 69.15 (3) (b) 1, 69.15 (3) (b) 3, 632.897 (10), 767.02 (3), 767.08 (3), 767.15 (title), 767.25 (1), 767.25 (1m) (f), 767.32 (1), 767.45 (1) (intro.), 767.45 (1) (g), 767.45 (5m), 767.45 (6), 767.45 (6m), 767.455 (5), 767.455 (5g) and (5r), 767.458 (2), 767.465 (title) and (1), 767.465 (2) (a), 767.51 (2), 767.51 (3), 767.51 (5) (am) and 767.65 (27); to repeal and recreate 15.197 (18), 49.465 (2) (intro.), 49.47 (4) (c) 1, 49.47 (4) (c) 2 and 3 and 767.075; and to create 20.435 (1) (fa) and (fb), 20.435 (4) (br) and (ch), 20.435 (4) (cn), 46.03 (38), 46.25 (12), 46.253, 49.43 (9m), 49.45 (28), 49.46 (1) (a) 6 to 8, (em) and (f) to (h), 49.46 (2) (bm), 49.47 (4) (am) and (bm), 49.47 (4) (f) to (h), 49.50 (7c) (c), 49.50 (7j) (be), 49.50 (7j) (bm) and (fm), 49.50 (7m) (jg), 49.50 (7p), 49.52 (1) (aL), 69.03 (14) and (15), 69.14 (1) (cm), 69.15 (3) (a) 4, 146.90 (4m), 767.15 (2) and (3), 767.23 (1) (k), 767.25 (4m), 767.27 (1m), 767.295, 767.458 (3), 767.466, 767.47 (1m) and 767.51 (3m) of the statutes; and to affect 1987 Wisconsin Act 27, section 3024 (24m), relating to employment and training programs; medical assistance coverage of certain children and pregnant women; child support orders in certain cases; incentives for the establishment of paternity in certain cases; income maintenance fraud and error reduction; income maintenance worker competency; studies of welfare reform; attorney representation in paternity determinations and child support and maintenance actions; default judgments in paternity cases; presumption of paternity; placing the name of the father on a child's birth certificate; changing a child's name; paternity actions on behalf of the state; blood tests in paternity cases; reopening paternity; judgments; providing reports of paternity determinations; providing birth certificates in paternity cases; health insurance coverage; pilot projects under the state health insurance program; creating a council on pilot projects for the uninsured; granting rule-making authority; and making appropriations.

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

SECTION 1. Legislative finding and declaration. The legislature finds that it is in the interest of each child to identify the child's father for reasons including medical information and financial support. The legislature declares that it is the policy of this state to promote the interest of children in knowing the identity of both parents.

SECTION 2. 15.197 (18) of the statutes is repealed and recreated to read:

SECTION 3. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

15.197 (18) COUNCIL ON PILOT PROJECTS FOR THE UNINSURED. There is created a council on pilot projects for the uninsured which is attached to the department of health and social services under s. 15.03. The council shall consist of 9 members appointed for terms ending June 30, 1991, or the effective date of the 1991-93 budget bill, whichever is later. Of those 9 members, 5 shall be appointed by the governor, 2 shall be appointed by the speaker of the assembly and 2 shall be appointed by the president of the senate.

			<u>1987-88</u>	<u>1988-89</u>
20.435	Health and social services,			
	department of			
(1)	HEALTH SERVICES PLANNING, REGULATION AND DELIVERY			
(fa)	State health insurance pilot projects benefits	GPR C	-0-	517,000
(fb)	State health insurance pilot projects adminis- tration	GPR C	28,600	300,500
(4)	COMMUNITY SERVICES			
(br)	Welfare reform studies	GPR C	-0-	180,000
(ch)	Incentives to establish paternity	GPR A	28,400	113,600
(cn)	Child care for former recipients of aid to families with dependent children	GPR C	-0-	5,328,400

SECTION 4. 20.435 (1) (b) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.435 (1) (b) *Medical assistance program benefits.* Biennially, the amounts in the schedule to provide the state share of medical assistance program benefits administered under s. 49.45, to fund the pilot project under s. 46.27 (9) and (10) and to provide benefits under s. 146.90 (4m) (a) 3. Notwithstanding s. 20.002 (1), the department of health and social services may transfer from this appropriation to the appropriation under sub. (4) (b) funds for the purposes specified under ss. 46.266 and 49.45 (6g) and as provided under s. 46.40 (14).

SECTION 5. 20.435 (1) (fa) and (fb) of the statutes are created to read:

20.435 (1) (fa) *State health insurance pilot projects benefits.* As a continuing appropriation, the amounts in the schedule to make subsidies available for persons enrolled in the state health insurance pilot projects conducted under s. 146.90 (4m).

(fb) *State health insurance pilot projects administration.* As a continuing appropriation, the amounts in the schedule to pay the costs of administering the state health insurance pilot projects conducted under s. 146.90 (4m), including the costs of local administrative contracts.

SECTION 6. 20.435 (1) (gp) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.435 (1) (gp) *Health care.* All moneys received under s. 146.99 to fund certain administrative costs for the state health insurance program under s. 146.90 and the health care programs under s. 146.93.

SECTION 7. 20.435 (4) (br) and (ch) of the statutes are created to read:

20.435 (4) (br) *Welfare reform studies.* As a continuing appropriation, the amounts in the schedule for the studies of welfare reform under s. 46.03 (38). No

moneys may be encumbered under this paragraph after June 30, 1993.

(ch) *Incentives to establish paternity.* The amounts in the schedule for payments to counties for establishing paternity under s. 46.25 (12).

SECTION 8. 20.435 (4) (cn) of the statutes is created to read:

20.435 (4) (cn) *Child care for former recipients of aid to families with dependent children.* As a continuing appropriation, 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 (7c) (c), (7j) (e) and (7m) (jm).

SECTION 9. 20.435 (4) (de) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.435 (4) (de) *Income maintenance county administration.* 1. The amounts in the schedule for payment distribution under s. ~~46.032~~ 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 counties under s. 46.25 (10) (c) and 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 to counties for fraud investigation and error reduction under s. 49.197 (1m) and (4), for the cost of the case management pilot project under s. 49.50 (7w) (e) and for administration of the child support supplement program under s. 46.257. Notwithstanding 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 under s. 49.52 (1) (ag) between calendar years.

2. Except for payments to counties under s. ~~ss. 46.25 (10) (c) and (12), 49.197 (1m) and (4), 49.50 (7w)~~

(e) and 49.52 (1) (aL) and for administration of the child support supplement program under s. 46.257, reimbursement from this appropriation shall be based on workload standards promulgated by the department.

SECTION 10. 20.435 (4) (df) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.435 (4) (df) *Employment and training programs.* ~~The~~ As a continuing appropriation, the amounts in the schedule for the work incentive demonstration program under s. 49.50 (7), the employment search program under s. 49.50 (7c), the work experience and job training program under s. 49.50 (7j), grant diversion projects under s. 49.50 (7g), community work experience programs under ~~ss. 46.253 and 49.50 (7m), the guaranteed jobs program under s. 49.50 (7p)~~ and the food stamp employment and training project under s. 49.124. Moneys appropriated under this paragraph may be used to match federal funds received under par. (pm) or (ps). ~~Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer moneys under this paragraph between fiscal years.~~

SECTION 11. 46.03 (7) (bm) of the statutes is amended to read:

46.03 (7) (bm) Maintain a file containing records of artificial inseminations under s. 891.40 and records of declarations of paternal interest under s. 48.025 and of statements acknowledging paternity under s. 891.41 (1) (b) + 69.15 (3) (b). The department shall release these records only upon an order of the court except that the department may use nonidentifying information concerning artificial inseminations for the purpose of compiling statistics and except that records relating to declarations of paternal interest and statements acknowledging paternity may be used without a court order upon the ~~written~~ request of the department or its designee under s. 59.07 (97) pursuant to its the program responsibilities under s. 46.25 or by any other person with a direct and tangible interest in the record.

SECTION 12. 46.03 (38) of the statutes is created to read:

46.03 (38) WELFARE REFORM STUDIES. (a) Request proposals from persons in this state for studies of the effectiveness of various program changes, referred to as welfare reform, to the aid to families with dependent children program and the medical assistance program, including the work experience and job training program under s. 49.50 (7j), community work experience programs under s. 49.50 (7m), the requirement under s. 49.50 (7) (f) that certain recipients of aid to families with dependent children with children under age 6 participate in training programs, the requirement under s. 49.50 (7) (g) that certain teenage recipients of aid to families with dependent children remain in school, the modification of the earned income disregard under s. 49.19 (5) (am) and the extension of medical assistance benefits under ss. 49.46 (1) (co) and

49.47 (4) (am), and the state health insurance program pilot projects under s. 146.90 (4m). The studies shall evaluate the effectiveness of the various efforts, including their cost-effectiveness, in helping individuals gain independence through the securing of jobs, the availability of health insurance coverage and providing financial incentives and in identifying barriers to independence.

(b) Enter into more than one contract for the conduct of studies under this subsection. At least one contract shall meet the federal requirements for evaluating the federal welfare reform waivers. The department shall expend not more than 50% of the funds appropriated under s. 20.435 (4) (br) for the study or studies which are designed solely to meet the federal requirements for evaluating the federal welfare reform waivers. The department shall enter into the contracts on or before the first day of the 7th month beginning after the effective date of this paragraph [revisor inserts date], except that the department shall enter into the contract to evaluate the state health insurance pilot projects on or before the first day of the 13th month beginning after the effective date of this paragraph [revisor inserts date]. The department shall ensure that interim reports are submitted on or before January 1, 1990, and final reports are submitted on or before July 1, 1993, to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2), except that the department shall ensure that the final report of the study of the state health insurance pilot projects is submitted on or before January 1, 1991.

SECTION 13. 46.03 (38) (a) of the statutes, as created by 1987 Wisconsin Act (this act), is amended to read:

46.03 (38) (a) Request proposals from persons in this state for studies of the effectiveness of various program changes, referred to as welfare reform, to the aid to families with dependent children program and the medical assistance program, including the work experience and job training program under s. 49.50 (7j), community work experience programs under s. 49.50 (7m), the requirement under s. 49.50 (7) (f) that certain recipients of aid to families with dependent children with children under age 6 participate in training programs, the requirement under s. 49.50 (7) (g) that certain teenage recipients of aid to families with dependent children remain in school, the modification of the earned income disregard under s. 49.19 (5) (am) and the extension of medical assistance benefits under ~~ss. s. 49.46 (1) (a) 6 to 8 and (co) and 49.47 (4) (am),~~ and the state health insurance program pilot projects under s. 146.90 (4m). The studies shall evaluate the effectiveness of the various efforts, including their cost-effectiveness, in helping individuals gain independence through the securing of jobs, the availability of health insurance coverage and providing financial incentives and in identifying barriers to independence.

SECTION 14. 46.25 (7) (a) of the statutes, as affected by 1987 Wisconsin Act 399, is amended to read:

46.25 (7) (a) Before January 1, 1990, the department may represent the state ~~or any individual~~ in any action to establish paternity or to establish or enforce a support or maintenance obligation, including maintenance under s. 49.90 (1) (a) 2. The department may delegate its authority to represent the state ~~or any individual~~ in any action to establish paternity or to establish or enforce a support or maintenance obligation under this section to the district attorney, or corporation counsel when authorized by county board resolution, pursuant to a contract entered into under s. 59.07 (97). The department shall ensure that any such contract is for an amount reasonable and necessary to assure quality service. The department may, by such a contract, authorize a county to contract with any attorney, collection agency or other person to collect unpaid child support or maintenance. If a county fails to fully implement the programs under s. 59.07 (97), the department may implement them and may contract with any appropriate person to obtain necessary services. The department shall establish a formula for disbursing funds appropriated under s. 20.435 (4) (p) to carry out a contract under this subsection.

SECTION 15. 46.25 (7) (b) of the statutes, as created by 1987 Wisconsin Act 399, is amended to read:

46.25 (7) (b) After December 31, 1989, the department may represent the state ~~or any individual~~ in any action to establish paternity or to establish or enforce a support or maintenance obligation. The department may delegate its authority to represent the state ~~or any individual~~ in any action to establish paternity or to establish or enforce a support or maintenance obligation under this section to the district attorney, or corporation counsel when authorized by county board resolution, pursuant to a contract entered into under s. 59.07 (97). The department shall ensure that any such contract is for an amount reasonable and necessary to assure quality service. The department may, by such a contract, authorize a county to contract with any attorney, collection agency or other person to collect unpaid child support or maintenance. If a county fails to fully implement the programs under s. 59.07 (97), the department may implement them and may contract with any appropriate person to obtain necessary services. The department shall establish a formula for disbursing funds appropriated under s. 20.435 (4) (p) to carry out a contract under this subsection.

SECTION 16. 46.25 (12) of the statutes is created to read:

46.25 (12) From the appropriations under s. 20.435 (4) (ch) and (nL), the department shall, if sufficient funds are available, pay a county \$100 for an action to establish paternity in which all of the following conditions are met:

(a) At the time of the child's birth the mother of the child is under the age of 20 and is not married.

(b) The attorney designated by that county under s. 767.45 (6) (a) represents the state.

(c) A judgment establishing the paternity of the child under s. 767.51 is entered before the child's first birthday.

SECTION 17. 46.253 of the statutes is created to read:

46.253 Pilot community work experience program for absent parents. (1) In this section, "custodial parent" means a parent who lives with his or her child for substantial periods of time.

(2) The department may contract with up to 2 counties each with a population of less than 500,000 and with a low rate of unemployment to establish a pilot community work experience program for parents who are not custodial parents and who fail to pay child support. The department shall fund the program from the appropriation under s. 20.435 (4) (df).

(3) (a) Except as provided in par. (f), a person ordered to register under s. 767.295 (2) (a) shall participate in a community work experience program if a job placement is available.

(b) A person may not be required to work more than 32 hours per week in the program under this section.

(c) A person may not be required to work more than 16 weeks during each 12-month period in a program under this section.

(d) If a person is required by a governmental entity to participate in another work or training program, the maximum number of hours in a week which the person may be required to work in a program under this section equals 32 minus the number of hours he or she is required to participate in the other work or training program in that week.

(e) If a person is employed, the maximum number of hours in a week which the person may be required to work in a program under this section equals 80% of the difference between 40 hours and the number of hours actually worked in the unsubsidized job during that week.

(f) A person who works, on average, 32 hours or more per week in an unsubsidized job is not required to participate in a program under this section.

(g) If the person's child receives benefits under s. 49.19, the liability under s. 49.195 of a parent who is a member of the child's household is reduced by the amount of the federal minimum hourly wage under 29 USC 206 (a) (1) for each hour the person participates in a program under this section.

(4) When a person completes 16 weeks of participation in a program under this section, the county operating the program shall inform the clerk of courts, by affidavit, of that completion.

(5) A person participating in a community work experience program under this section in a county is

considered an employe of that county for purposes of worker's compensation benefits only.

(6) A county shall reimburse a person for reasonable transportation costs incurred because of participation in a program under this section up to a maximum of \$25 per month.

(7) The department shall pay a county \$200 for each person who participates in the program under this section in that county. The county shall pay any additional costs of the program.

SECTION 18. 49.197 (1m) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

49.197 (1m) FRAUD INVESTIGATION. From the appropriations under s. 20.435 (4) ~~(de)~~, (L) ~~and~~, (n) ~~and (nL)~~, the department shall establish a program to investigate suspected fraudulent activity on the part of recipients of medical assistance under ss. 49.46 to 49.47, aid to families with dependent children under s. 49.19 and the food stamp program under 7 USC 2011 to 2029. The department's activities under this subsection may include, but are not limited to, comparisons of information provided to the department by an applicant and information provided by the applicant to other federal, state and local agencies, development of an advisory welfare investigation prosecution standard and provision of funds to county departments under s. 46.215, 46.22 and 46.23 to encourage activities to detect fraud.

SECTION 19. 49.197 (4) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

49.197 (4) COUNTY AND TRIBAL ERROR REDUCTION. The department shall provide funds from the ~~appropriation~~ appropriations under s. 20.435 (4) ~~(de)~~ and (L) and federal matching funds from the ~~appropriation~~ appropriations under s. 20.435 (4) (n) ~~and (nL)~~ to counties and governing bodies of federally recognized American Indian tribes administering medical assistance under ss. 49.43 to 49.47, aid to families with dependent children under s. 49.19 or the food stamp program under 7 USC 2011 to 2029 to offset administrative costs of reducing payment errors in those programs.

SECTION 20. 49.43 (9m) of the statutes is created to read:

49.43 (9m) "Poverty line" means the poverty line as defined and revised annually under 42 USC 9902 (2).

SECTION 21. 49.45 (28) of the statutes is created to read:

49.45 (28) STATE FUNDING FOR CERTAIN BENEFICIARIES. The department shall pay for benefits provided to a person who is eligible under s. 49.465 (2) whose income is preliminarily determined to be above the limits for eligibility under ss. 49.46 (1) (a) and 49.47 (4) (c) 1 but not above 120% of the poverty line or who is eligible under s. 49.47 (4) (am) solely from the appropriation under s. 20.435 (1) (b).

SECTION 22. 49.45 (28) of the statutes, as created by 1987 Wisconsin Act (this act), is repealed.

SECTION 23. 49.46 (1) (a) 6 to 8, (em) and (f) to (h) of the statutes are created to read:

49.46 (1) (a) 6. Any pregnant woman not described under subd. 1 or 1m whose family income does not exceed 127% of the poverty line for a family the size of the woman's family and who meets the limitation under par. (em).

7. Any child not described under subd. 1 who is under one year of age, and whose family income does not exceed 127% of the poverty line for a family the size of the child's family and who meets the limitation under par. (em).

8. Any child not described under subd. 1 who is at least one year of age but under 3 years of age, whose family income does not exceed 100% of the poverty line for a family the size of the child's family and who meets the limitation under par. (em).

(em) 1. In this paragraph, "available assets" means all of the following:

- a. Cash.
- b. Checking accounts.
- c. Savings accounts.
- d. Stocks.
- e. Bonds.
- f. Certificates of deposit, less any penalties for early withdrawal.

2. An individual who satisfies the criteria under par. (a) 6, 7 or 8 is eligible for benefits under this section if the value of his or her family's available assets does not exceed \$4,300.

(f) An individual determined to be eligible for benefits under par. (a) 6 remains eligible for benefits under par. (a) 6 for the balance of the pregnancy and for 60 days after the last day of the pregnancy without regard to any change in the individual's family income.

(g) If a child eligible for benefits under par. (a) 7 or 8 is receiving inpatient services covered under sub. (2) on the day before the birthday on which the child attains the age at which he or she would become ineligible under par. (a) 7 or 8 and, but for attaining that age, the child would remain eligible for benefits under par. (a) 7 or 8, the child remains eligible for benefits until the end of the stay for which the inpatient services are furnished.

(h) For the purposes of par. (a) 6, 7 and 8, "income" includes income that would be used in determining eligibility for aid to families with dependent children under s. 49.19, except to the extent that that determination is inconsistent with 42 USC 1396a (a) (17), and excludes income that would be excluded in determining eligibility for aid to families with dependent children under s. 49.19.

SECTION 24. 49.46 (2) (a) (intro.) and (b) (intro.) of the statutes are amended to read:

49.46 (2) (a) (intro.) ~~The~~ Except as provided in par. ~~(bm)~~, the department shall audit and pay allowable charges to certified providers for medical assistance

on behalf of recipients for the following federally mandated benefits:

(b) (intro.) ~~The Except as provided in par. (bm), the~~ department shall audit and pay allowable charges to certified providers for medical assistance on behalf of recipients for the following services:

SECTION 25. 49.46 (2) (bm) of the statutes is created to read:

49.46 (2) (bm) Benefits for an individual eligible under sub. (1) (a) 6 are limited to those services under par. (a) or (b) that are related to pregnancy, including postpartum and family planning services, or to other conditions which may complicate pregnancy.

SECTION 26. 49.465 (2) (intro.) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

49.465 (2) (intro.) A pregnant woman is eligible for medical assistance benefits, as provided under sub. (3), during the period beginning on the day on which a qualified provider determines, on the basis of preliminary information, that the woman's family income does not exceed the highest level for eligibility for benefits under s. 49.46 (1) or 49.47 (4) (am) or (c) 1 and ending on the earliest of the following:

SECTION 27. 49.465 (2) (intro.) of the statutes, as affected by 1987 Wisconsin Acts 27 and (this act), is repealed and recreated to read:

49.465 (2) (intro.) A pregnant woman is eligible for medical assistance benefits, as provided under sub. (3), during the period beginning on the day on which a qualified provider determines, on the basis of preliminary information, that the woman's family income does not exceed the highest level for eligibility for benefits under s. 49.46 (1) or 49.47 (4) (c) 1 and ending on the earliest of the following:

SECTION 28. 49.47 (4) (am) and (bm) of the statutes are created to read:

49.47 (4) (am) An individual who does not meet the limitation on income in par. (c) is eligible for medical assistance under this section if the individual meets the limitation under par. (bm) 2 and is one of the following:

1. A pregnant woman whose family income does not exceed 120% of the poverty line for a family the size of the woman's family.

2. A child who is under one year of age and whose family income does not exceed 120% of the poverty line for a family the size of the child's family.

(bm) 1. In this paragraph, "available assets" means all of the following:

- a. Cash.
- b. Checking accounts.
- c. Savings accounts.
- d. Stocks.
- e. Bonds.
- f. Certificates of deposit, less any penalties for early withdrawal.

2. An individual who satisfies the criteria under par. (am) 1 or 2 is eligible for benefits under this sec-

tion if the value of his or her family's available assets does not exceed \$4,300.

SECTION 29. 49.47 (4) (am) and (bm) of the statutes, as created by 1987 Wisconsin Act (this act), are repealed.

SECTION 30. 49.47 (4) (c) 1 of the statutes, as affected by 1987 Wisconsin Acts 27 and 307, is amended to read:

49.47 (4) (c) 1. Except as provided in par. (am) and as limited by subd. 3, eligibility exists if income does not exceed 133 1/3% of the maximum aid to families with dependent children payment under s. 49.19 (11) for the applicant's family size or the combined benefit amount available under supplemental security income under 42 USC 1381 to 1383c and state supplemental aid under s. 49.177 whichever is higher. In this subdivision "income" includes earned or unearned income that would be included in determining eligibility for the individual or family under s. 49.177 or 49.19, or for the aged, blind or disabled under 42 USC 1381 to 1385. "Income" does not include earned or unearned income which would be excluded in determining eligibility for the individual or family under s. 49.177 or 49.19, or for the aged, blind or disabled individual under 42 USC 1381 to 1385.

SECTION 31. 49.47 (4) (c) 1 of the statutes, as affected by 1987 Wisconsin Acts 27, 307 and (this act), is repealed and recreated to read:

49.47 (4) (c) 1. Except as limited by subd. 3, eligibility exists if income does not exceed 133 1/3% of the maximum aid to families with dependent children payment under s. 49.19 (11) for the applicant's family size or the combined benefit amount available under supplemental security income under 42 USC 1381 to 1383c and state supplemental aid under s. 49.177 whichever is higher. In this subdivision "income" includes earned or unearned income that would be included in determining eligibility for the individual or family under s. 49.177 or 49.19, or for the aged, blind or disabled under 42 USC 1381 to 1385. "Income" does not include earned or unearned income which would be excluded in determining eligibility for the individual or family under s. 49.177 or 49.19, or for the aged, blind or disabled individual under 42 USC 1381 to 1385.

SECTION 32. 49.47 (4) (c) 2 and 3 of the statutes are amended to read:

49.47 (4) (c) 2. Whenever an applicant has excess income under subd. 1 or par. (am), no certification shall may be issued until ~~such time as~~ the excess income above the applicable limits has been expended for medical care or for any other type of remedial care recognized under state law or for personal health insurance premiums or both.

3. ~~No~~ Except as provided in par. (am), no person is eligible for medical assistance under this section if the person's income exceeds the maximum income levels that the U.S. department of health and human ser-

vices sets for federal financial participation under 42 USC 1396b (f).

SECTION 33. 49.47 (4) (c) 2 and 3 of the statutes, as affected by 1987 Wisconsin Act (this act), are repealed and recreated to read:

49.47 (4) (c) 2. Whenever an applicant has excess income, no certification may be issued until the excess income above the applicable limits has been expended for medical care or for any other type of remedial care recognized under state law or for personal health insurance premiums or both.

3. No person is eligible for medical assistance under this section if the person's income exceeds the maximum income levels that the U.S. department of health and human services sets for federal financial participation under 42 USC 1396b (f).

SECTION 34. 49.47 (4) (f) to (h) of the statutes are created to read:

49.47 (4) (f) An individual determined to be eligible for benefits under par. (am) 1 remains eligible for benefits under par. (am) 1 for the balance of the pregnancy and to the last day of the first month which ends at least 60 days after the last day of the pregnancy without regard to any change in the individual's family income.

(g) If a child eligible for benefits under par. (am) 2 is receiving inpatient services covered under sub. (6) on the day before the birthday on which the child attains the age of one and, but for attaining that age, the child would remain eligible for benefits under par. (am) 2, the child remains eligible for benefits until the end of the stay for which the inpatient services are furnished.

(h) For the purposes of par. (am), "income" includes income that would be used in determining eligibility for aid to families with dependent children under s. 49.19 and excludes income that would be excluded in determining eligibility for aid to families with dependent children under s. 49.19.

SECTION 35. 49.47 (4) (f) to (h) of the statutes, as created by 1987 Wisconsin Act (this act), are repealed.

SECTION 36. 49.50 (7c) (c) of the statutes is created to read:

49.50 (7c) (c) The department may provide funds to pay child care costs of individuals who secure unsubsidized employment following participation in the employment search program and lose eligibility for aid to families with dependent children because of earned income. The funds shall be used to provide care for a child for all or part of a day during which the individual works. The child care services must be provided by a child care provider as defined in s. 46.98 (1) (a). The department shall establish a formula for assistance under this paragraph based on ability to pay. The payment rates for child care services under this paragraph shall be determined as provided under s. 46.98 (4) (d).

SECTION 37. 49.50 (7j) (be) of the statutes is created to read:

49.50 (7j) (be) Notwithstanding par. (b), the department may contract with a public or private agency, selected by the department without competitive bidding or competitive sealed proposals, to administer the program under this subsection in a county with a population of 500,000 or more.

SECTION 38. 49.50 (7j) (bm) and (fm) of the statutes are created to read:

49.50 (7j) (bm) The department shall ensure that in at least one county services from the program under this subsection are made available to every recipient eligible to participate in the program under this subsection.

(fm) The department shall ensure that records of the number of participants in the program under this subsection and of the number of job placements made are kept according to gender and according to whether or not the participant is eligible under s. 49.19 (4) (dm).

SECTION 39. 49.50 (7j) (d) 2 of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

49.50 (7j) (d) 2. A county participating in the work experience and job training program under this subsection shall establish a community work experience program. ~~The county shall pay 10% of the federally allowable administrative costs of the community work experience program that are not reimbursed by the federal government and the department shall, from the appropriation under s. 20.435 (4) (df), reimburse the county for the remainder~~ all of the federally allowable administrative costs of the community work experience program not reimbursed by the federal government.

SECTION 40. 49.50 (7m) (j) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

49.50 (7m) (j) ~~A~~ Except as provided under par. (jg), a county department under s. 46.215, 46.22 or 46.23 which establishes a program under this subsection shall pay 10% of the federally allowable all administrative costs of the program that are not reimbursed by the federal government ~~and the department of health and social services shall, from the appropriation under s. 20.435 (4) (df), reimburse the county department for the remainder of the federally allowable administrative costs not reimbursed by the federal government.~~

SECTION 41. 49.50 (7m) (jg) of the statutes is created to read:

49.50 (7m) (jg) A county department under s. 46.215, 46.22 or 46.23 which establishes a program under this subsection may apply to the department of health and social services for reimbursement of federally allowable administrative costs of the program that are not reimbursed by the federal government. The department of health and social services may, based on criteria it develops, select county departments to receive reimbursement under this paragraph

and, from the appropriation under s. 20.435 (4) (df), reimburse those county departments for all of the federally allowable administrative costs of the program under this subsection that are not reimbursed by the federal government.

SECTION 42. 49.50 (7m) (jm) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

49.50 (7m) (jm) From the appropriation under s. 20.435 (4) (~~df~~ (cn)), the department shall use available funds to pay child care costs of individuals who secure unsubsidized employment following participation in a program under this subsection and lose eligibility for aid to families with dependent children because of earned income. The funds shall be used to provide care for children for all or part of a day during which the individual works. The child care services must be provided by a child care provider as defined in s. 46.98 (1) (a). The department shall establish a formula for assistance under this paragraph based on ability to pay. The rates for child care services under this paragraph shall be determined as provided under s. 46.98 (4) (d).

SECTION 43. 49.50 (7p) of the statutes is created to read:

49.50 (7p) **GUARANTEED JOBS PROGRAM.** (a) In this subsection:

1. "Administering agency" means the agency administering the program under sub. (7j) in a county.
2. "Governmental body" has the meaning under s. 895.52 (1) (a).
3. "Job developer" means a person who contracts with an administering agency to provide services for the program under this subsection.

(b) The department shall establish a pilot program, in conjunction with the program under sub. (7j), to provide job opportunities for high school graduates in one county which has high unemployment, a high rate of school dropouts and large numbers of recipients of aid to families with dependent children under s. 49.19 and general relief under s. 49.02. The administering agency shall administer the program under this subsection. The county shall select high schools to participate in the program. Any graduate of a high school in which the program is operating, or any high school graduate who lives in the attendance area of a high school in which the program is operating at the time of the person's graduation, who receives benefits under s. 49.19 or whose family received benefits under s. 49.19 for at least 24 months during the time from the person's 13th birthday until the person's 20th birthday is eligible to register for the program under this subsection within 2 years after he or she graduates. The program may provide services to a person who has not graduated if the person is expected to graduate from high school within 6 months after registration for the program.

(c) The administering agency shall provide or contract with one or more job developers to provide the following services:

1. Employment skills training.
2. Job search assistance.
3. Development of, and participant placement in, jobs other than community service jobs under par. (d), including the use of all of the following:

a. The federal targeted jobs tax credit under sections 50 and 51 of the internal revenue code.

b. Grant diversion under sub. (7g) for participants who receive aid under s. 49.19.

4. Development of, and placement in, community service jobs under par. (d) for participants who cannot be placed in jobs under subd. 3.

(d) 1. A community service job provided under this subsection shall be a job with a governmental body or with a nonprofit organization, as defined under s. 108.02 (19), which serves a useful public purpose.

2. In a county in which the program under this subsection operates, the community work experience program council under sub. (7j) (d) 3 is also the guaranteed jobs program council. The council shall work with a job developer to develop community service jobs.

3. A job developer or the administering agency shall compensate a program participant placed in a community service job at the higher of the federal minimum wage under 29 USC 206 (a) or the state minimum wage established under s. 104.04. The administering agency shall reimburse a job developer for wages paid under this subdivision.

4. A community service job under this subsection may not do any of the following:

a. Displace a regular employe of a governmental body or decrease overtime worked by a regular employe of a governmental body.

b. Fill an established unfilled governmental position unless the position is unfunded in a governmental body budget.

c. Fill a position which would otherwise be a promotional opportunity for a regular employe of a governmental body.

d. Fill a position in a governmental body prior to compliance with all required personnel procedures and provisions of collective bargaining agreements.

e. Fill a work assignment customarily performed by an employe of a governmental body in a job classification within a recognized collective bargaining unit at the work site or a work assignment in a governmental body bargaining unit in which funded positions are vacant or in which regular employes are laid off.

f. Cause the violation of a collective bargaining agreement by a governmental body.

(e) The administering agency shall reimburse a job developer for its services under this subsection. Except as provided in par. (d) 3, reimbursement shall be solely based on job placements. The amount of

reimbursement for a job placement shall be based on a sliding scale taking into account the quality of the job, including wages, hours and fringe benefits, with higher payment for a private sector job, as determined by the department by rule.

(f) The department shall promulgate rules for the administration of the program under this subsection.

(g) The department shall submit a report evaluating the program established under this subsection to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), by July 1, 1991. The report shall include job placement rates by gender and racial group.

(h) 1. Except as provided under subd. 2 or 3, an individual who graduates from a high school participating in the program under this subsection at the time of the person's graduation who receives aid under s. 49.19 within 2 years after high school graduation and who lives in the county in which the high school is located shall participate in the program under this subsection to meet the job program participation requirements under the aid to families with dependent children program.

2. The department shall provide by rule for exceptions to the requirement under subd. 1 for individuals who are disabled, working or attending college, a vocational, technical and adult education school or other educational program with a vocational objective or who lack transportation or for whom travel time to and from a training or job location would be excessive.

3. An individual who receives aid under s. 49.19 and who is the caretaker of a child who is at least 3 months of age but is under 6 years of age is not required to participate in the program under this subsection unless the waiver under sub. (7) (f) is in effect. A person who is the caretaker of a child under 3 months of age is not required to participate in the program under this subsection.

4. A participant in the program under this subsection who receives aid under s. 49.19 is eligible for supportive services provided under sub. (7) (a) or (7j) including postplacement child care funds.

SECTION 44. 49.52 (1) (aL) of the statutes is created to read:

49.52 (1) (aL) In addition to the amounts determined under par. (ag), the department shall allocate to counties administering programs under s. 49.50 (7c), (7g), (7j) and (7m) an amount not to exceed \$1,600,000 in 1988 and \$800,000 in the first 6 months of 1989, statewide, for the increased costs of income maintenance administration caused by the existence of those programs.

SECTION 45. 59.47 (14) of the statutes is amended to read:

59.47 (14) Cooperate, as necessary, with the county and the department of health and social services in establishing paternity and establishing and enforcing child and spousal support under the child and spousal

support and establishment of paternity program under s. 46.25, including, but not limited to, representation of the state's interest as specified in s. 767.075 (1) in cases where individuals are not receiving assistance under s. 49.19. Upon the request and under the supervision and direction of the attorney general, brief and argue all such cases brought by appeal or writ of error or certified from his or her county to the court of appeals or supreme court.

SECTION 46. 69.03 (14) and (15) of the statutes are created to read:

69.03 (14) Provide hospitals with a pamphlet containing information for parents about birth certificates including how to add the name of the father of a child whose parents were not married at any time from the conception to the birth of the child to the birth certificate under s. 69.15 (3) (b) or, if the father will not sign an affidavit, through a paternity action; the legal significance and future medical advantages to the child of having the father's name inserted on the birth certificate; and the availability of services under s. 46.25.

(15) Periodically provide to each county designee under s. 59.07 (97) a list of names and, notwithstanding s. 69.20 (2) (a), addresses of registrants who reside in that county for whom no father's name has been inserted on the registrant's birth certificate within 6 months of birth.

SECTION 47. 69.14 (1) (cm) of the statutes is created to read:

69.14 (1) (cm) *Information concerning paternity.* For a birth which occurs en route to or at a hospital, the filing party shall give the mother a copy of the pamphlet under s. 69.03 (14). If the child's parents are not married at the time of the child's birth, the filing party shall give the mother a copy of the form prescribed by the state registrar under s. 69.15 (3) (b) 3. If the mother provides a completed form to the filing party while she is a patient in the hospital and within 5 days after the birth, the filing party shall send the form directly to the state registrar.

SECTION 48. 69.15 (1) (b) of the statutes is amended to read:

69.15 (1) (b) ~~At the direction of the court in an order from a state court in this state, the A~~ clerk of court sends the state registrar a certified report of ~~the an order of a court in this state~~ on a form supplied by the state registrar ~~and a certified copy of the birth certificate, except as provided under subs. (2) (b) and (6)~~ or, in the case of any other order, the state registrar receives a certified copy of the order and the proper fee under s. 69.22.

SECTION 49. 69.15 (3) (a) 3 of the statutes is amended to read:

69.15 (3) (a) 3. ~~Insert~~ Except as provided under subd. 4, insert the name of the adjudicated father on the original birth certificate if the name of the father was omitted on the original certificate.

SECTION 50. 69.15 (3) (a) 4 of the statutes is created to read:

69.15 (3) (a) 4. If the order provides for a change in the child's given name or surname or both, enter the name indicated on a new birth certificate prepared under subd. 1 or 2 or on the original birth certificate under subd. 3 except that if the surname of a child under 7 years of age is changed, the state registrar shall prepare a new certificate under sub. (6).

SECTION 51. 69.15 (3) (b) 1 of the statutes is amended to read:

69.15 (3) (b) 1. Except as provided under par. (c), if the state registrar receives a statement acknowledging paternity on a form prescribed by the state registrar and signed by both of the birth parents of a child determined to be a marital child under s. 767.60, a certified copy of the parents' marriage certificate and the fee required under s. 69.22 (5) (b) 1, the state registrar shall insert the name of the husband from the marriage certificate as the father if the name of the father was omitted on the original birth certificate. The state registrar shall include on the form for the acknowledgement a notice of the information in s. 767.458 (1) (a) to (e).

SECTION 52. 69.15 (3) (b) 3 of the statutes is amended to read:

69.15 (3) (b) 3. Except as provided under par. (c), if the state registrar receives a statement acknowledging paternity ~~under s. 891.41~~ on a form prescribed by the state registrar and signed by both parents, along with the fee under s. 69.22, the state registrar shall insert the name of the father under subd. 1. The state registrar shall mark the certificate to show that the form is on file. The form shall be available to the department or its designee under s. 59.07 (97) pursuant to the program responsibilities under s. 46.25 or to any other person with a direct and tangible interest in the record. The state registrar shall include on the form for the acknowledgement a notice of the information in s. 767.458 (1) (a) to (e).

SECTION 53. 146.90 (4m) of the statutes is created to read:

146.90 (4m) (a) The department, with the advice of the council on pilot projects for the uninsured, shall conduct in the manner described in the department's plan and recommendations submitted under subs. (1) and (2) to the joint committee on finance on December 29, 1986, the following pilot projects:

1. The group plan subsidy pilot project which will provide subsidies for low-income persons for the purpose of purchasing group health insurance offered by the person's employer.

2. The employed individual pilot project which will provide subsidies for low-income persons employed by firms not offering group health insurance for the purpose of purchasing health insurance if the person's employer decides to offer group health insurance.

3. The alternative health care coverage pilot project which will provide subsidies for certain persons for whom coverage under the program under sub. (1) (a) would not be feasible or appropriate because of the person's existing health condition or disability, for the purpose of contributing to the cost of obtaining health care coverage through the medical assistance program under ss. 49.45 to 49.47.

(b) With respect to the pilot projects conducted under par. (a), the department shall establish all of the following:

1. Income eligibility criteria that limit eligibility for a subsidy to persons with a net family income not greater than 175% of the federal poverty line, as defined under 42 USC 9902 (2).

2. A subsidy schedule according to an income-based progressive scale.

(c) The department, with the advice of the council on pilot projects for the uninsured, shall by rule specify the criteria for selecting from the locations described in its plan and recommendations submitted under subs. (1) and (2) the location for each of the pilot projects conducted under par. (a), and any conditions governing participation in and the receipt of benefits under the pilot projects, including but not limited to all of the following:

1. Eligibility requirements, including the income eligibility criteria required under par. (b) 1.

2. The subsidy schedule required under par. (b) 2.

3. The types of health care benefits available under each pilot project and the conditions, if any, concerning copayments or deductibles.

(d) The department may transfer from the appropriation under s. 20.435 (1) (fa) to the appropriation under s. 20.435 (1) (b) funds for the purpose specified in par. (a) 3.

(e) The department shall, before implementing the pilot projects, conduct a survey in each area where a pilot project under par. (a) will be implemented to determine the number of persons residing in those areas who have health insurance coverage and certain social and economic characteristics of the persons residing in those areas.

SECTION 54. 632.897 (10) of the statutes is amended to read:

632.897 (10) No group policy or individual policy which provides coverage to dependent children of the group member or insured may deny eligibility for coverage to any child, or set a premium for any child which is different from that which is set for other dependent children, solely because the child does not reside with the group member or insured or solely because the child is dependent on ~~a former spouse~~ another parent rather than the group member or insured. A child of dependent age, as defined by the group policy or individual policy, who does not reside with the group member or insured, or who is dependent on ~~a former spouse~~ another parent, may be excluded from coverage according to the same criteria

used to determine exclusion from coverage of a child who resides with and is dependent on the group member or insured, except that the exclusion may not be based on the proportion of support provided by the parent.

SECTION 55. 767.02 (3) of the statutes is amended to read:

767.02 (3) Commencement of an action affecting the family which affects a minor child constitutes an application to the department of health and social services for services on behalf of the minor child under s. 46.25. This application does not authorize ~~representation under s. 46.25 or 59.47 (14), or intervention as a party in any action, by the department of health and social services.~~

SECTION 56. 767.075 of the statutes is repealed and recreated to read:

767.075 State is real party in interest. (1) The state is a real party in interest within the meaning of s. 803.01 for purposes of establishing paternity, securing reimbursement of aid paid, future support and costs as appropriate in an action affecting the family in any of the following circumstances:

(a) An action to establish paternity whenever there is a completed application for legal services filed with the child support program under s. 46.25 or whenever s. 767.45 (6m) applies.

(b) An action to establish or enforce a child support or maintenance obligation whenever there is a completed application for legal services filed with the child support program under s. 46.25.

(c) Whenever aid under s. 49.19 or 49.45 is provided to a dependent child.

(2) (a) Except as provided in par. (b), in any action affecting the family under a child support enforcement program, an attorney acting under s. 46.25 or 59.07 (97), including any district attorney or corporation counsel, represents only the state. Child support services provided by an attorney as specified in sub. (1) do not create an attorney-client relationship with any other party.

(b) Paragraph (a) does not apply to an attorney employed by the department of health and social services under s. 46.25 or a county under s. 59.07 (97), including district attorneys and corporation counsels, who acts as the guardian ad litem of the minor child for the purpose of establishing paternity.

SECTION 57. 767.08 (3) of the statutes is amended to read:

767.08 (3) If the state or any subdivision thereof furnishes public aid to a spouse or dependent child for support and maintenance and the spouse, person with legal custody or nonlegally responsible relative fails or refuses to institute an appropriate court action under this chapter to provide for the same, the person in charge of county welfare activities, the county child support agency program designee under s. 59.07 (97) or the state department of health and social services

~~shall have the same right as the spouse, person with legal custody or nonlegally responsible relative to is a real party in interest under s. 767.075 and shall initiate an action under this section, for the purpose of obtaining support and maintenance. In counties having a population of 500,000 or more, counsel employed by the county department under s. 46.215, the county child support agency program designee under s. 59.07 (97) or the department of health and social services shall represent the director or department thereof in any such action and may petition the court to be appointed as guardian ad litem for any minor or incompetent children. The title of the action shall be "In re the support or maintenance of A.B. (Child)".~~

SECTION 58. 767.15 (title) of the statutes is amended to read:

767.15 (title) Service on child support program.

SECTION 59. 767.15 of the statutes is renumbered 767.15 (1) and amended to read:

767.15 (1) In any action affecting the family in which either party is a recipient of aid under s. 49.19 or 49.45, each party, ~~unless represented by a child support agency,~~ shall, either within 20 days after making service on the opposite party of any motion or pleading requesting the court or family court commissioner to order, or to modify a previous order, relating to child support, maintenance or family support, or before filing the motion or pleading in court, serve a copy of the motion or pleading upon the child support agency program designee under s. 59.07 (97) of the county in which the action is begun. ~~No judgment in any such action shall be granted unless this section is complied with except as otherwise ordered by the court.~~

SECTION 60. 767.15 (2) and (3) of the statutes are created to read:

767.15 (2) In any appeal of any action affecting the family in which support or maintenance of a child of any party is at issue, the person who initiates the appeal shall notify the department of health and social services of the appeal by sending a copy of the notice of appeal to the department.

(3) No judgment in any action affecting the family may be granted unless this section is complied with or a court orders otherwise.

SECTION 61. 767.23 (1) (k) of the statutes is created to read:

767.23 (1) (k) Requiring either party or both parties to maintain minor children as beneficiaries on a health insurance policy or plan.

SECTION 62. 767.25 (1) of the statutes is amended to read:

767.25 (1) Whenever the court approves a stipulation for child support under s. 767.10, enters a judgment of annulment, divorce or legal separation, or enters an order or a judgment in an action under s. 767.02 (1) (f) or (j) or 767.08, the court shall order either or both parents to pay an amount reasonable or

necessary to fulfill a duty to support a child and shall specifically assign responsibility for and direct the manner of payment of the child's health care expenses. The support amount may be expressed as a percentage of parental income or as a fixed sum.

SECTION 63. 767.25 (1m) (f) of the statutes is amended to read:

767.25 (1m) (f) The physical, mental and emotional health needs of the child, including the any costs of for health insurance and uninsured health care for the child as provided for under sub. (4m).

SECTION 64. 767.25 (4m) of the statutes is created to read:

767.25 (4m) (a) In this subsection, "health insurance" does not include medical assistance provided under ch. 49.

(b) In addition to ordering child support for a child under sub. (1), the court shall specifically assign responsibility for and direct the manner of payment of the child's health care expenses. In making this assignment, the court shall consider whether or not a child is covered under a parent's health insurance policy or plan at the time the court approves a stipulation for child support under s. 767.10, enters a judgment of annulment, divorce or legal separation, or enters an order or a judgment in an action under s. 767.02 (1) (f) or (j) or 767.08, the availability of health insurance to each parent through an employer or other organization, the extent of coverage available to a child and the costs to the parent for the coverage of the child. A parent may be required to initiate or continue health care insurance coverage for a child under this paragraph. If a parent is required to do so, he or she shall provide copies of necessary program or policy identification to the custodial parent and is liable for any health care costs for which he or she receives direct payment from an insurer. This paragraph shall not be construed to limit the authority of the court to enter or modify support orders containing provisions for payment of medical expenses, medical costs, or insurance premiums which are in addition to and not inconsistent with this paragraph.

SECTION 65. 767.27 (1m) of the statutes is created to read:

767.27 (1m) In any action affecting the family which involves a minor child, the court shall require, in addition to the disclosure under sub. (1), that each party furnish the court with information regarding the types and costs of any health insurance policies or plans which are offered through each party's employer or other organization. This disclosure shall include a copy of any health care policy or plan which names the child as a beneficiary at the time that the disclosure is filed under sub. (2).

SECTION 66. 767.295 of the statutes is created to read:

767.295 Community Work Experience Program Orders and Child Support Orders In Certain Cases. (1)

In this section, "custodial parent" means a parent who lives with his or her child for substantial periods of time.

(2) (a) ~~Except as provided in par. (c),~~ in an action for modification of a child support order under s. 767.32 or an action in which an order for child support is required under s. 767.25 (1) or 767.51 (3) in a county which contracts under s. 46.253 (2), the court shall order a parent who lives in that county and who is not a custodial parent to register for a community work experience program under s. 46.253, if all of the following conditions are met:

1. The parent is able to work full time.
2. The parent works, on average, less than 32 hours per week, and is not participating in an employment or training program which meets guidelines established by the department of health and social services.
3. The parent's actual weekly gross income averages less than 40 times the federal minimum hourly wage.

(b) Under this subsection, the parent is presumed to be able to work full time. The parent has the burden of proving that he or she is not able to work full time.

~~(c) An order under par. (a) is not required if the court determines, based on written findings, that there is good cause not to issue the order.~~ **Vetoed in Part**

~~(3) (a) The child support program designee under s. 59.07 (97) or the custodial parent may petition the court for a hearing if the parent who is not a custodial parent has been ordered, under sub. (2), to register for a community work experience program under s. 46.253 and either fails to register for the program or, once registered in the program, refuses an available job placement.~~

~~(b) The court shall notify the obligor of the time and place of the hearing and provide him or her with a copy of the petition. Notice shall be mailed at least 10 days before the hearing.~~

(c) Except as provided under par. (d), if the court determines that the conditions under par. (a) exist, it shall order the parent to pay child support equal to the amount determined by applying the percentage standard established under s. 46.25 (9) (a) to the income a person would earn by working 40 hours per week for the federal minimum hourly wage under 29 USC 206 (a) (1). The child support obligation calculated under this paragraph continues until the parent makes timely payment in full for 3 consecutive months or until the person participates in the program under s. 46.253 for 16 weeks, whichever comes first. The court shall provide in its order that the parent must make child support payments calculated under s. 767.25 (1j) or (1m) or 767.51 (4m) or (5) after the obligation to make payments calculated under this paragraph ceases.

(d) An order ~~under par. (c)~~ is not required if the court determines, based on written findings, that there is good cause not to issue the order. **Vetoed in Part**

SECTION 67. 767.32 (1) of the statutes, as affected by 1987 Wisconsin Acts 27 and 355, is amended to read:

767.32 (1) After a judgment providing for child support under s. 767.25 or 767.51, maintenance payments under s. 767.26 or family support payments under s. 767.261, or for the appointment of trustees under s. 767.31 the court may, from time to time, on the petition, motion or order to show cause of either of the parties, or upon the petition, motion or order to show cause of the department of health and social services, a county department under s. 46.215, 46.22 or 46.23 or a child support agency program designee under s. 59.07 (97) if an assignment has been made under s. 49.19 (4) (h) or 49.45 (19) or if either party or their minor children receives aid under ch. 49, and upon notice to the family court commissioner, revise and alter such judgment respecting the amount of such maintenance or child support and the payment thereof, and also respecting the appropriation and payment of the principal and income of the property so held in trust, and may make any judgment respecting any of the matters which such court might have made in the original action, except that a judgment which waives maintenance payments for either party shall not thereafter be revised or altered in that respect nor shall the provisions of a judgment with respect to final division of property be subject to revision or modification. Any change in child support because of alleged change in circumstances shall take into consideration each parent's earning capacity and total economic circumstances. In any action under this section, receipt of aid to families with dependent children under s. 49.19 or a substantial change in the cost of living by either party or as measured by the federal bureau of labor statistics may be sufficient to justify a revision of judgment, except that a change in an obligor's cost of living is not in itself sufficient if payments are expressed as a percentage of income.

SECTION 68. 767.45 (1) (intro.) of the statutes is amended to read:

767.45 (1) (intro.) The following persons may bring an action or motion for the purpose of determining the paternity of a child or for the purpose of rebutting the presumption of paternity under s. 891.41:

SECTION 69. 767.45 (1) (g) of the statutes is amended to read:

767.45 (1) (g) This state whenever ~~assignment is made under s. 49.19 (4) (h) 1 or 49.45 (19)~~ the circumstances specified in s. 767.075 (1) apply, including the delegates of the state as specified in sub. (6).

SECTION 70. 767.45 (5m) of the statutes, as affected by 1987 Wisconsin Act 355, is amended to read:

767.45 (5m) Unless Except as provided under s. 767.458 (3), unless a man is either presumed the child's father under s. 891.41 (1) or (2) (b) or adjudicated the child's father either under s. 767.51 or by final order or judgment of a court of competent jurisdiction in

Vetoed
in Part

another state, no order or temporary order may be entered for child support, legal custody or physical placement until the man is adjudicated the father using the procedure set forth in ss. 767.45 to 767.60. The exclusive procedure for establishment of child support obligations, legal custody or physical placement rights for a man who is neither presumed the child's father under s. 891.41 (1) ~~or (2) (b)~~ nor adjudicated the father is by an action under ss. 767.45 to 767.60. No person may waive the use of this procedure. If a presumption under s. 891.41 exists, a party denying paternity has the burden of rebutting the presumption.

Vetoed
in Part

SECTION 71. 767.45 (6) of the statutes is amended to read:

767.45 (6) (a) The county board shall designate either the district attorney or the corporation counsel to provide the representation ~~authorized under par. (b)~~ for the state as specified under s. 767.075 (1) in cases brought under this section.

(b) ~~The attorney designated under par. (a) or any state attorney may represent any petitioner who commences an action under this section with that person's consent. The county attorney authorized under par. (a) is the only county attorney who may provide this representation with the consent of the petitioner and is the only county attorney who may provide representation when the state delegates its authority under sub. (1) (g).~~

(c) The county attorney or state attorney may not represent ~~a party~~ the state as specified under s. 767.075 (1) in an action under this section and at the same time act as guardian ad litem for the child or the alleged child of the party.

SECTION 72. 767.45 (6m) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

767.45 (6m) The attorney designated under sub. (6) (a) shall commence an action under this section on behalf of the state within 6 months after ~~the filing with the register of deeds under s. 69.07 of a birth certificate for receiving notification under s. 69.03 (15) that no father is named on the birth certificate of a child who is a resident of the county if no father is named on the birth certificate or if the mother is not married and~~ paternity has not been adjudicated, except in situations under s. 69.14 (1) (g) and (h) and as provided by the department of health and social services by rule.

SECTION 73. 767.455 (5) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

767.455 (5) FORM. The summons shall be in substantially the following form:

STATE OF WISCONSIN,
CIRCUIT COURT
... COUNTY

In re the Paternity of A.B.

Summons
THE STATE OF WISCONSIN,
To the respondent:

You have been sued. claims that you are the father of the child, born on (date), in (city) (county) (state). You must appear to answer this claim of paternity. Your court appearance is:

Date:
Time:
Room:
Judge:
Address:

If you do not appear, the court will enter a default judgment finding you to be the father. A default judgment will take effect ~~40~~ 30 days after it is served on or mailed to you, unless within those ~~40~~ 30 days you present to the court or a family commissioner evidence of good cause for failure to appear. If you plan to be represented by an attorney, you should contact the attorney prior to the court appearance listed above. If you are unable to afford an attorney, the court will appoint one for you. Appearance is not required if you complete the attached waiver of first appearance statement and send it to the court at least 10 days prior to the date of your scheduled appearance in this summons.

Dated:, 19

..... C.D.
..... Clerk of Circuit Court
..... Petitioner's Attorney

SECTION 74. 767.455 (5g) and (5r) of the statutes, as created by 1987 Wisconsin Act 27, are amended to read:

767.455 (5g) NOTICE. The notice to respondent shall be attached to the summons. The notice shall be in boldface type and substantially the following form:

NOTICE TO RESPONDENT

1. You have been named in a petition alleging paternity. A judgment of paternity would legally designate the child as your child, grant parental rights to you, create the right of inheritance for the child, obligate you to pay child support until the child reaches the age of 18, or the age 19 if the child is enrolled full-time in high school or its equivalent, and make your failure to pay child support punishable by imprisonment as a contempt of court or as a criminal violation.

2. You have the right to be represented by an attorney. If you are unable to afford an attorney, the court will appoint one for you. In order to determine whether you are entitled to have an attorney appointed for you, you may call the following telephone number

3. You may request blood tests which will indicate the probability that you are or are not the father of the child. The court or family court commissioner will order blood tests on request by you, the state or any other party. Any person who refuses to take court-ordered blood tests may be punished for contempt of court.

4. The petitioner has the burden of proving by clear and satisfactory preponderance of the evidence that

you are the father. However, if blood tests show that you are not excluded as the father and that the statistical probability of your being the father is 99.0% or higher, you are rebuttably presumed to be the father.

5. The following defenses are available to you:

(a) That you were sterile or impotent at the time of conception.

(b) That you did not have sexual intercourse with the mother of the child during the conceptive period as provided in s. 891.395.

(c) That another man did have sexual intercourse with the mother of the child during the conceptive period.

6. You have the right to request a jury trial.

7. If you fail to appear at any stage of the proceeding, including a scheduled blood test, the court will enter a default judgment finding you to be the father. A default judgment will take effect ~~40~~ 30 days after it is served on or mailed to you at your address on file with the court, unless within those ~~40~~ 30 days you present to the court or a family court commissioner evidence of good cause for your failure to appear or your failure to have undergone a blood test. You need not appear at the time and place specified in the summons if you complete the attached waiver of first appearance statement and deliver it to the court by the date specified in the waiver of first appearance statement.

8. You must keep the clerk of court informed of your current address at all times.

(5r) WAIVER OF FIRST APPEARANCE. The waiver of first appearance statement shall be attached to the summons. The waiver of first appearance statement shall be in boldface type and substantially the following form:

WAIVER OF FIRST APPEARANCE

1. I understand that by signing this waiver and agreeing to its terms I am not required to appear at the time and place specified in the summons. If I do not sign this statement, I am required to appear at the time and place specified in the summons.

2. I understand that I will be notified by the court of all future stages in the proceeding and agree to appear at those stages. If I fail to appear at any stage, including a scheduled blood test, the court will enter a default judgment finding me to be the father. A default judgment will take effect ~~40~~ 30 days after it is served on or mailed to me, unless within those ~~40~~ 30 days I present to the court or a family court commissioner evidence of good cause for my failure to appear or my failure to have undergone a blood test.

3. I enter the following plea (check only one):

.... I agree that I am the child's father.

.... I deny that I am the child's father.

.... I agree that I am the child's father, subject to confirmation by a blood test.

If I enter a plea agreeing that I am the child's father, a judgment of paternity will be entered against me. If

I enter a plea denying that I am the child's father or a plea agreeing that I am the child's father, subject to a blood test, I agree to undergo a blood test.

4. I have read the summons and the notice or have had them read to me.

5. This waiver of first appearance statement is valid only if it is delivered to the court on or before

6. I will keep the clerk of court informed of my address at all times. The following is my current address:

.....
Street address and apartment number

.....
City State Zip Code

.....
Date Signature of Respondent

SECTION 75. 767.458 (2) of the statutes, as created by 1987 Wisconsin Act 27, is amended to read:

767.458 (2) At the first appearance, if it appears from a sufficient petition or affidavit of the child's mother that there is probable cause to believe that any of the males named has had sexual intercourse with the mother during a possible time of the child's conception, the court or family court commissioner may, or upon the request of any party shall, order any of the named persons to submit to blood tests. The tests shall be conducted in accordance with s. 767.48.

SECTION 76. 767.458 (3) of the statutes is created to read:

Vetoed in Part 767.458 (3) At the first ~~and~~ appearance ~~where the respondent is present,~~ if a statement acknowledging paternity under s. 69.15 (3) (b) 1 or 3 is on file, the court or family court commissioner may enter an order for child support, legal custody or physical placement and, if the respondent who filed the statement does not dispute his paternity, may enter a judgment of paternity.

SECTION 77. 767.465 (title) and (1) of the statutes are amended to read:

767.465 (title) Judgment on failure to appear or proceed. (1) (title) WHEN PETITIONER FAILS TO APPEAR OR IS UNABLE TO PROCEED. If the a petitioner, other than the state, fails to appear and plead on the date set for the pretrial hearing or the date set for the trial or if the state is the petitioner and is unable to proceed on the date set for the pretrial hearing or the date set for the trial, the court or family court commissioner may enter a judgment for the respondent dismissing the action, on the motion of the respondent or upon its own motion.

SECTION 78. 767.465 (2) (a) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

767.465 (2) (a) If a respondent is the alleged father and fails to appear at the first appearance, unless the first appearance is not required under s. 767.457 (2), scheduled blood test, pretrial hearing or trial, the court or family court commissioner shall enter an order adjudicating the respondent to be the father and

appropriate orders for support and custody. The orders shall be either personally served on the respondent or mailed by registered or certified mail, with return receipt signed by the respondent. The orders shall take effect ~~40~~ 30 days after service or receipt unless, within that time, the respondent presents to the court or court commissioner evidence of good cause for failure to appear or failure to have undergone a blood test.

SECTION 79. 767.466 of the statutes is created to read:

767.466 Motion to reopen judgment based on statement acknowledging paternity. A judgment which adjudicates a person to be the father of a child and which was based upon a statement acknowledging paternity may, if no trial was conducted, be reopened under any of the following circumstances:

- (1) At any time upon motion or petition for good cause shown.
- (2) Upon a motion under s. 806.07.
- (3) Within one year after entry of the judgment upon motion or petition.

SECTION 80. 767.47 (1m) of the statutes is created to read:

767.47 (1m) If the child was born in this state, the petitioner shall present a certified copy of the child's birth certificate to the court, so that the court is aware of whether a name has been inserted on the birth certificate as the father of the child, at the earliest possible of the following:

- (a) The initial appearance.
- (b) The pretrial hearing.
- (c) The trial.
- (d) Prior to the entry of the judgment under s. 767.51.

SECTION 81. 767.51 (2) of the statutes is amended to read:

~~767.51 (2) If the judgment or order of the court is at variance with the child's birth certificate, the judge shall order the~~ The clerk of court to shall file with the state registrar, within 30 days after the entry of the order or judgment, a report showing the names, dates and birth places of the child and the father and the maiden name of the mother on a form designated by the state registrar, along with the fee set forth in s. 69.22 (5), which the clerk of court shall collect.

SECTION 82. 767.51 (3) of the statutes, as affected by 1987 Wisconsin Act 355, is amended to read:

767.51 (3) The judgment or order may contain any other provision directed against the appropriate party to the proceeding, concerning the duty of support, the legal custody and guardianship of the child, periods of physical placement, the furnishing of bond or other security for the payment of the judgment, or any other matter in the best interest of the child. Unless the court orders otherwise, if there is no presumption of paternity under s. 891.41 (1) the mother shall have sole legal custody of the child. The court shall order either

party or both to pay for the support of any child of the parties who is less than 19 years old and is pursuing an accredited course of instruction leading to the acquisition of a high school diploma or its equivalent. ~~The judgment or order shall specifically assign responsibility for and direct the manner of payment of the child's health care expenses.~~ The judgment or order may direct the father to pay or contribute to the reasonable expenses of the mother's pregnancy and confinement during pregnancy and may direct either party to pay or contribute to the costs of blood tests, attorney fees and other costs. Contributions to the costs of blood tests shall be paid to the county which paid for the blood tests.

SECTION 83. 767.51 (3m) of the statutes is created to read:

767.51 (3m) (a) In this subsection, "health insurance" does not include medical assistance provided under ch. 49.

(b) In addition to ordering child support for a child under sub. (3), the court shall specifically assign responsibility for and direct the manner of payment of the child's health care expenses. In making this assignment, the court shall consider whether or not a child is covered under a parent's health insurance policy or plan at the time the court enters a paternity judgment under this paragraph, the availability of health insurance to each parent through an employer or other organization, the extent of coverage available to a child and the costs to the parent for the coverage of the child. A parent may be required to initiate or continue health care insurance coverage for a child under this paragraph. If a parent is required to do so, he or she shall provide copies of necessary program or policy identification to the custodial parent and is liable for any health care costs for which he or she receives direct payment from an insurer. This paragraph shall not be construed to limit the authority of the court to enter or modify support orders containing provisions for payment of medical expenses, medical costs, or insurance premiums which are in addition to and not inconsistent with this paragraph.

SECTION 84. 767.51 (5) (am) of the statutes is amended to read:

767.51 (5) (am) The physical, mental and emotional health needs of the child, including ~~the any costs of for health insurance and uninsured health care for the child as provided for under sub. (3m).~~ the any costs of for health insurance and uninsured health care for the child as provided for under sub. (3m).

SECTION 85. 767.65 (27) of the statutes is amended to read:

767.65 (27) PATERNITY. If the obligor asserts as a defense that he is not the father of the child for whom support is sought and it appears to the court that the defense is not frivolous, and if both of the parties are present at the hearing or the proof required in the case indicates that the presence of either or both of the parties is not necessary, the court may adjudicate the paternity issue following the procedures in ss. 767.457

to 767.60. Otherwise the court may adjourn the hearing until the paternity issue has been adjudicated.

SECTION 86. 891.41 (2) (intro.) of the statutes is renumbered 891.41 (2) and amended to read:

891.41 (2) He has acknowledged his paternity of the child in a writing filed with the state registrar under s. 69.15 (3) (b) 1 or 3 and: sub. (1) does not apply to any other person.

SECTION 87. 891.41 (2) (a) and (b) of the statutes are repealed.

SECTION 88. 1987 Wisconsin Act 27, section 3024 (24m) is repealed.

SECTION 89. **Nonstatutory provisions; state health insurance pilot projects.** (1) RULES BY THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (a) The department of health and social services shall submit the proposed rules required under section 146.90 (4m) (c) of the statutes, as created by this act, to the legislative council under section 227.15 (1) of the statutes no later than June 1, 1989.

(b) Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate the rules required under section 146.90 (4m) (c) of the statutes, as created by this act, for the period beginning on the first day of the 6th month beginning after the effective date of this paragraph. Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not required to make a finding of emergency. Notwithstanding section 227.24 (1) (c) of the statutes, the rules promulgated under this paragraph remain in effect until the rules submitted under paragraph (a) take effect.

(2) REPORTS BY THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (a) The department of health and social services, upon consultation with the council on pilot projects for the uninsured, shall prepare a report describing the progress it has made in planning and implementing each of the pilot projects that the department is required to conduct under section 146.90 (4m) of the statutes, as created by this act, including whether any persons are enrolled in the pilot projects and, if not, the date by which the department expects to have persons enrolled. The department shall submit the report by July 1, 1989, to the chief clerk of each house of the legislature for distribution to the appropriate standing committees.

(b) The department of health and social services, upon consultation with the council on pilot projects for the uninsured, shall prepare a report describing the status of the pilot projects that the department is required to conduct under section 146.90 (4m) of the statutes, as created by this act, including, with respect to each pilot project, the number of persons enrolled and the amount of funds expended for subsidies and administration. The department shall submit the report by January 1, 1990, to the chief clerk of each house of the legislature for distribution to the appropriate standing committees.

(3) **CERTAIN ADMINISTRATIVE COSTS.** The funding under section 20.435 (1) (gp) of the statutes of certain administrative costs of the state health insurance program under section 146.90 of the statutes may not exceed \$124,800 in fiscal year 1987-88 and \$124,800 in fiscal year 1988-89, unless a supplement to section 20.435 (1) (gp) of the statutes, as affected by this act, is received under section 16.515 of the statutes.

(4) **POSITION AUTHORIZATION.** The authorized FTE positions for the department of health and social services are increased by 2.0 GPR positions on the effective date of this subsection, to be funded from the appropriation under section 20.435 (1) (fb) of the statutes, as created by this act, for the purpose of administration of the state health insurance pilot projects.

(5) **COUNCIL ON PILOT PROJECTS FOR THE UNINSURED.** On the effective date of this subsection, all records, materials, supplies and equipment of the council on health care coverage for the uninsured are transferred to the council on pilot projects for the uninsured.

SECTION 90. Nonstatutory provisions; employment relations. On or before October 1, 1989, the department of employment relations shall report to the presiding officers of both houses of the legislature the number of recipients of aid to families with dependent children which it trained for state employment in fiscal year 1988-89 and the number of those recipients placed in state employment.

SECTION 91. Nonstatutory provisions; guaranteed jobs program. Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate rules for the administration of the program under section 49.50 (7p) of the statutes, as created by this act, so that the program begins providing services in the spring 1989 school semester. Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not required to make a finding of emergency.

SECTION 92. Nonstatutory provisions; certification and reconciliation. (1) **CERTIFICATION.** If, on or before October 31, 1989, the federal government changes the date in 42 USC 1396a (L) (4) (A) to September 1, 1987, or later, or exempts this state from that provision, the attorney general shall, within 60 days after the change takes effect, certify that fact to the revisor of statutes.

(2) **RECONCILIATION.** The repeal of sections 49.45 (28) and 49.47 (4) (am), (bm) and (f) to (h) of the statutes, the amendment of sections 46.03 (38) (a) and 49.46 (2) (a) (intro.) and (b) (intro.) of the statutes, the repeal and recreation of sections 49.465 (2) (intro.) and 49.47 (4) (c) 1, 2 and 3 of the statutes and the creation of section 49.46 (1) (a) 6 to 8, (em) and (f) to (h) and (2) (bm) of the statutes are void unless before January 1, 1990, the attorney general makes the certification under subsection (1).

SECTION 93. Appropriation changes; employment relations department. (1) **STATE EMPLOYMENT TRAIN-**

ING FOR AFDC RECIPIENTS. The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of employment relations under section 20.512 (1) (k) of the statutes, as affected by the acts of 1987, are increased by \$72,400 for fiscal year 1988-89 to increase the authorized FTE positions of the department by 2.0 FTE PRO positions to administer a program, under a contract with the department of health and social services, to train recipients of aid to families with dependent children for state employment.

SECTION 94. Appropriation changes; health and social services. (1) **HEALTH CARE FOR CHILDREN AND PREGNANT WOMEN.** The appropriation to the department of health and social services under section 20.435 (1) (b) of the statutes, as affected by the acts of 1987, is increased by \$3,133,900 for fiscal year 1988-89 to fund medical assistance benefits for children and pregnant women.

(2) **INCOME MAINTENANCE WORKER COMPETENCY.** 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 1987, is increased by \$52,300 for fiscal year 1987-88 and by \$218,700 for fiscal year 1988-89 to fund income maintenance worker competency training and to increase the authorized FTE positions of the department by 1.5 FTE GPR positions to administer that training.

(3) **EMPLOYMENT AND TRAINING; POSITION AUTHORIZATION AND TECHNICAL ASSISTANCE.** The appropriation to the department of health and social services under section 20.435 (4) (bg) of the statutes, as affected by the acts of 1987, is increased by \$31,700 for fiscal year 1987-88 and by \$115,300 for fiscal year 1988-89 to fund local technical assistance for the expanded employment and training programs for recipients of aid to families with dependent children and to increase the authorized FTE positions of the department by 1.0 FTE GPR position to administer those expanded programs.

(5) **COUNTY ADMINISTRATION OF EMPLOYMENT PROGRAMS.** 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 1987, is increased by \$400,000 for fiscal year 1987-88 and by \$800,000 for fiscal year 1988-89 to provide funding to counties for increased costs of administering income maintenance programs caused by expansion of employment programs for recipients of aid to families with dependent children.

(6) **INCOME MAINTENANCE FRAUD AND ERROR REDUCTION.** 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 1987, is increased by \$300,000 for fiscal year 1987-88 and by \$500,000 for fiscal year 1988-89 to provide funds to counties for income maintenance program fraud and error reduction under section 49.197 (1m) and (4) of the statutes, as affected by this act.

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(7) **EMPLOYMENT AND TRAINING.** 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 1987, is increased by \$1,000,000 for fiscal year 1987-88 and by \$11,532,700 for fiscal year 1988-89 to expand employment and training programs for recipients of aid to families with dependent children.

(8) **POST-PROGRAM CHILD CARE.** 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 1987, is increased by \$540,000 for fiscal year 1987-88 to increase funding for child care expenses of individuals who participate in certain employment programs, secure unsubsidized employment and become ineligible for aid to families with dependent children.

(8m) **CHILD CARE APPROPRIATION.** 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 1987, is decreased by \$3,217,200 for fiscal year 1988-89 to reflect the funding of child care expenses of individuals who participate in certain employment programs, secure employment and become ineligible for aid to families with dependent children from a different appropriation.

(9g) **WORK EXPERIENCE FOR UNEMPLOYED PARENTS.** 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 1987, is increased by \$100,000 for fiscal year 1987-88 and by \$400,000 for fiscal year 1988-89 to fund payments to counties for participation in community work experience programs under section 46.253 of the statutes, as created by this act, by unemployed parents.

(10) **STATE EMPLOYMENT TRAINING FOR AFDC RECIPIENTS.** 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 1987, is increased by \$72,400 for fiscal year 1988-89 to fund a contract with the department of employment relations to train recipients of aid to families with dependent children for state employment.

SECTION 95. Initial applicability. (1g) **CHILD SUPPORT FROM UNEMPLOYED PARENTS.** The treatment of section 767.295 of the statutes first applies to actions for annulment, divorce, legal separation, child support, paternity determination or modification of a child support order commenced on the effective date of this subsection.

(2) **STATE REPRESENTATION IN PATERNITY AND CHILD SUPPORT OR MAINTENANCE ACTIONS.** The treatment of sections 46.25 (7), 59.47 (14), 767.02 (3), 767.075, 767.08 (3), 767.15, 767.32 (1), 767.45 (1) (g) and (6) and 767.465 (title) and (1) of the statutes and the creation of section 767.15 (2) and (3) of the statutes first apply to the state's representation in paternity and child support or maintenance actions which are commenced on the effective date of this subsection.

(3) **DEFAULT JUDGMENTS IN PATERNITY CASES.** The treatment of sections 767.455 (5), (5g) and (5r) and 767.465 (2) (a) of the statutes first applies to paternity actions commenced on the first day of the 3rd month beginning after the effective date of this subsection.

(4) **PATERNITY ACTIONS ON BEHALF OF THE STATE.** The treatment of sections 69.03 (15) and 767.45 (6m) of the statutes first applies to children who are born on July 1, 1988, or the first day of the 3rd month beginning after publication, whichever is later.

(5) **PRESUMPTION OF PATERNITY.** The treatment of sections 767.45 (5m), 767.458 (3), 767.466 and 891.41 (2) (intro.), (a) and (b) of the statutes first applies to statements acknowledging paternity filed on the first day of the 3rd month beginning after publication.

(6) **PATERNITY ACTIONS.** The treatment of sections 767.47 (1m) and 767.51 (2) of the statutes first applies to paternity actions commenced on the first day of the 3rd month beginning after publication.

(7) **INSURANCE.** The treatment of section 632.897 (10) of the statutes first applies to health insurance policies issued or renewed on the effective date of this subsection.

SECTION 96. Effective dates. This act takes effect on the day after publication, except as follows:

(1) **MEDICAL ASSISTANCE COVERAGE.** The treatment of sections 49.45 (28) and 49.47 (4) (am), (bm), (c) 1, 2 and 3 and (f) to (h) of the statutes takes effect on September 1, 1988, or the first day of the 3rd month beginning after publication, whichever is later.

(2) **CHILD CARE FUNDING.** The treatment of sections 20.435 (4) (cn) and 49.50 (7m) (jm) of the statutes takes effect on July 1, 1988, or the day after publication, whichever is later.

(3) **MEDICAL ASSISTANCE CHANGES.** The repeal of sections 49.45 (28) and 49.47 (4) (am), (bm) and (f) to (h) of the statutes, the amendment of sections 46.03 (38) (a) and 49.46 (2) (a) (intro.) and (b) (intro.) of the statutes, the repeal and recreation of sections 49.465 (2) (intro.) and 49.47 (4) (c) 1, 2 and 3 of the statutes and the creation of section 49.46 (1) (a) 6 to 8, (em) and (f) to (h) and (2) (bm) of the statutes take effect on the latest of the following:

(a) September 1, 1988.

(b) The first day of the 3rd month beginning after publication.

(c) The first day of the 3rd month beginning after the attorney general makes the certification under SECTION 92 (1) of this act.

(4) **BIRTH CERTIFICATES AND PRESUMPTION OF PATERNITY.** The treatment of sections 46.03 (7) (bm), 69.03 (14), 69.14 (1) (cm), 69.15 (1) (b), (3) (a) 3 and 4 and (b) 1 and 3, 767.45 (5m), 767.458 (3), 767.466, 767.47 (1m), 767.51 (2) and 891.41 (2) (intro.), (a) and (b) of the statutes takes effect on the first day of the 3rd month beginning after publication.

(5) **PATERNITY ACTIONS ON BEHALF OF THE STATE.** The treatment of sections 69.03 (15) and 767.45 (6m)

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of the statutes takes effect on July 1, 1988, or the first
day of the 3rd month beginning after publication,
whichever is later.
