

2013 DRAFTING REQUEST

Bill

Received: 11/27/2012 Received By: eshea
Wanted: As time permits Same as LRB:
For: Administration-Budget By/Representing: Major
May Contact: Drafter: eshea
Subject: Children - abuse and neglect Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email:
Carbon copy (CC) to:

Pre Topic:

DOA:.....Major, BB0263 -

Topic:

Detach CANPB from DCF and attach it to DOA

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	eshea 12/5/2012	jdyer 11/30/2012	rschluet 11/30/2012	_____	sbasford 11/30/2012		
/P2		jdyer 12/6/2012	phenry 12/6/2012	_____	lparisi 12/6/2012		

FE Sent For:

<END>

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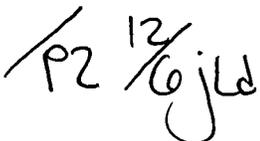
Instructions:

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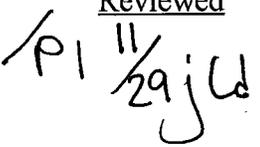
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/P1	eshea						

FE Sent For:

<END>

13-0628

Shea, Elisabeth

From: Malaise, Gordon
Sent: Tuesday, November 27, 2012 2:04 PM
To: Shea, Elisabeth
Cc: Hanaman, Cathlene
Subject: FW: Statutory Language Drafting Request - BB0263

Lis:

Here is another one that you can do. They simply want to detach the CANPB from DCF and attach it to DOA. You'll have to renumber and amend s. 15.205 (4) (intro.) to move it to s. 15.105 (xx) and renumber 15.205 (4) (a) to (g) to 15.105 (xx) (a) to (g). Then you will have to draft nonstatutory transfer provisions to transfer the assets and liabilities, employees, tangible personal property, and contracts of DCF that are primarily related to the functions of the CANPB to DOA. See s. 7.22 (1m) (a) 2., example (b); (b) 2., example (d); (c), example (e); (d) 2., example (g); and (e) 2., example 2., DMAN. 24

Gordon

From: Hanaman, Cathlene
Sent: Tuesday, November 27, 2012 11:08 AM
To: Malaise, Gordon
Subject: FW: Statutory Language Drafting Request - BB0263

From: katrina.major@wisconsin.gov [mailto:katrina.major@wisconsin.gov]
Sent: Tuesday, November 27, 2012 11:01 AM
To: Hanaman, Cathlene
Cc: Kraus, Jennifer - DOA; Major, Katrina L - DOA; Thornton, Scott - DOA
Subject: Statutory Language Drafting Request - BB0263

Biennial Budget: 2013-15**DOA Tracking Code:** BB0263**Topic:** admin**SBO Team:** GGCF

SBO Analyst: Major, Katrina L - DOA
Phone: 608-266-2288
E-mail: katrina.major@wisconsin.gov

Agency Acronym: CANPB**Agency Number:** 433**Priority:** Medium**Intent:**

Administratively attach CANPB to DOA

Attachments: FalsePlease send completed drafts to statlanguage@wisapps.wi.gov

11/27/2012



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0628/P1

EHS:A:...

In 11/28/12

JLD

DOA:.....Major, BB0263 – Detach CANPB from DCF and attach it to DOA

FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION

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AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

*

CHILDREN

Under current law, the Child Abuse and Neglect Prevention Board (CANPB) is attached to DCF, which means that budgeting, program coordination, and related management functions are performed under the direction and supervision of the secretary of DCF. This bill transfers CANPB to DOA. Under the bill, CANPB is attached to DOA in the same way that it is currently attached to DCF.

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

2
3
4
5
SECTION #. RP; 15.205 (title)

SECTION 1. 15.205 (4) of the statutes is renumbered 15.105 (34) and 15.105 (34)

(intro.), as renumbered, is amended to read:

15.105 (34) CHILD ABUSE AND NEGLECT PREVENTION BOARD. (intro.) There is

created a child abuse and neglect prevention board, which is attached to the

1 department of children and families administration under s. 15.03. The board shall
2 consist of 20 members as follows:

3 History: 2007 a. 20 ss. 39 to 50, 66, 9121 (6)(a).

SECTION 9106. Nonstatutory provisions; Children and Families.

4 (1) TRANSFER OF CHILD ABUSE AND NEGLECT PREVENTION BOARD TO DEPARTMENT OF
5 ADMINISTRATION.

6 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
7 liabilities of the department of children and families related to the functions of the
8 child abuse and neglect prevention board, as determined primarily by the secretary of
9 administration, become the assets and liabilities of the department of
10 administration.

11 (b) *Employee transfers.* All incumbent employees holding positions in the
12 department of children and families performing duties primarily related to the
13 functions of the child abuse and neglect prevention board, as determined by the
14 secretary of administration, are transferred on the effective date of this paragraph
15 to the department of administration.

16 (c) *Employee status.* Employees transferred under paragraph (b) have all the
17 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
18 statutes in the department of administration that they enjoyed in the department
19 of children and families immediately before the transfer. Notwithstanding section
20 230.28 (4) of the statutes, no employee so transferred who has attained permanent
21 status in class is required to serve a probationary period.

22 (d) *Tangible personal property.* On the effective date of this paragraph, all
23 tangible personal property, including records, of the department of children and
24 families that is primarily related to the functions of the child abuse and neglect

1 prevention board, as determined by the secretary of administration, is transferred
2 to the department of administration. ✓

3 (e) *Contracts.* ✓ All contracts entered into by the ✓ department of children and
4 families in effect on the effective date of this paragraph that are primarily related
5 to the functions of the child abuse and neglect prevention board, ✓ as determined by
6 the secretary of administration, remain in effect and are transferred to the
7 department of administration. ✓ The department of administration shall carry out
8 any obligations under such a contract until the contract is modified or rescinded by
9 the ✓ department of administration to the extent allowed under the contract. ✓

10

(END)

Shea, Elisabeth

From: Major, Katrina L - DOA [Katrina.Major@wisconsin.gov]

Sent: Tuesday, December 04, 2012 1:50 PM

To: Shea, Elisabeth

Subject: 628/1

Hi Lis,

In draft 628/1, we don't think the nonstatutory provisions should be included because the employees etc will stay at CANPB, as they are now. Can you take a look at it?

Thanks,

Katie

12/4/2012

Shea, Elisabeth

From: Major, Katrina L - DOA [Katrina.Major@wisconsin.gov]

Sent: Tuesday, December 04, 2012 3:49 PM

To: Shea, Elisabeth

Cc: Kraus, Jennifer - DOA

Subject: RE: 628/1

Hi Lis, thanks for discussing it with me, but we wouldn't want any employees/assets from DCF to transfer anyway, so it should be okay to remove. k

From: Shea, Elisabeth [mailto:Elisabeth.Shea@legis.wisconsin.gov]

Sent: Tuesday, December 04, 2012 3:15 PM

To: Major, Katrina L - DOA

Subject: RE: 628/1

One other point – there is also no disadvantage to leaving the provisions in, just in case any of those things are hanging out there (except making the budget longer ☺).

From: Shea, Elisabeth

Sent: Tuesday, December 04, 2012 3:14 PM

To: Major, Katrina L - DOA

Subject: RE: 628/1

Hi Katie,

Those provisions are boilerplate ones used when transferring an attached board like this to another department. However, if you're certain that there are no DCF employees who work primarily on CANPB functions, no DCF assets, liabilities or personal property related to CANPB, and no contracts DCF has entered that relate to CANPB, then we can take those provisions out. Let me know how you'd like to proceed.

Thanks.

Lis

From: Major, Katrina L - DOA [mailto:Katrina.Major@wisconsin.gov]

Sent: Tuesday, December 04, 2012 1:50 PM

To: Shea, Elisabeth

Subject: 628/1

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Thanks,

Katie



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0628(P1) P2

EHS:jld:MM

~~XXXXXXXXXX~~
RMR

In 12/5/12

DOA:.....Major, BB0263 - Detach CANPB from DCF and attach it to DOA

FOR 2013-2015 BUDGET - NOT READY FOR INTRODUCTION

✓
1 AN ACT ...; relating to: the budget. ✓
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Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

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

2 SECTION 1. 15.205 (title) of the statutes is repealed.

3 SECTION 2. 15.205 (4) of the statutes is renumbered 15.105 (34), and 15.105 (34)

4 (intro.), as renumbered, is amended to read:

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10 (END)



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