

**1999 DRAFTING REQUEST**

**Bill**

Received: **08/05/1999**

Received By: **malaigm**

Wanted: **Soon**

Identical to LRB:

For: **Rodney Moen (608) 266-8546**

By/Representing: **Melissa**

This file may be shown to any legislator: **NO**

Drafter: **malaigm**

May Contact:

Alt. Drafters:

Subject: **Children - out-of-home placement  
Children - day care  
Health - miscellaneous**

Extra Copies: **TAY**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Background investigations of child and adult care entity employes; effective date

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**Instructions:**

See Attached--extend from October 1, 1999, to February 1, 2000, the effective date of the requirement that background investigations be done of current employes of entities that provide care for children or adults.

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**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>
/?	malaigm 08/06/1999	wjackson 08/09/1999		_____			
/1			mclark 08/10/1999	_____	lrb_docadmin 08/10/1999	lrb_docadmin 08/12/1999	

FE Sent For:

<END>

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/?	malaigm	/1 WLj 8/9	MRC 9/10	MRC/JF 9/10			

FE Sent For:

<END>

STATE OF WISCONSIN



LEGISLATIVE COUNCIL STAFF

David J. Stule  
Director

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One East Main Street  
P.O. Box 2536  
Madison, WI 53701-2536  
(608) 266-1304  
FAX (608) 266-3830  
leg.council@legis.state.wi.us

August 4, 1999

**TO:** SENATOR RODNEY C. MOEN AND REPRESENTATIVE GREGG  
UNDERHEIM

**FROM:** Richard Sweet, Senior Staff Attorney

**SUBJECT:** Effective Date of Caregiver Background Requirements

Attached is a copy of WLCS: 0191/1, a draft prepared at your request.

The draft delays the effective date of caregiver background requirements for employees of entities covered by ss. 48.685 and 50.065, Stats. Under current law, those requirements applied to the entities with respect to persons hired on or after October 1, 1998. The requirements will apply to current employees of those entities as of October 1, 1999. This draft delays the effective date of the requirements with respect to current employees until February 1, 2000.

Feel free to contact me if I can be of further assistance.

RNS:tl;wu

Attachment

1       **AN ACT to affect** 1997 Wisconsin Act 27, section 9423 (9ptt); **relating to:** the effective  
2       date of background investigation requirements for current employes of entities.

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

3       **SECTION 1.** 1997 Wisconsin Act 27, section 9423 (9ptt) is amended to read:  
4       **[1997 Wisconsin Act 27] Section 9423 (9ptt) BACKGROUND INVESTIGATIONS OF CURRENT**  
5       **EMPLOYES.** The amendment of sections 48.685 (2) (ag) (intro.) and 50.065 (2) (ag) (intro.) of  
6       the statutes takes effect on the first day of the 24th ~~28th~~ month beginning after publication.

(END)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-3377?  
GMM.../.....  
WJ

Soon

WPD:  
Please  
check  
auto refs

Gen Cat

1 AN ACT ...; relating to: the effective date of the requirement that entities that  
2 provide care for children or adults conduct background investigations of their  
3 current employees.

*Analysis by the Legislative Reference Bureau*

Under current law, certain facilities that provide care for children or adults, such as foster homes, group homes, day care centers and hospitals, (entities) must conduct background investigations of all newly hired employees who are expected to have access to their clients. Also, under current law, effective on October 1, 1999, an entity must conduct background investigations of all current employees who have access to the entity's clients. This bill extends the effective date of the background investigation requirement with respect to current employees of an entity to February 1, 2000.

Insert  
1-4

4

5

6

7

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

as affected by 1999 Wisconsin Act ... (this act),

SECTION ~~27~~ 1997 Wisconsin Act 27, section 9423 (9tt) is repealed.

SECTION ~~1~~ Nonstatutory provisions.

(1) RECONCILIATION PROVISIONS. (a) If 1999 Wisconsin Act ... (Assembly Bill 133)

is enacted into law, if 1997 Wisconsin Act 27, section 9423 (9tt) is repealed by that

1 act and if that repeal takes effect on or after the effective date of this paragraph<sup>✓</sup>, then

2 the repeal of 1997 Wisconsin Act 27, section 9423 (9tt)<sup>P</sup>, by this act takes effect on the

3 date on which 1997 Wisconsin Act 27, section 9423 (9tt)<sup>P</sup>, is repealed by 1997<sup>9</sup>

4 Wisconsin Act .... (Assembly Bill 133).

5 (b) If 1999 Wisconsin Act .... (Assembly Bill 133) is enacted into law, if 1997

6 Wisconsin Act 27, section 9423 (9tt)<sup>P</sup>, is repealed by that act and if that repeal takes

7 effect before the effective date of this paragraph, then the amendment of 1997

8 Wisconsin Act 27, section 9423 (9tt)<sup>P</sup>, by this act and the repeal of 1997 Wisconsin Act

9 27, section 9423 (9tt)<sup>P</sup>, by this act are void.

10 (c) If neither paragraph (a)<sup>a.c. 2</sup> or paragraph (b)<sup>or</sup> applies, then the repeal of 1997

11 Wisconsin Act 27, section 9423 (9tt)<sup>P</sup>, by this act is void.

12 (END)

Insert 1-4

SEC #. 1997 Wisconsin Act 27, section 9423 (9th) is  
amended to read:

[1997 Wisconsin Act 27] Section 9423

28th

(p11) BACKGROUND INVESTIGATIONS OF CURRENT EM-  
ployees. The amendment of sections 48.685 (2) (ag) (in-  
tro.) and 50.065 (2) (ag) (intro.) of the statutes takes ef-  
fect on the first day of the 24th month beginning after  
publication.

(end of insert)



**SUBMITTAL  
FORM**

**LEGISLATIVE REFERENCE BUREAU  
Legal Section Telephone: 266-3561  
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 08/10/1999

To: Senator Moen

Relating to LRB drafting number: LRB-3377

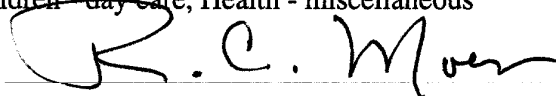
**Topic**

Background investigations of child and adult care entity employees; effective date

**Subject(s)**

Children - out-of-home placement, Children ~~day care~~, Health - miscellaneous

1. **JACKET** the draft for introduction



in the Senate  or the Assembly  (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached \_\_\_\_\_.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Gordon M. Malaise, Senior Legislative Attorney  
Telephone: (608) 266-9738