



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-0400/2  
JTK/kg:jf

3

2/3/99

1999 BILL

DOA line  
Budget prelim line

D-NOTES

do not gen cat

1 AN ACT ~~to repeal 560.21 (2) (kL); to renumber 15.105 (24) (title), 15.105 (24) (b)~~  
 2 ~~and (c) (intro.) and 1. to 4., 15.105 (24) (c) 5. to 10., (d) and (e), 16.22 (title), (1)~~  
 3 ~~and (2) (intro.) and (a) to (g) and 16.22 (2) (i) to (L) and (3); to renumber and~~  
 4 ~~amend 15.105 (24) (a), 15.105 (24) (c) 4m., 16.22 (2) (h), 20.505 (4) (j), 20.505~~  
 5 ~~(4) (b) and 20.505 (4) (p); and to amend 20.143 (1) (g), 20.143 (1) (m), 20.143 (1)~~  
 6 ~~(e), 106.115 (1) (i) and 938.34 (5m) of the statutes; relating to: transfer of the~~  
 7 national and community service board from the department of administration  
 8 to the department of commerce.

**Analysis by the Legislative Reference Bureau**

Under current law, the national and community service board consists of at least 16 voting members who are appointed by the governor to represent various interests. The board is attached to the department of administration (DOA) but exercises policy-making functions independently of DOA. The board utilizes federal moneys and moneys that it receives from gifts, grants and bequests to provide assistance to persons who operate service programs that address unmet human, educational, environmental or public safety needs.

STATE GOVERNMENT - head

OTHER STATE GOVERNMENT - subhead

**BILL**

This bill transfers this board to the department of commerce, effective on the day the bill becomes law. Under the bill, the board is attached to the department of commerce in the same way that it is currently attached to DOA.

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

1 **SECTION 1.** 15.105 (24) (title) of the statutes is renumbered 15.155 (5) (title). 2.62 AR1

2 **SECTION 2.** 15.105 (24) (a) of the statutes is renumbered 15.155 (5) (a) and  
3 amended to read:

4 15.155 (5) (a) *Creation.* There is created a national and community service  
5 board which is attached to the department of ~~administration~~ commerce under s.  
6 15.03.

7 **SECTION 3.** 15.105 (24) (b) and (c) (intro.) and 1. to 4. of the statutes are  
8 renumbered 15.155 (5) (b) and (c) (intro.) and 1. to 4.

9 **SECTION 4.** 15.105 (24) (c) 4m. of the statutes is renumbered 15.155 (5) (c) 4m.  
10 and amended to read:

11 15.155 (5) (c) 4m. The secretary of ~~administration~~ commerce or his or her  
12 designee.

13 **SECTION 5.** 15.105 (24) (c) 5. to 10., (d) and (e) of the statutes are renumbered  
14 15.155 (5) (c) 5. to 10., (d) and (e).

15 **SECTION 6.** 16.22 (title), (1) and (2) (intro.) and (a) to (g) of the statutes are  
16 renumbered 560.21 (title), (1) and (2) (intro.) and (a) to (g).

17 **SECTION 7.** 16.22 (2) (h) of the statutes is renumbered 560.21 (2) (h) and  
18 amended to read:

**BILL**

1       560.21 (2) (h) From the appropriations under s. ~~20.505 (4) (j) and (p)~~ 20.143 (1)  
2       (gb) and (p), award grants to persons providing national service programs, giving  
3       priority to the greatest extent practicable to persons providing youth corps programs.

4       **SECTION 8.** 16.22 (2) (i) to (L) and (3) of the statutes, as affected by 1997  
5       Wisconsin Act 237, section 4w, are renumbered 560.21 (2) (i) to (L) and (3).

6       **SECTION 9.** 20.143 (1) (g) of the statutes is amended to read:

7       20.143 (1) (g) *Gifts, grants and proceeds.* All moneys not appropriated under  
8       par. (gb) that are received from gifts, donations, grants, bequests and devises and all  
9       proceeds from services, conferences and sales of publications and promotional  
10       materials to carry out the purposes for which made or collected.

11       **SECTION 10.** 20.143 (1) (m) of the statutes is amended to read:

12       20.143 (1) (m) *Federal aid, state operations.* All moneys not appropriated  
13       under par. (om) that are received from the federal government as authorized by the  
14       governor under s. 16.54, for state operations.

15       **SECTION 11.** 20.143 (1) (o) of the statutes is amended to read:

16       20.143 (1) (o) *Federal aid, individuals and organizations.* All moneys not  
17       appropriated under par. (p) that are received from the federal government, as  
18       authorized by the governor under s. 16.54, for aids to individuals and organizations.

19       **SECTION 12.** 20.505 (4) (j) of the statutes is renumbered 20.143 (1) (gb) and  
20       amended to read:

21       20.143 (1) (gb) *National and community service board; gifts and grants.* All  
22       moneys received from gifts, grants and bequests for the activities of the national and  
23       community service board under s. ~~16.22~~ 560.21, to carry out the purpose for which  
24       made and received.

**BILL**

1       **SECTION 13.** 20.505 (4) (o) of the statutes is renumbered 20.143 (1) (om) and  
2 amended to read:

3       20.143 (1) (om) *National and community service board; federal aid for*  
4 *administration.* From the moneys received from the corporation for national and  
5 community service under 42 USC 12542 (a) and 12571 (a), as a continuing  
6 appropriation, the amounts in the schedule for the administration of the national  
7 and community service program under s. ~~16.22~~ 560.21.

8       **SECTION 14.** 20.505 (4) (p) of the statutes is renumbered 20.143 (1) (p) and  
9 amended to read:

10       20.143 (1) (p) *National and community service board; federal aid for grants.*  
11 From the moneys received from the corporation for national and community service  
12 under ~~the national and community service trust act of 1993, P.L. 103-82~~ 42 USC  
13 12542 (a) and 12571 (a), all moneys not appropriated under par. (e) (om) for national  
14 service program grants under s. ~~16.22~~ 560.21 (2) (h).

15       **SECTION 15.** 106.115 (1) (i) of the statutes is amended to read:

16       106.115 (1) (i) The national and community service corps under 42 USC 12501  
17 to 12682 and s. ~~16.22~~ 560.21.

18       **SECTION 16.** 560.21 (2) (kL) of the statutes, as affected by 1999 Wisconsin Act  
19 .... (this act), is repealed.

20       **SECTION 17.** 938.34 (5m) of the statutes is amended to read:

21       938.34 (5m) **COMMUNITY SERVICE WORK PROGRAM.** Order the juvenile to  
22 participate in a youth corps program, as defined in s. ~~16.22~~ 560.21 (1) (dm) or another  
23 community service work program, if the sponsor of the program approves the  
24 juvenile's participation in the program.

25       **SECTION 18. Nonstatutory provisions.**

9101 (B) ; administration (B)

## BILL

## NATIONAL AND COMMUNITY SERVICE BOARD. (CS)

1 (1) (a) On the effective date of this paragraph, the assets and liabilities of the  
2 department of administration primarily related to the functions of the national and  
3 community service board, as determined by the secretary of administration, shall  
4 become the assets and liabilities of the department of commerce.

5 (b) 1. On the effective date of this subdivision, all full-time equivalent positions  
6 in the department of administration having duties primarily related to the functions  
7 of the national and community service board, as determined by the secretary of  
8 administration, are transferred to the department of commerce.

9 2. All incumbent employees holding positions specified in subdivision 1. are  
10 transferred on the effective date of this subdivision to the department of commerce.

11 3. Employees transferred under subdivision 2. have all the rights and the same  
12 status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
13 department of commerce that they enjoyed in the department of administration  
14 immediately before the transfer. Notwithstanding section 230.28 (4) of the statues,  
15 no employe so transferred who has attained permanent status in class is required to  
16 serve a probationary period.

17 (c) On the effective date of this paragraph, all tangible personal property,  
18 including records, of the department of administration that is primarily related to  
19 the functions of the national and community service board, as determined by the  
20 secretary of administration, is transferred to the department of commerce.

21 (d) All contracts entered into by the department of administration in effect on  
22 the effective date of this paragraph that are primarily related to the functions of the  
23 national and community service board, as determined by the secretary of  
24 administration, remain in effect and are transferred to the department of commerce.  
25 The department of commerce shall carry out any contractual obligations under such

**BILL**

1 a contract until the contract is modified or rescinded by the department of commerce  
2 to the extent allowed under the contract.

*fix component*

3 **SECTION 19. Effective dates.** This act takes effect on the day after publication,  
4 except as follows:

5 (1) The treatment of section 560.21 (2) (kL) of the statutes takes effect on  
6 January 1, 2000.

7 (END)

*9104*  
*9401*

*administration*

*NATIONAL AND COMMUNITY SERVICE BOARD.*

:kg:

D-NOTE:

This redraft makes minor changes to the draft necessary to put it in proper budget format.

KSH

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0400/3dn  
KSH:kg:hmh

Monday, December 21, 1998

This redraft makes minor changes to the draft necessary to put it in proper budget format.

K. Scott Hubli  
Legislative Attorney  
266-0135





DNOTE  
**State of Wisconsin**  
**1999 - 2000 LEGISLATURE**

0400/4  
LRB-0584/3  
JTK:kg&ksh:ijs

Wanted soon

*Caucutt*

DOA:..... ~~Justus~~ - National and Community Service Board transfer  
FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

- Don't  
cancel.*
- 1 AN ACT *Don't cancel.*; relating to: transfer of the national and community service board
  - 2 from the department of administration to the department of commerce.

***Analysis by the Legislative Reference Bureau***

**STATE GOVERNMENT**

**OTHER STATE GOVERNMENT**

Under current law, the national and community service board consists of at least 16 voting members who are appointed by the governor to represent various interests. The board is attached to the department of administration (DOA) but exercises policy-making functions independently of DOA. The board utilizes federal moneys and moneys that it receives from gifts, grants and bequests to provide assistance to persons who operate service programs that address unmet human, educational, environmental or public safety needs.

This bill transfers this board to the department of commerce. Under the bill, the board is attached to the department of commerce in the same way that it is currently attached to DOA.

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

- 3 **SECTION 1.** 15.105 (24) (title) of the statutes is renumbered 15.155 (5) (title).

1           **SECTION 2.** 15.105 (24) (a) of the statutes is renumbered 15.155 (5) (a) and  
2 amended to read:

3           15.155 (5) (a) *Creation.* There is created a national and community service  
4 board which is attached to the department of ~~administration~~ commerce under s.  
5 15.03.

6           **SECTION 3.** 15.105 (24) (b) and (c) (intro.) and 1. to 4. of the statutes are  
7 renumbered 15.155 (5) (b) and (c) (intro.) and 1. to 4.

8           **SECTION 4.** 15.105 (24) (c) 4m. of the statutes is renumbered 15.155 (5) (c) 4m.  
9 and amended to read:

10           15.155 (5) (c) 4m. The secretary of ~~administration~~ commerce or his or her  
11 designee.

12           **SECTION 5.** 15.105 (24) (c) 5. to 10., (d) and (e) of the statutes are renumbered  
13 15.155 (5) (c) 5. to 10., (d) and (e).

14           **SECTION 6.** 16.22 (title), (1) and (2) (intro.) and (a) to (g) of the statutes are  
15 renumbered 560.21 (title), (1) and (2) (intro.) and (a) to (g).

16           **SECTION 7.** 16.22 (2) (h) of the statutes is renumbered 560.21 (2) (h) and  
17 amended to read:

18           560.21 (2) (h) From the appropriations under s. ~~20.505 (4) (j) and (p)~~ 20.143 (1)  
19 (gb) and (p), award grants to persons providing national service programs, giving  
20 priority to the greatest extent practicable to persons providing youth corps programs.

21           **SECTION 8.** 16.22 (2) (i) to (k) of the statutes are renumbered 560.21 (2) (i) to  
22 (k).

23           **SECTION 9.** 16.22 (2) (kL) of the statutes, as created by 1997 Wisconsin Act 237,  
24 section 4w, is renumbered 560.21 (2) (kL) and amended to read:

1       560.21 (2) (kL) From the appropriation under s. ~~20.505 (4) (fm)~~ 20.143 (1) (fn),  
2       award Wisconsin promise challenge grants and provide training and technical  
3       assistance under 1997 Wisconsin Act 237, section 9101 (1z) (b) and (h).

4       **SECTION 10.** 16.22 (2) (L) and (3) of the statutes are renumbered 560.21 (2) (L)  
5       and (3).

6       **SECTION 11.** 20.143 (1) (g) of the statutes is amended to read:

7       20.143 (1) (g) *Gifts, grants and proceeds.* All moneys not appropriated under  
8       par. (gb) that are received from gifts, donations, grants, bequests and devises and all  
9       proceeds from services, conferences and sales of publications and promotional  
10       materials to carry out the purposes for which made or collected.

11       **SECTION 12.** 20.143 (1) (m) of the statutes is amended to read:

12       20.143 (1) (m) *Federal aid, state operations.* All moneys not appropriated  
13       under par. (om) that are received from the federal government as authorized by the  
14       governor under s. 16.54, for state operations.

15       **SECTION 13.** 20.143 (1) (o) of the statutes is amended to read:

16       20.143 (1) (o) *Federal aid, individuals and organizations.* All moneys not  
17       appropriated under par. (p) that are received from the federal government, as  
18       authorized by the governor under s. 16.54, for aids to individuals and organizations.

19       **SECTION 14.** 20.505 (4) (fm) of the statutes is renumbered 20.143 (1) (fn).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
      reflected in the revised schedule in s. 20.005, stats.

20       **SECTION 15.** 20.505 (4) (j) of the statutes is renumbered 20.143 (1) (gb) and  
21       amended to read:

22       20.143 (1) (gb) *National and community service board; gifts and grants.* All  
23       moneys received from gifts, grants and bequests for the activities of the national and

1 community service board under s. ~~16.22 560.21~~, to carry out the purpose for which  
2 made and received.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 16.** 20.505 (4) (o) of the statutes is renumbered 20.143 (1) (om) and  
4 amended to read:

5 20.143 (1) (om) *National and community service board; federal aid for*  
6 *administration.* From the moneys received from the corporation for national and  
7 community service under 42 USC 12542 (a) and 12571 (a), as a continuing  
8 appropriation, the amounts in the schedule for the administration of the national  
9 and community service program under s. ~~16.22 560.21~~.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10 **SECTION 17.** 20.505 (4) (p) of the statutes is renumbered 20.143 (1) (p) and  
11 amended to read:

12 20.143 (1) (p) *National and community service board; federal aid for grants.*  
13 From the moneys received from the corporation for national and community service  
14 under the ~~national and community service trust act of 1993, P.L. 103-82 42 USC~~  
15 ~~12542 (a) and 12571 (a)~~, all moneys not appropriated under par. ~~(o)~~ (om) for national  
16 service program grants under s. ~~16.22 560.21~~ (2) (h).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

17 **SECTION 18.** 106.115 (1) (i) of the statutes is amended to read:

18 106.115 (1) (i) The national and community service corps under 42 USC 12501  
19 to 12682 and s. ~~16.22 560.21~~.

20 **SECTION 19.** 560.21 (2) (kL) of the statutes, as affected by 1999 Wisconsin Act  
21 .... (this act), is repealed.

1           **SECTION 20.** 938.34 (5m) of the statutes is amended to read:

2           938.34 (5m) COMMUNITY SERVICE WORK PROGRAM. Order the juvenile to  
3 participate in a youth corps program, as defined in s. ~~16.22~~ 560.21 (1) (dm) or another  
4 community service work program, if the sponsor of the program approves the  
5 juvenile's participation in the program.

6           **SECTION 21.** 1997 Wisconsin Act 237, section 9401 (1z) is amended to read:

7           [1997 Wisconsin Act 237] Section 9401 (1z) WISCONSIN PROMISE CHALLENGE  
8 GRANT PROGRAM. The repeal of sections 16.22 (2) (kL) and ~~20.505 (4) (fm)~~ 20.143 (1)  
9 (fn) of the statutes takes effect on January 1, 2000.

10          **SECTION 9101. Nonstatutory provisions; administration.**

11          (1) TRANSFER OF NATIONAL AND COMMUNITY SERVICES BOARD.

12          (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
13 liabilities of the department of administration primarily related to the functions of  
14 the national and community service board, as determined by the secretary of  
15 administration, shall become the assets and liabilities of the department of  
16 commerce.

17          (b) *Positions and employes.*

18           1. On the effective date of this subdivision, all full-time equivalent positions  
19 in the department of administration having duties primarily related to the functions  
20 of the national and community service board, as determined by the secretary of  
21 administration, are transferred to the department of commerce.

22           2. All incumbent employes holding positions specified in subdivision 1. are  
23 transferred on the effective date of this subdivision to the department of commerce.

24           3. Employes transferred under subdivision 2. have all the rights and the same  
25 status under subchapter V of chapter 111 and chapter 230 of the statutes in the

1 department of commerce that they enjoyed in the department of administration  
2 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,  
3 no employe so transferred who has attained permanent status in class is required to  
4 serve a probationary period.

5 (c) *Tangible personal property.* On the effective date of this paragraph, all  
6 tangible personal property, including records, of the department of administration  
7 that is primarily related to the functions of the national and community service  
8 board, as determined by the secretary of administration, is transferred to the  
9 department of commerce.

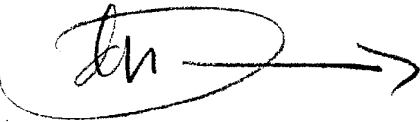
10 (d) *Contracts.* All contracts entered into by the department of administration  
11 in effect on the effective date of this paragraph that are primarily related to the  
12 functions of the national and community service board, as determined by the  
13 secretary of administration, remain in effect and are transferred to the department  
14 of commerce. The department of commerce shall carry out any contractual  
15 obligations under such a contract until the contract is modified or rescinded by the  
16 department of commerce to the extent allowed under the contract.

17 **SECTION 9401. Effective dates; administration.**

18 (1) TRANSFER OF NATIONAL AND COMMUNITY SERVICES BOARD. The treatment of  
19 section 560.21 (2) (kL) of the statutes takes effect on January 1, 2000.

20

(END)



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0400/4dn

JTK...:kg....

kg  
↑

In September, Paul McMahon requested this draft to transfer the National and Community Service Board from DOA to the Department of Commerce. In October, Sarah Justus requested LRB-0584, which accomplishes the same thing, as a DOA budget draft. Last week while I was out, Scott Hubli converted this draft to a DOA budget draft. However, this draft was an earlier version which did not include all the changes incorporated into LRB-0584. This redraft incorporates the changes in LRB-0584 so that if this draft is incorporated into the budget bill rather than LRB-0584, it will be correct.

Jeffery T. Kuesel  
Assistant Chief Counsel  
266-6778

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0400/4dn  
JTK:kg:lp

January 4, 1999

In September, Paul McMahon requested this draft to transfer the National and Community Service Board from DOA to the Department of Commerce. In October, Sarah Justus requested LRB-0584, which accomplishes the same thing, as a DOA budget draft. Last week while I was out, Scott Hubli converted this draft to a DOA budget draft. However, this draft was an earlier version which did not include all of the changes incorporated into LRB-0584. This redraft incorporates the changes in LRB-0584 so that, if this draft is incorporated into the budget bill rather than LRB-0584, it will be correct.

Jeffery T. Kuesel  
Assistant Chief Counsel  
266-6778





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-0400/4  
JTK:kg&ksh:lp

*Wanted soon*

DOA:.....Caucutt - National and Community Service Board transfer  
FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

- 1 AN ACT ...; relating to: transfer of the national and community service board  
2 from the department of administration to the department of commerce.

---

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**OTHER STATE GOVERNMENT**

Under current law, the national and community service board consists of at least 16 voting members who are appointed by the governor to represent various interests. The board is attached to the department of administration (DOA) but exercises policy-making functions independently of DOA. The board utilizes federal moneys and moneys that it receives from gifts, grants and bequests to provide assistance to persons who operate service programs that address unmet human, educational, environmental or public safety needs.

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- 3 SECTION 1. 15.105 (24) (title) of the statutes is renumbered 15.155 (5) (title).

1           **SECTION 2.** 15.105 (24) (a) of the statutes is renumbered 15.155 (5) (a) and  
2 amended to read:

3           15.155 (5) (a) *Creation.* There is created a national and community service  
4 board which is attached to the department of ~~administration~~ commerce under s.  
5 15.03.

6           **SECTION 3.** 15.105 (24) (b) and (c) (intro.) and 1. to 4. of the statutes are  
7 renumbered 15.155 (5) (b) and (c) (intro.) and 1. to 4.

8           **SECTION 4.** 15.105 (24) (c) 4m. of the statutes is renumbered 15.155 (5) (c) 4m.  
9 and amended to read:

10          15.155 (5) (c) 4m. The secretary of ~~administration~~ commerce or his or her  
11 designee.

12          **SECTION 5.** 15.105 (24) (c) 5. to 10., (d) and (e) of the statutes are renumbered  
13 15.155 (5) (c) 5. to 10., (d) and (e).

14          **SECTION 6.** 16.22 (title), (1) and (2) (intro.) and (a) to (g) of the statutes are  
15 renumbered 560.21 (title), (1) and (2) (intro.) and (a) to (g).

16          **SECTION 7.** 16.22 (2) (h) of the statutes is renumbered 560.21 (2) (h) and  
17 amended to read:

18          560.21 (2) (h) From the appropriations under s. ~~20.505 (4) (j) and (p)~~ 20.143 (1)  
19 (gb) and (p), award grants to persons providing national service programs, giving  
20 priority to the greatest extent practicable to persons providing youth corps programs.

21          **SECTION 8.** 16.22 (2) (i) to (k) of the statutes are renumbered 560.21 (2) (i) to  
22 (k).

23          **SECTION 9.** 16.22 (2) (kL) of the statutes, as created by 1997 Wisconsin Act 237,  
24 section 4w, is renumbered 560.21 (2) (kL) and amended to read:

1           560.21 (2) (kL) From the appropriation under s. ~~20.505 (4) (fm)~~ 20.143 (1) (fn),  
2 award Wisconsin promise challenge grants and provide training and technical  
3 assistance under 1997 Wisconsin Act 237, section 9101 (1z) (b) and (h).

4           \* **SECTION 10.** 16.22 (2) (L) and (3) of the statutes are renumbered 560.21 (2) (L)  
5 and (3).

6           **SECTION 11.** 20.143 (1) (g) of the statutes is amended to read:

7           20.143 (1) (g) *Gifts, grants and proceeds.* All moneys not appropriated under  
8 par. (gb) that are received from gifts, donations, grants, bequests and devises and all  
9 proceeds from services, conferences and sales of publications and promotional  
10 materials to carry out the purposes for which made or collected.

11           **SECTION 12.** 20.143 (1) (m) of the statutes is amended to read:

12           20.143 (1) (m) *Federal aid, state operations.* All moneys not appropriated  
13 under par. (om) that are received from the federal government as authorized by the  
14 governor under s. 16.54, for state operations.

15           **SECTION 13.** 20.143 (1) (o) of the statutes is amended to read:

16           20.143 (1) (o) *Federal aid, individuals and organizations.* All moneys not  
17 appropriated under par. (p) that are received from the federal government, as  
18 authorized by the governor under s. 16.54, for aids to individuals and organizations.

19           **SECTION 14.** 20.505 (4) (fm) of the statutes is renumbered 20.143 (1) (fn).

      \*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

20           **SECTION 15.** 20.505 (4) (j) of the statutes is renumbered 20.143 (1) (gb) and  
21 amended to read:

22           20.143 (1) (gb) *National and community service board; gifts and grants.* All  
23 moneys received from gifts, grants and bequests for the activities of the national and

1 community service board under s. ~~16.22 560.21~~, to carry out the purpose for which  
2 made and received.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 SECTION 16. 20.505 (4) (o) of the statutes is renumbered 20.143 (1) (om) and  
4 amended to read:

5 20.143 (1) (om) *National and community service board; federal aid for*  
6 *administration.* From the moneys received from the corporation for national and  
7 community service under 42 USC 12542 (a) and 12571 (a), as a continuing  
8 appropriation, the amounts in the schedule for the administration of the national  
9 and community service program under s. ~~16.22 560.21~~.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10 SECTION 17. 20.505 (4) (p) of the statutes is renumbered 20.143 (1) (p) and  
11 amended to read:

12 20.143 (1) (p) *National and community service board; federal aid for grants.*  
13 From the moneys received from the corporation for national and community service  
14 under ~~the national and community service trust act of 1993, P.L. 103-82 42 USC~~  
15 ~~12542 (a) and 12571 (a)~~, all moneys not appropriated under par. (e) (om) for national  
16 service program grants under s. ~~16.22 560.21~~ (2) (h).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

17 SECTION 18. 106.115 (1) (i) of the statutes is amended to read:

18 106.115 (1) (i) The national and community service corps under 42 USC 12501  
19 to 12682 and s. ~~16.22 560.21~~.

20 SECTION 19. 560.21 (2) (kL) of the statutes, as affected by 1999 Wisconsin Act  
21 .... (this act), is repealed.

1       **SECTION 20.** 938.34 (5m) of the statutes is amended to read:

2       938.34 (5m) COMMUNITY SERVICE WORK PROGRAM. Order the juvenile to  
3 participate in a youth corps program, as defined in s. ~~16.22~~ 560.21 (1) (dm) or another  
4 community service work program, if the sponsor of the program approves the  
5 juvenile's participation in the program.

6       **SECTION 21.** 1997 Wisconsin Act 237, section 9401 (1z) is amended to read:

7       [1997 Wisconsin Act 237] Section 9401 (1z) WISCONSIN PROMISE CHALLENGE  
8 GRANT PROGRAM. The repeal of sections 16.22 (2) (kL) and ~~20.505 (4) (fm)~~ 20.143 (1)  
9 (fn) of the statutes takes effect on January 1, 2000.

10       **SECTION 9101. Nonstatutory provisions; administration.**

11       (1) TRANSFER OF NATIONAL AND COMMUNITY SERVICES BOARD.

12       (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
13 liabilities of the department of administration primarily related to the functions of  
14 the national and community service board, as determined by the secretary of  
15 administration, shall become the assets and liabilities of the department of  
16 commerce.

17       (b) *Positions and employes.*

18       1. On the effective date of this subdivision, all full-time equivalent positions  
19 in the department of administration having duties primarily related to the functions  
20 of the national and community service board, as determined by the secretary of  
21 administration, are transferred to the department of commerce.

22       2. All incumbent employes holding positions specified in subdivision 1. are  
23 transferred on the effective date of this subdivision to the department of commerce.

24       3. Employes transferred under subdivision 2. have all the rights and the same  
25 status under subchapter V of chapter 111 and chapter 230 of the statutes in the

1 department of commerce that they enjoyed in the department of administration  
2 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,  
3 no employee so transferred who has attained permanent status in class is required to  
4 serve a probationary period.

5 (c) *Tangible personal property.* On the effective date of this paragraph, all  
6 tangible personal property, including records, of the department of administration  
7 that is primarily related to the functions of the national and community service  
8 board, as determined by the secretary of administration, is transferred to the  
9 department of commerce.

10 (d) *Contracts.* All contracts entered into by the department of administration  
11 in effect on the effective date of this paragraph that are primarily related to the  
12 functions of the national and community service board, as determined by the  
13 secretary of administration, remain in effect and are transferred to the department  
14 of commerce. The department of commerce shall carry out any contractual  
15 obligations under such a contract until the contract is modified or rescinded by the  
16 department of commerce to the extent allowed under the contract.

17 **SECTION 9401. Effective dates; administration.**

18 (1) **TRANSFER OF NATIONAL AND COMMUNITY SERVICES BOARD.** The treatment of  
19 section 560.21 (2) (kL) of the statutes takes effect on January 1, 2000.

20 (END)



State of Wisconsin  
1999 - 2000 LEGISLATURE

0400/5  
LRB-06844  
JTK:kg&ksh:km

WANTED SOON

2#2

DOA:.....Caucutt - National and community service board transfer

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

1 <sup>Don't  
Gen Cat.</sup> AN ACT; relating to: transfer of the national and community service board

2 from the department of administration to the department of health and family

3 services.

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**OTHER STATE GOVERNMENT**

Under current law, the national and community service board consists of at least 16 voting members who are appointed by the governor to represent various interests. The board is attached to the department of administration (DOA) but exercises policy-making functions independently of DOA. The board utilizes federal moneys and moneys that it receives from gifts, grants and bequests to provide assistance to persons who operate service programs that address unmet human, educational, environmental or public safety needs.

This bill transfers this board to the department of health and family services (DHFS). Under the bill, the board is attached to DHFS in the same way that it is currently attached to DOA.

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

1           **SECTION 1.** 15.105 (24) (title) of the statutes is renumbered 15.195 (3) (title).

2           **SECTION 2.** 15.105 (24) (a) of the statutes is renumbered 15.195 (3) (a) and  
3 amended to read:

4           15.195 (3) (a) *Creation.* There is created a national and community service  
5 board which is attached to the department of ~~administration~~ health and family  
6 services under s. 15.03.

7           **SECTION 3.** 15.105 (24) (b) and (c) (intro.) and 1. to 4. of the statutes are  
8 renumbered 15.195 (3) (b) and (c) (intro.) and 1. to 4.

9           **SECTION 4.** 15.105 (24) (c) 4m. of the statutes is renumbered 15.195 (3) (c) 4m.  
10 and amended to read:

11           15.195 (3) (c) 4m. The secretary of ~~administration~~ health and family services  
12 or his or her designee:

13           **SECTION 5.** 15.105 (24) (c) 5. to 10., (d) and (e) of the statutes are renumbered  
14 15.195 (3) (c) 5. to 10., (d) and (e).

15           **SECTION 6.** 16.22 (title), (1) and (2) (intro.) and (a) to (g) of the statutes are  
16 renumbered 48.805 (title), (1) and (2) (intro.) and (a) to (g).

17           **SECTION 7.** 16.22 (2) (h) of the statutes is renumbered 48.805 (2) (h) and  
18 amended to read:

19           48.805 (2) (h) From the appropriations under s. ~~20.505 (4) (j) and (p)~~ 20.435 (3)  
20 (gb) and (p), award grants to persons providing national service programs, giving  
21 priority to the greatest extent practicable to persons providing youth corps programs.

22           **SECTION 8.** 16.22 (2) (i) to (k) of the statutes are renumbered 48.805 (2) (i) to  
23 (k).

24           **SECTION 9.** 16.22 (2) (kL) of the statutes, as created by 1997 Wisconsin Act 237,  
25 section 4w, is renumbered 48.805 (2) (kL) and amended to read:



1           48.805 (2) (kL). From the appropriation under s. ~~20.505 (4) (fm)~~ 20.435 (3) (fn),  
2           award Wisconsin promise challenge grants and provide training and technical  
3           assistance under 1997 Wisconsin Act 237, section 9101 (1z) (b) and (h).

4           **SECTION 10.** ~~16.22 (2) (L) and (3)~~ of the statutes are renumbered 48.805 (2) (L)  
5           and (3).

6           **SECTION 11.** 20.435 (3) (i) of the statutes is repealed and recreated to read:  
7           20.435 (3) (i) *Gifts and grants.* All moneys not appropriated under par. (gb) that  
8           are received from gifts, grants, donations and burial trusts for the execution of the  
9           department's functions relating to children and family services consistent with the  
10          purpose of the gifts, grants, donations or trusts.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
      reflected in the revised schedule in s. 20.005, stats.

11          **SECTION 12.** 20.505 (4) (fm) of the statutes is renumbered 20.435 (3) (fn).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
      reflected in the revised schedule in s. 20.005, stats.

12          **SECTION 13.** 20.505 (4) (j) of the statutes is renumbered 20.435 (3) (gb) and  
13          amended to read:

14          20.435 (3) (gb) *National and community service board; gifts and grants.* All  
15          moneys received from gifts, grants and bequests for the activities of the national and  
16          community service board under s. ~~16.22~~ 48.805, to carry out the purpose for which  
17          made and received.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
      reflected in the revised schedule in s. 20.005, stats.

18          **SECTION 14.** 20.505 (4) (o) of the statutes is renumbered 20.435 (3) (om) and  
19          amended to read:

20          20.435 (3) (om) *National and community service board; federal aid for*  
21          *administration.* From the moneys received from the corporation for national and

1 community service under 42 USC 12542 (a) and 12571 (a), as a continuing  
2 appropriation, the amounts in the schedule for the administration of the national  
3 and community service program under s. ~~16.22 48.805~~.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 SECTION 15. 20.505 (4)(p) of the statutes is renumbered 20.435 (3) (p) and  
5 amended to read:

6 20.435 (3) (p) *National and community service board; federal aid for grants.*

7 From the moneys received from the corporation for national and community service  
8 under the national and community service trust act of 1993, P.L. 103-82 42 USC  
9 12542 (a) and 12571 (a), all moneys not appropriated under par. (e) (om) for national  
10 service program grants under s. ~~16.22 48.805~~ (2) (h).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11 SECTION 16. 48.805 (2) (kL) of the statutes, as affected by 1999 Wisconsin Act  
12 .... (this act), is repealed.

13 SECTION 17. 106.115 (1) (i) of the statutes is amended to read:

14 106.115 (1) (i) The national and community service corps under 42 USC 12501  
15 to 12682 and s. ~~16.22 48.805~~.

16 SECTION 18. 938.34 (5m) of the statutes is amended to read:

17 938.34 (5m) COMMUNITY SERVICE WORK PROGRAM. Order the juvenile to  
18 participate in a youth corps program, as defined in s. ~~16.22 48.805~~ (1) (dm) or another  
19 community service work program, if the sponsor of the program approves the  
20 juvenile's participation in the program.

21 SECTION 19. 1997 Wisconsin Act 237, section 9401 (1z) is amended to read:

1 [1997 Wisconsin Act 237] Section 9401 (1z) WISCONSIN PROMISE CHALLENGE  
2 GRANT PROGRAM. The repeal of sections 16.22 (2) (kL) and ~~20.505 (4) (fm)~~ 20.435 (3)  
3 (fn) of the statutes takes effect on January 1, 2000.

4 **SECTION 9101. Nonstatutory provisions; administration.**

5 (1) TRANSFER OF NATIONAL AND COMMUNITY SERVICES BOARD.

6 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
7 liabilities of the department of administration primarily related to the functions of  
8 the national and community service board, as determined by the secretary of  
9 administration, shall become the assets and liabilities of the department of health  
10 and family services.

11 (b) *Positions and employes.*

12 1. On the effective date of this subdivision, all full-time equivalent positions  
13 in the department of administration having duties primarily related to the functions  
14 of the national and community service board, as determined by the secretary of  
15 administration, are transferred to the department of health and family services.

16 2. All incumbent employes holding positions specified in subdivision 1. are  
17 transferred on the effective date of this subdivision to the department of health and  
18 family services.

19 3. Employes transferred under subdivision 2. have all the rights and the same  
20 status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
21 department of health and family services that they enjoyed in the department of  
22 administration immediately before the transfer. Notwithstanding section 230.28 (4)  
23 of the statutes, no employe so transferred who has attained permanent status in class  
24 is required to serve a probationary period.





State of Wisconsin  
1999 - 2000 LEGISLATURE

0100/6

LRB-00015

JTK:kg&ksh&jg:hmb

JTK  
Stays

wanted soon

DOA:.....Fossum - National and community service board transfer

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

do not gen

- 1 AN ACT ...; relating to: transfer of the national and community service board
- 2 from the department of administration to the department of health and family
- 3 services.

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**OTHER STATE GOVERNMENT**

Under current law, the national and community service board consists of at least 16 voting members who are appointed by the governor to represent various interests. The board is attached to the department of administration (DOA) but exercises policy-making functions independently of DOA. The board utilizes federal moneys and moneys that it receives from gifts, grants and bequests to provide assistance to persons who operate service programs that address unmet human, educational, environmental or public safety needs.

This bill transfers this board to the department of health and family services (DHFS). Under the bill, the board is attached to DHFS in the same way that it is currently attached to DOA.

Currently, the national and community service board makes "Wisconsin promise challenge grants" to countywide consortia of public and private entities

which provide resources to underserved youth. This program expires on January 1, 2000. The bill transfers administration of this program to DOA.

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

1           **SECTION 1.** 15.105 (24) (title) of the statutes is renumbered 15.195 (3) (title).

2           **SECTION 2.** 15.105 (24) (a) of the statutes is renumbered 15.195 (3) (a) and  
3 amended to read:

4           15.195 (3) (a) *Creation.* There is created a national and community service  
5 board which is attached to the department of ~~administration~~ health and family  
6 services under s. 15.03.

7           **SECTION 3.** 15.105 (24) (b) and (c) (intro.) and 1. to 4. of the statutes are  
8 renumbered 15.195 (3) (b) and (c) (intro.) and 1. to 4.

9           **SECTION 4.** 15.105 (24) (c) 4m. of the statutes is renumbered 15.195 (3) (c) 4m.  
10 and amended to read:

11           15.195 (3) (c) 4m. The secretary of ~~administration~~ health and family services  
12 or his or her designee.

13           **SECTION 5.** 15.105 (24) (c) 5. to 10., (d) and (e) of the statutes are renumbered  
14 15.195 (3) (c) 5. to 10., (d) and (e).

15           **SECTION 6.** 16.22 of the statutes, as affected by 1999 Wisconsin Act .... (this act),  
16 is repealed.

17           **SECTION 7.** 16.22 (title), (1) and (2) (intro.) and (a) to (g) of the statutes are  
18 renumbered 46.78 (title), (1) and (2) (intro.) and (a) to (g).

19           **SECTION 8.** 16.22 (2) (h) of the statutes is renumbered 46.78 (2) (h) and amended  
20 to read:

1           46.78 (2) (h) From the appropriations under s. ~~20.505 (4) (j) and (p)~~ 20.435 (3)  
2 (gb) and (p), award grants to persons providing national service programs, giving  
3 priority to the greatest extent practicable to persons providing youth corps programs.

4           **SECTION 9.** 16.22 (2) (i) to (k) of the statutes are renumbered 46.78 (2) (i) to (k).

5           **SECTION 10.** 16.22 (2) (kL) of the statutes, as created by 1997 Wisconsin Act 237,  
6 section 4w, is renumbered 16.22 and amended to read:

7           **16.22 Wisconsin promise challenge grants.** From the appropriation under  
8 s. 20.505 (4) (1) (fm), award Wisconsin promise challenge grants and provide training  
9 and technical assistance under 1997 Wisconsin Act 237, section 9101 (1z) (b) and (h).

10          **SECTION 11.** 16.22 (2) (L) and (3) of the statutes are renumbered 46.78 (2) (L)  
11 and (3).

12          **SECTION 12.** 20.435 (3) (i) of the statutes is repealed and recreated to read:

13           20.435 (3) (i) *Gifts and grants.* All moneys not appropriated under par. (gb) that  
14 are received from gifts, grants, donations and burial trusts for the execution of the  
15 department's functions relating to children and family services consistent with the  
16 purpose of the gifts, grants, donations or trusts.

        ----NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

17          **SECTION 13.** 20.505 (1) (fm) of the statutes, as affected by 1999 Wisconsin Act  
18 .... (this act), is repealed.

19          **SECTION 14.** 20.505 (4) (fm) of the statutes is renumbered 20.505 (1) (fm).

        ----NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

20          **SECTION 15.** 20.505 (4) (j) of the statutes is renumbered 20.435 (3) (gb) and  
21 amended to read:

1           20.435 (3) (gb) *National and community service board; gifts and grants.* All  
2 moneys received from gifts, grants and bequests for the activities of the national and  
3 community service board under s. ~~16.22~~ 46.78, to carry out the purpose for which  
4 made and received.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

5           **SECTION 16.** 20.505 (4) (o) of the statutes is renumbered 20.435 (3) (om) and  
6 amended to read:

7           20.435 (3) (om) *National and community service board; federal aid for*  
8 *administration.* From the moneys received from the corporation for national and  
9 community service under 42 USC 12542 (a) and 12571 (a), as a continuing  
10 appropriation, the amounts in the schedule for the administration of the national  
11 and community service program under s. ~~16.22~~ 46.78.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

12           **SECTION 17.** 20.505 (4) (p) of the statutes is renumbered 20.435 (3) (p) and  
13 amended to read:

14           20.435 (3) (p) *National and community service board; federal aid for grants.*  
15 From the moneys received from the corporation for national and community service  
16 under the ~~national and community service trust act of 1993, P.L. 103-82~~ 42 USC  
17 12542 (a) and 12571 (a), all moneys not appropriated under par. (e) (om) for national  
18 service program grants under s. ~~16.22~~ 46.78 (2) (h).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

19           **SECTION 18.** 106.115 (1) (i) of the statutes is amended to read:

20           106.115 (1) (i) The national and community service corps under 42 USC 12501  
21 to 12682 and s. ~~16.22~~ 46.78.



1           **SECTION 19.** 938.34 (5m) of the statutes is amended to read:

2           **938.34 (5m) COMMUNITY SERVICE WORK PROGRAM.** Order the juvenile to  
3 participate in a youth corps program, as defined in s. ~~16.22~~ 46.78 (1) (dm) or another  
4 community service work program, if the sponsor of the program approves the  
5 juvenile's participation in the program.

6           **SECTION 20.** 1997 Wisconsin Act 237, section 4x of the statutes is repealed.

7           **SECTION 21.** 1997 Wisconsin Act 237, section 48h of the statutes is repealed.

8           **SECTION 22.** 1997 Wisconsin Act 237, section 9101 (1z) (b), (c) (intro.), (d) 1., (g)  
9 (intro.) and (h) of the statutes are amended to read:

10           [1997 Wisconsin Act 237] Section 9101 (1z) (b) *Purpose of grants.* From the  
11 appropriation under section 20.505 ~~(4) (L)~~ (fm) of the statutes, as created by this act,  
12 the ~~national and community service board~~ department of administration shall  
13 award grants, in the amounts specified in paragraph (c), to countywide consortiums  
14 to assist those countywide consortiums in coordinating and documenting progress  
15 within their counties toward reaching the goal of providing the 5 fundamental  
16 resources to underserved youth.

17           (c) *Amount of grants.* (intro.) The ~~national and community service board~~  
18 department of administration shall determine the amount of a grant awarded under  
19 paragraph (b) based on the number of underserved youth who are to receive the 5  
20 fundamental resources as a result of the countywide consortium's efforts under  
21 paragraph (f). The ~~national and community service board~~ department of  
22 administration shall award the following amounts based on the following numbers  
23 of underserved youth targeted by a countywide consortium:

24           (d) 1. The ~~national and community service board~~ department of administration  
25 may award a grant under paragraph (b) only to a countywide consortium that agrees

1 to match the grant, in cash, in an amount this is not less than 200% of the grant  
2 amount received.

3 (g) *Fiscal agent; reporting.* (intro.) Each countywide consortium that applies  
4 for a grant under paragraph (b) shall identify a fiscal agent who shall receive,  
5 manage and account for the grant moneys awarded under paragraph (b) and the  
6 matching funds committed under paragraph (d) 1. and who shall provide to the  
7 ~~national and community service board~~ department of administration the following  
8 reports detailing the progress of the countywide consortium in accomplishing the  
9 tasks specified in paragraph (f):

10 (h) *Capacity building.* The ~~national and community service board~~ department  
11 of administration may expend any moneys in the appropriation account under  
12 section 20.505 (4) (1) (fm) of the statutes, ~~as created by this act~~, that are not awarded  
13 as grants under paragraph (b) to build the capacity of individuals, public agencies,  
14 nonprofit organizations and other persons to provide the 5 fundamental resources  
15 to underserved youth by contracting for the provision of the training and technical  
16 assistance specified in paragraph (f) 4.

17 **SECTION 23.** 1997 Wisconsin Act 237, section 9401 (1z) is repealed.

18 **SECTION 9101. Nonstatutory provisions; administration.**

19 (1) TRANSFER OF NATIONAL AND COMMUNITY SERVICES BOARD.

20 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
21 liabilities of the department of administration primarily related to the functions of  
22 the national and community service board, except the Wisconsin challenge grant  
23 program, as determined by the secretary of administration, shall become the assets  
24 and liabilities of the department of health and family services.

25 (b) *Positions and employes.*

1           1. On the effective date of this subdivision, all full-time equivalent positions  
2 in the department of administration having duties primarily related to the functions  
3 of the national and community service board, except the Wisconsin challenge grant  
4 program, as determined by the secretary of administration, are transferred to the  
5 department of health and family services.

6           2. All incumbent employes holding positions specified in subdivision 1. are  
7 transferred on the effective date of this subdivision to the department of health and  
8 family services.

9           3. Employes transferred under subdivision 2. have all the rights and the same  
10 status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
11 department of health and family services that they enjoyed in the department of  
12 administration immediately before the transfer. Notwithstanding section 230.28 (4)  
13 of the statutes, no employe so transferred who has attained permanent status in class  
14 is required to serve a probationary period.

15           (c) *Tangible personal property.* On the effective date of this paragraph, all  
16 tangible personal property, including records, of the department of administration  
17 that is primarily related to the functions of the national and community service  
18 board, except the Wisconsin challenge grant program, as determined by the  
19 secretary of administration, is transferred to the department of health and family  
20 services.

21           (d) *Contracts.* All contracts entered into by the department of administration  
22 in effect on the effective date of this paragraph that are primarily related to the  
23 functions of the national and community service board, except the Wisconsin  
24 challenge grant program, as determined by the secretary of administration, remain  
25 in effect and are transferred to the department of health and family services. The

1 department of health and family services shall carry out any contractual obligations  
2 under such a contract until the contract is modified or rescinded by the department  
3 of health and family services to the extent allowed under the contract.

4 **SECTION 9401. Effective dates; administration.**

5 (1) TRANSFER OF NATIONAL AND COMMUNITY SERVICE BOARD. The repeal of sections  
6 16.22 and 20.505 (1) (fm) of the statutes takes effect on January 1, 2000.

7 (END)



(NOTE)  
**State of Wisconsin**  
**1999 - 2000 LEGISLATURE**

-0400/7  
LRB-0584/6  
JTK:kg/ksh/jg:ch

WANTED SOON

DOA:.....Fossum – National and community service board transfer

**FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION**

1     AN ACT <sup>Don't</sup> <sub>Gen Cat</sub> relating to: transfer of the national and community service board

2             from the department of administration to the department of health and family

3             services.

***Analysis by the Legislative Reference Bureau***

**STATE GOVERNMENT**

**OTHER STATE GOVERNMENT**

Under current law, the national and community service board consists of at least 16 voting members who are appointed by the governor to represent various interests. The board is attached to the department of administration (DOA) but exercises policy-making functions independently of DOA. The board utilizes federal moneys and moneys that it receives from gifts, grants and bequests to provide assistance to persons who operate service programs that address unmet human, educational, environmental or public safety needs.

This bill transfers this board to the department of health and family services (DHFS). Under the bill, the board is attached to DHFS in the same way that it is currently attached to DOA.

Currently, the national and community service board makes "Wisconsin promise challenge grants" to countywide consortia of public and private entities

which provide resources to underserved youth. This program expires on January 1, 2000. The bill transfers administration of this program to DOA.

---

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

1           **SECTION 1.** 15.105 (24) (title) of the statutes is renumbered 15.195 (3) (title).

2           **SECTION 2.** 15.105 (24) (a) of the statutes is renumbered 15.195 (3) (a) and  
3 amended to read:

4           15.195 (3) (a) *Creation.* There is created a national and community service  
5 board which is attached to the department of ~~administration~~ health and family  
6 services under s. 15.03.

7           **SECTION 3.** 15.105 (24) (b) and (c) (intro.) and 1. to 4. of the statutes are  
8 renumbered 15.195 (3) (b) and (c) (intro.) and 1. to 4.

9           **SECTION 4.** 15.105 (24) (c) 4m. of the statutes is renumbered 15.195 (3) (c) 4m.  
10 and amended to read:

11           15.195 (3) (c) 4m. The secretary of ~~administration~~ health and family services  
12 or his or her designee.

13           **SECTION 5.** 15.105 (24) (c) 5. to 10., (d) and (e) of the statutes are renumbered  
14 15.195 (3) (c) 5. to 10., (d) and (e).

15           **SECTION 6.** 16.22 of the statutes, as affected by 1999 Wisconsin Act .... (this act),  
16 is repealed.

17           **SECTION 7.** 16.22 (title), (1) and (2) (intro.) and (a) to (g) of the statutes are  
18 renumbered 46.78 (title), (1) and (2) (intro.) and (a) to (g).

19           **SECTION 8.** 16.22 (2) (h) of the statutes is renumbered 46.78 (2) (h) and amended  
20 to read:

1       46.78 (2) (h) From the appropriations under s. 20.505 (4) (j) and (p) 20.435 (3)  
2 (gb) and (p), award grants to persons providing national service programs, giving  
3 priority to the greatest extent practicable to persons providing youth corps programs.

4       **SECTION 9.** 16.22 (2) (i) to (k) of the statutes are renumbered 46.78 (2) (i) to (k).

5       **SECTION 10.** 16.22 (2) (kL) of the statutes, as created by 1997 Wisconsin Act 237,  
6 section 4w, is renumbered 16.22 and amended to read:

7       **16.22 Wisconsin promise challenge grants.** From the appropriation under  
8 s. 20.505 (4) (1) (fm), award Wisconsin promise challenge grants and provide training  
9 and technical assistance under 1997 Wisconsin Act 237, section 9101 (1z) (b) and (h).

10       **SECTION 11.** 16.22 (2) (L) and (3) of the statutes are renumbered 46.78 (2) (L)  
11 and (3).

12       **SECTION 12.** 20.435 (3) (i) of the statutes is repealed and recreated to read:

13       20.435 (3) (i) *Gifts and grants.* All moneys not appropriated under par. (gb) that  
14 are received from gifts, grants, donations and burial trusts for the execution of the  
15 department's functions relating to children and family services consistent with the  
16 purpose of the gifts, grants, donations or trusts.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

17       **SECTION 13.** 20.505 (1) (fm) of the statutes, as affected by 1999 Wisconsin Act  
18 .... (this act), is repealed.

19       **SECTION 14.** 20.505 (4) (fm) of the statutes is renumbered 20.505 (1) (fm).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

20       **SECTION 15.** 20.505 (4) (j) of the statutes is renumbered 20.435 (3) (gb) and  
21 amended to read:

1           20.435 (3) (gb) *National and community service board; gifts and grants.* All  
2 moneys received from gifts, grants and bequests for the activities of the national and  
3 community service board under s. ~~16.22 46.78~~, to carry out the purpose for which  
4 made and received.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

5           SECTION 16. 20.505 (4) (o) of the statutes is renumbered 20.435 (3) (om) and  
6 amended to read:

7           20.435 (3) (om) *National and community service board; federal aid for*  
8 *administration.* From the moneys received from the corporation for national and  
9 community service under 42 USC 12542 (a) and 12571 (a), as a continuing  
10 appropriation, the amounts in the schedule for the administration of the national  
11 and community service program under s. ~~16.22 46.78~~.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

12           SECTION 17. 20.505 (4) (p) of the statutes is renumbered 20.435 (3) (p) and  
13 amended to read:

14           20.435 (3) (p) *National and community service board; federal aid for grants.*  
15 From the moneys received from the corporation for national and community service  
16 under ~~the national and community service trust act of 1993, P.L. 103-82 42 USC~~  
17 ~~12542 (a) and 12571 (a)~~, all moneys not appropriated under par. (e) (om) for national  
18 service program grants under s. ~~16.22 46.78~~ (2) (h).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

19           SECTION 18. 106.115 (1) (i) of the statutes is amended to read:

20           106.115 (1) (i) The national and community service corps under 42 USC 12501  
21 to 12682 and s. ~~16.22 46.78~~.



1       **SECTION 19.** 938.34 (5m) of the statutes is amended to read:

2       **938.34 (5m) COMMUNITY SERVICE WORK PROGRAM.** Order the juvenile to  
3 participate in a youth corps program, as defined in s. ~~16.22~~ **46.78** (1) (dm) or another  
4 community service work program, if the sponsor of the program approves the  
5 juvenile's participation in the program.

6       **SECTION 20.** 1997 Wisconsin Act 237, section 4x is repealed.

7       **SECTION 21.** 1997 Wisconsin Act 237, section 48h is repealed.

8       **SECTION 22.** 1997 Wisconsin Act 237, section 9101 (1z) (b), (c) (intro.), (d) 1., (g)  
9 (intro.) and (h) are amended to read:

10       [1997 Wisconsin Act 237] Section 9101 (1z) (b) *Purpose of grants.* From the  
11 appropriation under section 20.505 (4) (1) (fm) of the statutes, as created by this act,  
12 the ~~national and community service board~~ department of administration shall  
13 award grants, in the amounts specified in paragraph (c), to countywide consortiums  
14 to assist those countywide consortiums in coordinating and documenting progress  
15 within their counties toward reaching the goal of providing the 5 fundamental  
16 resources to underserved youth.

17       (c) *Amount of grants.* (intro.) The ~~national and community service board~~  
18 department of administration shall determine the amount of a grant awarded under  
19 paragraph (b) based on the number of underserved youth who are to receive the 5  
20 fundamental resources as a result of the countywide consortium's efforts under  
21 paragraph (f). The ~~national and community service board~~ department of  
22 administration shall award the following amounts based on the following numbers  
23 of underserved youth targeted by a countywide consortium:

24       (d) 1. The ~~national and community service board~~ department of administration  
25 may award a grant under paragraph (b) only to a countywide consortium that agrees

1 to match the grant, in cash, in an amount this is not less than 200% of the grant  
2 amount received.

3 (g) *Fiscal agent; reporting.* (intro.) Each countywide consortium that applies  
4 for a grant under paragraph (b) shall identify a fiscal agent who shall receive,  
5 manage and account for the grant moneys awarded under paragraph (b) and the  
6 matching funds committed under paragraph (d) 1. and who shall provide to the  
7 ~~national and community service board~~ department of administration the following  
8 reports detailing the progress of the countywide consortium in accomplishing the  
9 tasks specified in paragraph (f):

10 (h) *Capacity building.* ~~The national and community service board~~ department  
11 of administration may expend any moneys in the appropriation account under  
12 section 20.505 (4) ~~(1)~~ (fm) of the statutes, ~~as created by this act,~~ that are not awarded  
13 as grants under paragraph (b) to build the capacity of individuals, public agencies,  
14 nonprofit organizations and other persons to provide the 5 fundamental resources  
15 to underserved youth by contracting for the provision of the training and technical  
16 assistance specified in paragraph (f) 4.

17 **SECTION 23.** 1997 Wisconsin Act 237, section 9401 (1z) is repealed.

18 **SECTION 9101. Nonstatutory provisions; administration.**

19 (1) TRANSFER OF NATIONAL AND COMMUNITY SERVICES BOARD.

20 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
21 liabilities of the department of administration primarily related to the functions of  
22 the national and community service board, except the Wisconsin challenge grant  
23 program, as determined by the secretary of administration, shall become the assets  
24 and liabilities of the department of health and family services.

25 (b) *Positions and employes.*

1           1. On the effective date of this subdivision, all full-time equivalent positions  
2 in the department of administration having duties primarily related to the functions  
3 of the national and community service board, except the Wisconsin challenge grant  
4 program, as determined by the secretary of administration, are transferred to the  
5 department of health and family services.

6           2. All incumbent employees holding positions specified in subdivision 1. are  
7 transferred on the effective date of this subdivision to the department of health and  
8 family services.

9           3. Employees transferred under subdivision 2. have all the rights and the same  
10 status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
11 department of health and family services that they enjoyed in the department of  
12 administration immediately before the transfer. Notwithstanding section 230.28(4)  
13 of the statutes, no employee so transferred who has attained permanent status in class  
14 is required to serve a probationary period.

15           (c) *Tangible personal property.* On the effective date of this paragraph, all  
16 tangible personal property, including records, of the department of administration  
17 that is primarily related to the functions of the national and community service  
18 board, except the Wisconsin challenge grant program, as determined by the  
19 secretary of administration, is transferred to the department of health and family  
20 services.

21           (d) *Contracts.* All contracts entered into by the department of administration  
22 in effect on the effective date of this paragraph that are primarily related to the  
23 functions of the national and community service board, except the Wisconsin  
24 challenge grant program, as determined by the secretary of administration, remain  
25 in effect and are transferred to the department of health and family services. The

1 department of health and family services shall carry out any contractual obligations  
2 under such a contract until the contract is modified or rescinded by the department  
3 of health and family services to the extent allowed under the contract.

4 **SECTION 9401. Effective dates; administration.**

5 (1) TRANSFER OF NATIONAL AND COMMUNITY SERVICE BOARD. The repeal of sections  
6 16.22 and 20.505 (1) (fm) of the statutes takes effect on January 1, 2000.

7 (END)





**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

-0700/7  
LRB-05846dn

JTK:kmg:ch

2 ↑ #2

January 26, 1999

↙  
↘  
For /6, technical corrections were made to the bill SECTION headings for SECTIONS 20, 21 and 22.

Jeffery T. Kuesel  
Managing Attorney  
266-6778

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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0400/7dn  
JTK:kmg:lp

January 28, 1999

For /7, technical corrections were made to the bill SECTION headings for SECTIONS 20, 21 and 22.

Jeffery T. Kuesel  
Managing Attorney  
266-6778



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-0400/7  
JTK:kg&ksh&jg:lp

DOA:.....Caucutt – National and Community Service Board transfer  
FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1     **AN ACT ...; relating to:** transfer of the national and community service board  
2             from the department of administration to the department of health and family  
3             services.

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*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**OTHER STATE GOVERNMENT**

Under current law, the national and community service board consists of at least 16 voting members who are appointed by the governor to represent various interests. The board is attached to the department of administration (DOA) but exercises policy-making functions independently of DOA. The board utilizes federal moneys and moneys that it receives from gifts, grants and bequests to provide assistance to persons who operate service programs that address unmet human, educational, environmental or public safety needs.

This bill transfers this board to the department of health and family services (DHFS). Under the bill, the board is attached to DHFS in the same way that it is currently attached to DOA.

Currently, the national and community service board makes “Wisconsin promise challenge grants” to countywide consortia of public and private entities

which provide resources to underserved youth. This program expires on January 1, 2000. The bill transfers administration of this program to DOA.

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

1           **SECTION 1.** 15.105 (24) (title) of the statutes is renumbered 15.195 (3) (title).

2           **SECTION 2.** 15.105 (24) (a) of the statutes is renumbered 15.195 (3) (a) and  
3 amended to read:

4           15.195 (3) (a) *Creation.* There is created a national and community service  
5 board which is attached to the department of ~~administration~~ health and family  
6 services under s. 15.03.

7           **SECTION 3.** 15.105 (24) (b) and (c) (intro.) and 1. to 4. of the statutes are  
8 renumbered 15.195 (3) (b) and (c) (intro.) and 1. to 4.

9           **SECTION 4.** 15.105 (24) (c) 4m. of the statutes is renumbered 15.195 (3) (c) 4m.  
10 and amended to read:

11           15.195 (3) (c) 4m. The secretary of ~~administration~~ health and family services  
12 or his or her designee.

13           **SECTION 5.** 15.105 (24) (c) 5. to 10., (d) and (e) of the statutes are renumbered  
14 15.195 (3) (c) 5. to 10., (d) and (e).

15           **SECTION 6.** 16.22 of the statutes, as affected by 1999 Wisconsin Act .... (this act),  
16 is repealed.

17           **SECTION 7.** 16.22 (title), (1) and (2) (intro.) and (a) to (g) of the statutes are  
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19           **SECTION 8.** 16.22 (2) (h) of the statutes is renumbered 46.78 (2) (h) and amended  
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1           46.78 (2) (h) From the appropriations under s. ~~20.505 (4) (j) and (p)~~ 20.435 (3)  
2 (gb) and (p), award grants to persons providing national service programs, giving  
3 priority to the greatest extent practicable to persons providing youth corps programs.

4           **SECTION 9.** 16.22 (2) (i) to (k) of the statutes are renumbered 46.78 (2) (i) to (k).

5           **SECTION 10.** 16.22 (2) (kL) of the statutes, as created by 1997 Wisconsin Act 237,  
6 section 4w, is renumbered 16.22 and amended to read:

7           **16.22 Wisconsin promise challenge grants.** From the appropriation under  
8 s. 20.505 ~~(4) (1)~~ (fm), award Wisconsin promise challenge grants and provide training  
9 and technical assistance under 1997 Wisconsin Act 237, section 9101 (1z) (b) and (h).

10          **SECTION 11.** 16.22 (2) (L) and (3) of the statutes are renumbered 46.78 (2) (L)  
11 and (3).

12          **SECTION 12.** 20.435 (3) (i) of the statutes is repealed and recreated to read:

13          20.435 (3) (i) *Gifts and grants.* All moneys not appropriated under par. (gb) that  
14 are received from gifts, grants, donations and burial trusts for the execution of the  
15 department's functions relating to children and family services consistent with the  
16 purpose of the gifts, grants, donations or trusts.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

17          **SECTION 13.** 20.505 (1) (fm) of the statutes, as affected by 1999 Wisconsin Act  
18 .... (this act), is repealed.

19          **SECTION 14.** 20.505 (4) (fm) of the statutes is renumbered 20.505 (1) (fm).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

20          **SECTION 15.** 20.505 (4) (j) of the statutes is renumbered 20.435 (3) (gb) and  
21 amended to read:

1           20.435 (3) (gb) *National and community service board; gifts and grants.* All  
2 moneys received from gifts, grants and bequests for the activities of the national and  
3 community service board under s. ~~16.22~~ 46.78, to carry out the purpose for which  
4 made and received.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

5           **SECTION 16.** 20.505 (4) (o) of the statutes is renumbered 20.435 (3) (om) and  
6 amended to read:

7           20.435 (3) (om) *National and community service board; federal aid for*  
8 *administration.* From the moneys received from the corporation for national and  
9 community service under 42 USC 12542 (a) and 12571 (a), as a continuing  
10 appropriation, the amounts in the schedule for the administration of the national  
11 and community service program under s. ~~16.22~~ 46.78.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

12           **SECTION 17.** 20.505 (4) (p) of the statutes is renumbered 20.435 (3) (p) and  
13 amended to read:

14           20.435 (3) (p) *National and community service board; federal aid for grants.*  
15 From the moneys received from the corporation for national and community service  
16 under ~~the national and community service trust act of 1993, P.L. 103-82~~ 42 USC  
17 12542 (a) and 12571 (a), all moneys not appropriated under par. (e) (~~om~~) for national  
18 service program grants under s. ~~16.22~~ 46.78 (2) (h).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

19           **SECTION 18.** 106.115 (1) (i) of the statutes is amended to read:

20           106.115 (1) (i) The national and community service corps under 42 USC 12501  
21 to 12682 and s. ~~16.22~~ 46.78.

1           **SECTION 19.** 938.34 (5m) of the statutes is amended to read:

2           938.34 (5m) COMMUNITY SERVICE WORK PROGRAM. Order the juvenile to  
3 participate in a youth corps program, as defined in s. ~~16.22~~ 46.78 (1) (dm) or another  
4 community service work program, if the sponsor of the program approves the  
5 juvenile's participation in the program.

6           **SECTION 20.** 1997 Wisconsin Act 237, section 4x of the statutes is repealed.

7           **SECTION 21.** 1997 Wisconsin Act 237, section 48h of the statutes is repealed.

8           **SECTION 22.** 1997 Wisconsin Act 237, section 9101 (1z) (b), (c) (intro.), (d) 1., (g)  
9 (intro.) and (h) of the statutes are amended to read:

10           [1997 Wisconsin Act 237] Section 9101 (1z) (b) *Purpose of grants.* From the  
11 appropriation under section 20.505 (4) (1) (fm) of the statutes, ~~as created by this act,~~  
12 the ~~national and community service board~~ department of administration shall  
13 award grants, in the amounts specified in paragraph (c), to countywide consortiums  
14 to assist those countywide consortiums in coordinating and documenting progress  
15 within their counties toward reaching the goal of providing the 5 fundamental  
16 resources to underserved youth.

17           (c) *Amount of grants.* (intro.) The ~~national and community service board~~  
18 department of administration shall determine the amount of a grant awarded under  
19 paragraph (b) based on the number of underserved youth who are to receive the 5  
20 fundamental resources as a result of the countywide consortium's efforts under  
21 paragraph (f). The ~~national and community service board~~ department of  
22 administration shall award the following amounts based on the following numbers  
23 of underserved youth targeted by a countywide consortium:

24           (d) 1. The ~~national and community service board~~ department of administration  
25 may award a grant under paragraph (b) only to a countywide consortium that agrees

1 to match the grant, in cash, in an amount this is not less than 200% of the grant  
2 amount received.

3 (g) *Fiscal agent; reporting.* (intro.) Each countywide consortium that applies  
4 for a grant under paragraph (b) shall identify a fiscal agent who shall receive,  
5 manage and account for the grant moneys awarded under paragraph (b) and the  
6 matching funds committed under paragraph (d) 1. and who shall provide to the  
7 ~~national and community service board~~ department of administration the following  
8 reports detailing the progress of the countywide consortium in accomplishing the  
9 tasks specified in paragraph (f):

10 (h) *Capacity building.* The ~~national and community service board~~ department  
11 of administration may expend any moneys in the appropriation account under  
12 section 20.505 (4) (1) (fm) of the statutes, ~~as created by this act,~~ that are not awarded  
13 as grants under paragraph (b) to build the capacity of individuals, public agencies,  
14 nonprofit organizations and other persons to provide the 5 fundamental resources  
15 to underserved youth by contracting for the provision of the training and technical  
16 assistance specified in paragraph (f) 4.

17 **SECTION 23.** 1997 Wisconsin Act 237, section 9401 (1z) is repealed.

18 **SECTION 9101. Nonstatutory provisions; administration.**

19 (1) TRANSFER OF NATIONAL AND COMMUNITY SERVICES BOARD.

20 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
21 liabilities of the department of administration primarily related to the functions of  
22 the national and community service board, except the Wisconsin challenge grant  
23 program, as determined by the secretary of administration, shall become the assets  
24 and liabilities of the department of health and family services.

25 (b) *Positions and employees.*

1           1. On the effective date of this subdivision, all full-time equivalent positions  
2 in the department of administration having duties primarily related to the functions  
3 of the national and community service board, except the Wisconsin challenge grant  
4 program, as determined by the secretary of administration, are transferred to the  
5 department of health and family services.

6           2. All incumbent employes holding positions specified in subdivision 1. are  
7 transferred on the effective date of this subdivision to the department of health and  
8 family services.

9           3. Employes transferred under subdivision 2. have all the rights and the same  
10 status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
11 department of health and family services that they enjoyed in the department of  
12 administration immediately before the transfer. Notwithstanding section 230.28 (4)  
13 of the statutes, no employe so transferred who has attained permanent status in class  
14 is required to serve a probationary period.

15           (c) *Tangible personal property.* On the effective date of this paragraph, all  
16 tangible personal property, including records, of the department of administration  
17 that is primarily related to the functions of the national and community service  
18 board, except the Wisconsin challenge grant program, as determined by the  
19 secretary of administration, is transferred to the department of health and family  
20 services.

21           (d) *Contracts.* All contracts entered into by the department of administration  
22 in effect on the effective date of this paragraph that are primarily related to the  
23 functions of the national and community service board, except the Wisconsin  
24 challenge grant program, as determined by the secretary of administration, remain  
25 in effect and are transferred to the department of health and family services. The

1 department of health and family services shall carry out any contractual obligations  
2 under such a contract until the contract is modified or rescinded by the department  
3 of health and family services to the extent allowed under the contract.

4 **SECTION 9401. Effective dates; administration.**

5 (1) TRANSFER OF NATIONAL AND COMMUNITY SERVICE BOARD. The repeal of sections  
6 16.22 and 20.505 (1) (fm) of the statutes takes effect on January 1, 2000.

7 (END)