

1999 DRAFTING REQUEST

Bill

Received: **08/05/1999**

Received By: **malaigm**

Wanted: **Soon**

Identical to LRB:

For: **Gregg Underheim (608) 266-2254**

By/Representing: **Sandy**

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**

Pre Topic:

No specific pre topic given

Topic:

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

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.

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 | | | jfrantze 08/10/1999 | _____ | lrb_docadmin 08/10/1999 | lrb_docadmin 08/18/1999 | |

FE Sent For:

Not Needed

<END>

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|--------------|----------------|-----------------------|--------------|----------------|------------------|-----------------|-----------------|
| 1/? | malaigm | 11 WJ 8/9 1 JG 8/9 | 68/10 | JG me 8/10 | | | |

FE Sent For:

<END>

STATE OF WISCONSIN



LEGISLATIVE COUNCIL STAFF

David J. Stute
Director

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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:tlu;wu

Attachment

RNS:tl;wu

08/04/1999

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.

7 **(END)**



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3376/3

GMM.../.....

2000

Wlj
+
Jlg

WFO -
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 employes.

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 employes 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 employes who have access to the entity's clients. This bill extends the effective date of the background investigation requirement with respect to current employes of an entity to February 1, 2000.

Insert
1-4

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 ~~1~~ 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

5

6
7

1 act and if that repeal takes effect on or after the effective date of this [✓] paragraph, then
 2 the repeal of 1997 Wisconsin Act 27, section 9423 (⁹~~9~~tt), by this act takes effect on the
 3 date on which 1997 Wisconsin Act 27, section 9423 (⁹~~9~~tt), is repealed by 1997 ⁹~~9~~
 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 (⁹~~9~~tt), 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 (⁹~~9~~tt), by this act and the repeal of 1997 Wisconsin Act
 9 27, section 9423 (⁹~~9~~tt), by this act are void.

10 (c) If neither paragraph (a) ^{a.r. → not} or paragraph (b) applies, then the repeal of 1997
 11 Wisconsin Act 27, section 9423 (⁹~~9~~tt), by this act is void. ^{a.r.}

12

(END)

Insert 1-4

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

[1997 Wisconsin Act 27] Section 9423

28th

(9pt) BACKGROUND INVESTIGATIONS OF CURRENT EMPLOYEES. The amendment of sections 48.685 (2) (ag) (intro.) and 50.065 (2) (ag) (intro.) of the statutes takes effect on the first day of the ~~24th~~ month beginning after publication.

(let 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: Representative Underheim

Relating to LRB drafting number: LRB-3376

Topic

Background investigations of child and adult care entity employes; 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

9/10/99

Karen

We need a CCC for Senate Bill 225

(3377/1)

and Assembly Bill 449.

~~SB 225~~

→ SB-225

✓ #. ~~100~~ page 2, line 9: delete "1999"

and substitute "1997"

* #. Page 2, line 3: delete "affected" and substitute "last amended".

→ ~~AB 449~~ AB-449 (3376/1)

~~#.~~ #. page 2, line 15: ~~AB 449~~ delete "1999"

and substitute "1997".

#. Page 2, line 3: delete "affected" and substitute "last amended".

~~AB 449~~

KMG:



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3376/1
GMM:wj&jlg:jf

1999 ASSEMBLY BILL 449

ccc

September 14, 1999 - Introduced by Representatives UNDERHEIM, KRUSICK, AINSWORTH, ALBERS, GOETSCH, GROTHMAN, HUBER, KELSO, LA FAVE, LADWIG, M. LEHMAN, MEYER, MILLER, MUSSER, OLSEN, OWENS, PORTER, RHOADES, RYBA, SERATTI, SYKORA, TURNER and URBAN, cosponsored by Senators MOEN, BRESKE, BAUMGART, DARLING, ERPENBACH, FARROW, JAUCH, RISSER, ROBSON, ROESSLER, ROSENZWEIG, RUDE, SCHULTZ, WELCH and WIRCH. Referred to Committee on Health.

1 AN ACT to affect 1997 Wisconsin Act 27, section 9423 (9ptt) and 1997 Wisconsin
2 Act 27, section 9423 (9ptt); relating to: the effective date of the requirement
3 that entities that provide care for children or adults conduct background
4 investigations of their current employes.

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 employes 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 employes who have access to the entity's clients. This bill extends the effective date of the background investigation requirement with respect to current employes of an entity to February 1, 2000.

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

5 SECTION 1. 1997 Wisconsin Act 27, section 9423 (9ptt) is amended to read:
6 [1997 Wisconsin Act 27] Section 9423 (9ptt) BACKGROUND INVESTIGATIONS OF
7 CURRENT EMPLOYES. The amendment of sections 48.685 (2) (ag) (intro.) and 50.065 (2)

ASSEMBLY BILL 449

SECTION 1

1 (ag) (intro.) of the statutes takes effect on the first day of the 24th 28th month
2 beginning after publication.

3 **SECTION 2.** 1997 Wisconsin Act 27, section 9423 (9ptt), as ~~affected~~ *last amended* by 1999
4 Wisconsin Act (this act), is repealed.

5 **SECTION 3. Nonstatutory provisions.**

6 (1) RECONCILIATION PROVISIONS.

7 (a) If 1999 Wisconsin Act (Assembly Bill 133) is enacted into law, if 1997
8 Wisconsin Act 27, section 9423 (9ptt), is repealed by that act and if that repeal takes
9 effect on or after the effective date of this paragraph, then the repeal of 1997
10 Wisconsin Act 27, section 9423 (9ptt), by this act takes effect on the date on which
11 1997 Wisconsin Act 27, section 9423 (9ptt), is repealed by 1999 Wisconsin Act
12 (Assembly Bill 133).

13 (b) If 1999 Wisconsin Act (Assembly Bill 133) is enacted into law, if 1997
14 Wisconsin Act 27, section 9423 (9ptt), is repealed by that act and if that repeal takes
15 effect before the effective date of this paragraph, then the amendment of 1999 *1997*
16 Wisconsin Act 27, section 9423 (9ptt), by this act and the repeal of 1997 Wisconsin
17 Act 27, section 9423 (9ptt), by this act are void.

18 (c) If neither paragraph (a) nor paragraph (b) applies, then the repeal of 1997
19 Wisconsin Act 27, section 9423 (9ptt), by this act is void.

20 (END)



State of Wisconsin
1999-2000 LEGISLATURE

CORRECTIONS IN:

1999 ASSEMBLY BILL 449

Prepared by the Legislative Reference Bureau
(September 13, 1999)

1. Page 2, line 3: delete "affected" and substitute "last amended".
2. Page 2, line 15: delete "1999" and substitute "1997".

LRB-3376/1ccc-1
KMG:ch

Minor clerical corrections in legislation are authorized under s. 35.17, stats.; Senate Rule 31, Assembly Rule 37 and Joint Rule 56.