

2001 DRAFTING REQUEST

Bill

Received: 02/15/2001

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Michael Huebsch (608) 266-0631

By/Representing: Kent Disch

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Addl. Drafters: shoveme

Subject: Munis - miscellaneous

Extra Copies: GMM

Pre Topic:

No specific pre topic given

Topic:

Family day care homes

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	grantpr 02/15/2001	wjackson 02/16/2001		_____			
/1			rschluet 02/22/2001	_____	lrb_docadmin 02/22/2001	lrb_docadmin 03/21/2001	

FE Sent For:

<END>

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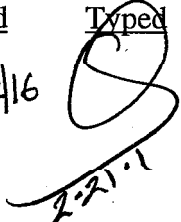
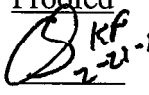
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/?	grantpr	/1 WLj 2/16					

FE Sent For:

<END>

Grant, Peter

From: Disch, Kent
Sent: Thursday, February 15, 2001 10:42 AM
To: Grant, Peter; Shovers, Marc
Subject: Bill request

Hello,

Rep. Huebsch has asked me to get the following drafted:

He would like to add to Sec. 66.1017 FAMILY DAY CARE HOMES

a family day care home is NOT required to be the providers primary residence.

Apparently there have been some municipalities that have required this from providers. We would simply like to "tighten up" this language.

If you have any questions, please feel free to drop me a line or call 6-0631.

Also, Mike would like to know what kind of "timeline" we can expect for the drafting, I think he would like to get the ball rolling on this soon.

Thanks,

-Kent Disch
Legislative Aide
State Representative Mike Huebsch

except that a
No. m. may require that a F.d.c.h.
be located in the provider's principal residence.

prohibits

, ~~0844~~

Kent

6-063)

2/15/09

Q: still want to require that the case
be located in a "dwelling" ?

Kent: delete requires that it be
a dwelling

2001

Date (time) needed _____

LRB - 2541 / 1

BILL

PK & MES : WLj : _____

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the statutes; relating to: *the regulation of family day care homes*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create → anal: → title: → head

For the subheading, execute: create → anal: → title: → sub

For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create → anal: → text

(attached)

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

SECTION #.

Section #. 66.1017 (1) (a) of the statutes is amended to read:

66.1017 (1) (a) "Family day care home" means a ~~dwelling licensed as a~~ day care center ^{licensed} by the department of health and family services under s. 48.65 where care is provided for not more than 8 children.

History: 1983 a. 193; 1995 a. 27 s. 9126 (19); 1999 a. 150 s. 361; Stats. 1999 s. 66.1017.

Section #. 66.1017 (2) of the statutes is amended to read:

66.1017 (2) No municipality may prevent a family day care home from being located in a zoned district in which a single-family residence is a permitted use. No municipality may establish standards or requirements for family day care homes different from the licensing standards established under s. 48.65. This subsection does not prevent a municipality from applying to a family day care home the zoning regulations applicable to ~~other~~ dwellings in the zoning district in which it is located.

History: 1983 a. 193; 1995 a. 27 s. 9126 (19); 1999 a. 150 s. 361; Stats. 1999 s. 66.1017.

except that a municipality
may not require that a
family day care home be
located in the principal
residence of the operator of
the home

(End)

ANALYSIS

~~Under current law, a person may not, for compensation, provide care and supervision for more than three children under the age of seven for fewer than 24 hours a day unless the person obtains a day care center license from the department of health and family services.~~

~~with certain exceptions~~

Under current law, ~~a~~ ~~county~~ ~~city~~ ~~village~~ ~~or~~ ~~town~~ ~~may not~~ prevent a family day care home (licensee as a day care center provides care for no more than

eight children) from being ^{located} located in a ^{zoned} zoned district in which single-family residence is a

permitted use also. The bill ~~prohibits~~ prohibits a county, city, village, or town from requiring a family day care

This bill eliminates the requirement that a family day care home be located in a dwelling.

program be located in the principal
residence of the operator of the program.



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

February 22, 2001

MEMORANDUM

To: Representative Huebsch

From: Peter R. Grant, Managing Attorney

Re: LRB-2541 Family day care homes

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 267-3362 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.