

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

LRB01-0308/1dn  
GMM:cjs:rs

September 26, 2000

Erin:

In reviewing this draft with Representative Jeskewitz, please note all of the following:

1. That, as we discussed in our follow-up meeting, to give effect to a drafting instruction given toward the end of the working group's meeting, this draft does not give effect to some instructions given earlier in the meeting. Specifically, toward the end of the meeting, the working group decided not to permit counties to place children voluntarily in a 2nd-chance home. The group made that decision due to concerns that parents would not consent to such a placement if they were charged for the placement and to concerns about court involvement in approving extensions of such placements.

The decision to take counties out of the picture, however, contradicts some instructions given earlier in the day. Specifically, the group earlier decided to permit counties to apply for grants to establish 2nd-chance homes. That decision, however, no longer makes sense in light of the later decision in that it would be illogical to permit a county to receive a grant to establish a 2nd-chance home and then to prohibit the county from placing a child in the home.

Similarly, the decision to take counties out of the picture also contradicts an earlier instruction to permit foster homes and treatment foster homes to operate as 2nd-chance homes because it is counties that license foster homes and treatment foster homes. Again, it would be illogical to permit a county to license a foster home or treatment foster home as a 2nd-chance home and then to prohibit the county from placing children in the home.

2. This draft creates a new appropriation for 2nd-chance homes grants. The budget bill, however, repeals and recreates the entire ch. 20 appropriation schedule. As such, if this draft were to be enacted before the budget, the appropriation for 2nd-chance homes grants would be repealed by the budget. Accordingly, to avoid that outcome, you should either have this draft redrafted as a budget draft or as a budget amendment or, if you introduce this draft as separate legislation, you should make sure that the draft is not enacted until after the budget.

3. Rachel will want to review this draft before it goes out and, on review, may very well find some changes to be made. Accordingly, please wait until Rachel signs off before distributing the draft to the group.

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