

2005 DRAFTING REQUEST

Bill

Received: 01/11/2005

Received By: **gmalaise**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-2288**

By/Representing: **Rhodes**

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

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Children - abuse and neglect**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Rhodes, BB0389 -

Topic:

Replacement of TANF with GPR for Child Abuse and Neglect Prevention Board

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>
/?	gmalaise 01/11/2005	kfollett 01/12/2005		_____			State
/1			rschluet 01/12/2005	_____	lemery 01/12/2005		State
/2	gmalaise 01/24/2005	jdyer 01/24/2005	pgreensl 01/24/2005	_____	sbasford 01/25/2005		State
/3	gmalaise	jdyer	rschluet	_____	mbarman		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	01/26/2005	01/26/2005	01/26/2005	_____	01/27/2005		

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PJK

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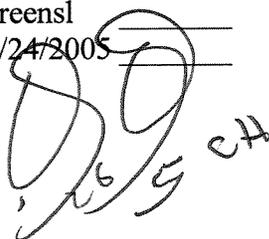
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/2	gmalaise 01/24/2005	jdye 01/24/2005	pgreensl 01/24/2005	_____	sbasford 01/25/2005		

13 1/26 jld

 CH

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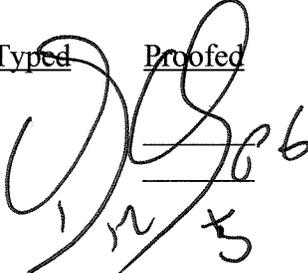
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/?	gmalaise	1/11/05 1/12					

FE Sent For:

<END>

~~102~~ GMM

2005-07

~~2005-05~~ Budget Bill Statutory Language Drafting Request

- Topic: Replace CANPB TANF with GPR
- Tracking Code: BB0389
- SBO team: Health & Insurance
- SBO analyst: Rhodes
 - Phone: 6-2288
 - Email: dennis.rhodes@doa.state.wi.us
- Agency acronym: CANPB
- Agency number: ~~6-8456~~ 433

DOA DRAFT Request

2005-2007 Biennial Budget Statutory Language Request
January 10, 2005

Replace CANPB TANF with GPR

Current Language

49.175(1)(zn) Child abuse and neglect prevention board. For the transfer of moneys to the child abuse and neglect prevention board, \$340,000 in each fiscal year

Proposed Change

Create a new GPR appropriation under 20.433 (CANPB) for the purposes listed under 20.433(1)(h), Grants to organizations.

Add reference to the new GPR appropriation under 48.982.

- Repeal 49.175(1)(zn)
- Delete references to 20.433 (1)(k) under 20.445(3) (md).

Effect of the Change

The effect is to replace \$340,000 TANF CANPB receives annually with GPR.

Rationale for the Change

Governor's decision.

Desired Effective Date:	Upon Passage
Agency:	DOA
Agency Contact:	Dennis Rhodes
Phone:	266-2288

Malaise, Gordon

From: Malaise, Gordon
Sent: Wednesday, January 05, 2005 6:27 PM
To: Rhodes, Dennis
Subject: RE: TANF at CANBP

Dennis:

No, it won't be complicated at all.

The first step will be to create a GPR appropriation under s. 20.433 that reads "The amounts in the schedule for . . . (state the purpose of the appropriation, e.g., general program operations like in (g) or grants like in (h))." Then at your end you will have to remember to include the new appropriation in the appropriation schedule.

Then there will be some corresponding cross-reference changes to permit the expenditure of moneys from the new appropriation. Since TANF moneys are currently transferred to s. 20.433 (1) (k), wherever references to par. (k) are found, a reference to the new par. should be added, i.e., to s. 48.982 (3), (4) (a), (6) (a), and (7) (a).

Finally, because moneys from TANF will no longer be transferred to the CANPB, s. 49.175 (1) (zn) needs to be repealed and the reference to s. 20.433 (1) (k) in s. 20.445 (3) (md) needs to be deleted.

And that's all there is to it.

I also received your e-mail the other day relating to subsidized guardianships. At first glance it appears that DHFS' instructions can be drafted, but perhaps not in the way that DHFS suggests. Specifically, DHFS recommends amending s. 48.977 to permit tribes and other states to use that procedure to appoint guardians. Tribes and other states, however, are sovereign entities that have the right to make their own laws. Accordingly, I would instead amend s. 48.62 (5) (a) to say "under s. 48.977 or under a comparable law of a tribe or other state . . .".

I plan to redraft -0084 tomorrow, so if on closer inspection any problems arise I will contact you then.

Gordon

-----Original Message-----

From: Rhodes, Dennis
Sent: Wednesday, January 05, 2005 5:56 PM
To: Malaise, Gordon
Subject: TANF at CANBP

Gordon,

The Gov. had decided to replace the TANF CANPB gets from DHFS with GPR. CANPB does not have a GPR approp. Will that be complicated to create?

Thanks,

Dennis



1/12 or 1/13
State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-1625/1
GMM.. [Signature]

DL OTE

DOA:.....Rhodes, BB0389 – Replacement of TANF with GPR for Child Abuse and Neglect Prevention Board

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

Do Not Gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, \$340,000 in federal Temporary Assistance for Needy Families (TANF) block grant moneys are transferred from DWD to the Child Abuse and Neglect Prevention Board (CANPB) in each fiscal year. This bill eliminates that transfer and instead appropriates general purpose revenues (GPR) to the CANPB for grants to organizations for the establishment of child abuse and neglect prevention programs, early childhood family education centers, and right from the start projects.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

2 SECTION 1. 20.433 (1) (b) of the statutes is created to read:

3 20.433 (1) (b) *Grants to organizations.* The amounts in the schedule to be used

4 for grants to organizations under s. 48.9082 (4), (6), and (7).

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

1 **SECTION 2.** 20.445 (3) (md) of the statutes is amended to read:

2 20.445 (3) (md) *Federal block grant aids.* The amounts in the schedule, less
3 the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and
4 to be transferred to the appropriation accounts under ss. 20.255 (2) (kh), 20.433 (1)
5 (~~k~~), 20.435 (3) (kc), (kd), and (km), (4) (kz), (6) (kx), (7) (ky), and (8) (kx), and 20.835
6 (2) (kf). All block grant moneys received for these purposes from the federal
7 government or any of its agencies and all moneys recovered under s. 49.143 (3) shall
8 be credited to this appropriation account.

History: 1971 c. 125 ss. 156, 522 (1); 1971 c. 211, 215; 1971 c. 228 s. 44; 1971 c. 259; 1973 c. 90, 180, 243, 333; 1975 c. 39, 147, 224, 274, 344; 1975 c. 404 ss. 3, 10 (1); 1975 c. 405 ss. 3, 11 (1); 1977 c. 29, 48, 203, 418; 1979 c. 34 ss. 512 to 522, 2102 (25) (a); 1979 c. 189, 221, 309; 1979 c. 329 s. 25 (1); 1979 c. 350 ss. 3, 27 (6); 1979 c. 353, 355; 1981 c. 20, 36, 92, 93, 317, 325, 364; 1983 a. 8; 1983 a. 27 ss. 411 to 425; 1983 a. 98 ss. 1, 31; 1983 a. 192, 384, 388, 410; 1985 a. 17, 29, 153, 313, 332; 1987 a. 27; 1987 a. 38 ss. 2 to 4, 136; 1987 a. 399, 403; 1989 a. 31, 44, 64, 77, 254, 284, 359; 1991 a. 39 ss. 372c, 545r, 545t, 545v, 547, 548, 548g, 548m, 549, 549b, 549g, 549p; 1991 a. 85, 89, 269, 315; 1993 a. 16, 126, 243, 437, 491; 1995 a. 27 ss. 772mm, 772mn, 776p to 778b, 778L, 778n, 778q, 778v, 778z to 780m, 781m to 782p, 782u, 841, 842, 849, 850, 854, 855, 858c, 873 to 876, 878, 880, 890 to 896, 962 to 1014c, 9126 (19), 9130 (4); 1995 a. 113 s. 2t; 1995 a. 117, 201, 216, 225, 289; 1995 a. 404 ss. 4, 6 to 8, 10 to 17; 1997 a. 3; 1997 a. 27 ss. 610 to 642m, 722; 1997 a. 35, 38, 39, 105, 112, 191, 235, 236, 237, 252; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109; 2003 a. 33, 197.

9 **SECTION 3.** 48.982 (4) (a) of the statutes is amended to read:

10 48.982 (4) (a) From the appropriations under s. 20.433 (1) (~~b~~), (h), (i), (k), (m),
11 and (q), the board shall award grants to organizations in accordance with the plan
12 developed under sub. (2) (a). In each of the first 2 fiscal years in which grants are
13 awarded, no organization may receive a grant or grants totaling more than \$30,000.

History: 1983 a. 27; 1983 a. 109 s. 6; 1985 a. 29 ss. 930s, 3202 (8); 1987 a. 27, 184, 255; 1989 a. 31, 336; 1991 a. 32, 39; 1993 a. 16, 437, 444, 491; 1995 a. 27 ss. 2622 to 2623d, 9126 (19); 1995 a. 275; 1997 a. 27, 78, 252, 293; 1999 a. 9; 2001 a. 16.

14 **SECTION 4.** 48.982 (6) (a) of the statutes is amended to read:

15 48.982 (6) (a) From the appropriations under s. 20.433 (1) (~~b~~), (h), (i), (k), (ma),
16 and (q), the board shall award grants to organizations in accordance with the
17 request-for-proposal procedures developed under sub. (2) (a). No organization may
18 receive a grant or grants under this subsection totaling more than \$150,000 in any
19 year.

History: 1983 a. 27; 1983 a. 109 s. 6; 1985 a. 29 ss. 930s, 3202 (8); 1987 a. 27, 184, 255; 1989 a. 31, 336; 1991 a. 32, 39; 1993 a. 16, 437, 444, 491; 1995 a. 27 ss. 2622 to 2623d, 9126 (19); 1995 a. 275; 1997 a. 27, 78, 252, 293; 1999 a. 9; 2001 a. 16.

20 **SECTION 5.** 48.982 (7) (a) of the statutes is amended to read:

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1625/1dn
GMM:kjf:rs

January 12, 2005

Dennis:

Current law permits moneys from s. 20.433 (1) (k) to be used for general program operations under s. 48.982 (3). Do you want to permit GPR to be used for those operations or only for grants to organizations? This draft only permits GPR to be used for grants to organizations. If you want GPR to be used for general program operations, then this draft will need to be redrafted.

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: gordon.malaise@legis.state.wi.us

Malaise, Gordon

From: Rhodes, Dennis
Sent: Monday, January 24, 2005 3:25 PM
To: Malaise, Gordon
Subject: RE: LRB Draft: 05-1625/1 Replacement of TANF with GPR for Child Abuse and Neglect Prevention Board

Great. Thanks for suggesting the change.

-----Original Message-----

From: Malaise, Gordon [mailto:Gordon.Malaise@legis.state.wi.us]
Sent: Monday, January 24, 2005 3:23 PM
To: Rhodes, Dennis
Subject: RE: LRB Draft: 05-1625/1 Replacement of TANF with GPR for Child Abuse and Neglect Prevention Board

Dennis:

Good pickup! But instead of changing the title of the GPR appropriation, let's change the title of the PR appropriation to "Grants to organizations; program revenues."

There is precedent for saying "program revenues" in the title, but not for saying "general purpose revenues." See e.g., s. 20.865.

Accordingly, I will redraft -1625 to amend the title to s. 20.433 (1) (h) and you should make the corresponding change to the schedule.

Gordon

-----Original Message-----

From: Rhodes, Dennis
Sent: Monday, January 24, 2005 2:49 PM
To: Malaise, Gordon
Subject: FW: LRB Draft: 05-1625/1 Replacement of TANF with GPR for Child Abuse and Neglect Prevention Board

Gordon,

I realize that CANPB already has an appropriation named "Grants to organizations" under 20.433(1)(h) so I don't think I can name the GPR appropriation the same thing. Can we change it to "Grants to organizations - GPR" ?

Thanks,

Dennis

-----Original Message-----

From: Schlueter, Ron [mailto:Ron.Schlueter@legis.state.wi.us]
Sent: Wednesday, January 12, 2005 11:31 AM
To: Rhodes, Dennis
Cc: Johnston, James; Hanaman, Cathlene; Haugen, Caroline; Merry-Mason, Monica
Subject: LRB Draft: 05-1625/1 Replacement of TANF with GPR for Child Abuse and Neglect Prevention Board

Following is the PDF version of draft 05-1625/1.



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-1625/17

GMM:kjf:rs

TODAY

2
PM2

DOA:.....Rhodes, BB0389 – Replacement of TANF with GPR for Child Abuse
and Neglect Prevention Board

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

don't gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, \$340,000 in federal Temporary Assistance for Needy Families (TANF) block grant moneys are transferred from DWD to the Child Abuse and Neglect Prevention Board (CANPB) in each fiscal year. This bill eliminates that transfer and instead appropriates general purpose revenues to the CANPB for grants to organizations for the establishment of child abuse and neglect prevention programs, early childhood family education centers, and right from the start projects.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

2 SECTION 1. 20.433 (1) (b) of the statutes is created to read:

3 20.433 (1) (b) *Grants to organizations.* The amounts in the schedule to be used

4 for grants to organizations under s. 48.982 (4), (6), and (7).

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

1 **SECTION 2.** 20.445 (3) (md) of the statutes is amended to read:

2 20.445 (3) (md) *Federal block grant aids.* The amounts in the schedule, less
3 the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and
4 to be transferred to the appropriation accounts under ss. 20.255 (2) (kh), 20.433 (1)
5 (~~k~~), 20.435 (3) (kc), (kd), and (km), (4) (kz), (6) (kx), (7) (ky), and (8) (kx), and 20.835
6 (2) (kf). All block grant moneys received for these purposes from the federal
7 government or any of its agencies and all moneys recovered under s. 49.143 (3) shall
8 be credited to this appropriation account.

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10 48.982 (4) (a) From the appropriations under s. 20.433 (1) (b), (h), (i), (k), (m),
11 and (q), the board shall award grants to organizations in accordance with the plan
12 developed under sub. (2) (a). In each of the first 2 fiscal years in which grants are
13 awarded, no organization may receive a grant or grants totaling more than \$30,000.

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15 48.982 (6) (a) From the appropriations under s. 20.433 (1) (b), (h), (i), (k), (ma),
16 and (q), the board shall award grants to organizations in accordance with the
17 request-for-proposal procedures developed under sub. (2) (a). No organization may
18 receive a grant or grants under this subsection totaling more than \$150,000 in any
19 year.

20 **SECTION 5.** 48.982 (7) (a) of the statutes is amended to read:

21 48.982 (7) (a) From the appropriations under s. 20.433 (1) (b), (h), (i), (k), and
22 (q), the board shall award grants to organizations in accordance with the plan
23 developed under sub. (2) (a).

SECTION 6. 49.175 (1) (zn) of the statutes is repealed.

24

(END)

Insert 2.1

(title)

Section #. 20.433 (1) (h) of the statutes is amended to read:

(title)

program revenues

I

20.433 (1) (h) Grants to organizations. ~~All moneys received under s. 69.22 (1m), less the amounts appropriated under par. (g), to be used for grants to organizations under s. 48.982 (4), (6) and (7).~~

History: 1983 a. 27; 1985 a. 29; 1985 a. 315 s. 22; 1987 a. 27; 1989 a. 31; 1991 a. 39; 1993 a. 16, 437, 444, 491; 1995 a. 27; 1997 a. 78; 1999 a. 9; 2001 a. 16.

→ * + note: bud

(red amount)



NOTE

3
RMR

DOA:.....Rhodes, BB0389 - Replacement of TANF with GPR for Child Abuse and Neglect Prevention Board

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1 **SECTION 2.** 20.433 (1) (h) (title) of the statutes is amended to read:

2 20.433 (1) (h) (title) *Grants to organizations; program revenues.*

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5 the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and
6 to be transferred to the appropriation accounts under ss. 20.255 (2) (kh), 20.433 (1)
7 (k), 20.435 (3) (kc), (kd), and (km), (4) (kz), (6) (kx), (7) (ky), and (8) (kx), and 20.835
8 (2) (kf). All block grant moneys received for these purposes from the federal
9 government or any of its agencies and all moneys recovered under s. 49.143 (3) shall
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18 and (q), the board shall award grants to organizations in accordance with the
19 request-for-proposal procedures developed under sub. (2) (a). No organization may
20 receive a grant or grants under this subsection totaling more than \$150,000 in any
21 year.

22 **SECTION 6.** 48.982 (7) (a) of the statutes is amended to read:

DRAFT

Dennis Rhodes and Erin Faith:

This draft reconciles LRB-1625/2, and LRB-0604/3.

~~Also~~ LRB-1625, and LRB-0604, LRB-1417, LRB-1534,

LRB-1635, and LRB-1662 should ^{all} continue to appear in the compiled

bill.
↑

GMM

LRB-1417/1, LRB-1534/3, LRB-1635/2, and LRB-1662/2

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1625/3dn
GMM:kjfrs

January 26, 2005

Dennis Rhodes and Erin Fath:

This draft reconciles LRB-1625/2, LRB-0604/3, LRB-1417/1, LRB-1534/3, LRB-1635/2, and LRB-1662/2. LRB-1625, LRB-0604, LRB-1417, LRB-1534, LRB-1635, and LRB-1662 should all continue to appear in the compiled bill.

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: gordon.malaise@legis.state.wi.us



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-1625/3

GMM:kjf:rs

DOA:.....Rhodes, BB0389 – Replacement of TANF with GPR for Child Abuse
and Neglect Prevention Board

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

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