

Filed June 14, 1966  
1:25 P.M.

CERTIFICATE

PW-CY 40,50

STATE OF WISCONSIN )  
 ) SS  
DEPARTMENT OF PUBLIC WELFARE )

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Wilbur J. Schmidt, Director of the State Department of Public Welfare, and custodian of the official records of said department, do hereby certify that the annexed rules and standards relating to Day Care Centers, adoptions, and jails, lockups, workhouses and forestry camps were duly approved and adopted by this department on

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the State Office Building, in the City of Madison, this 13th day of June , A.D., 1966.

Wilbur J. Schmidt  
Wilbur J. Schmidt, Director

STATE DEPARTMENT OF PUBLIC WELFARE

ORDER OF THE STATE DEPARTMENT OF PUBLIC WELFARE  
ADOPTING, AMENDING OR REPEALING RULES

Pursuant to authority vested in the State Department of Public Welfare by sections 46.014 (3) and 48.67, Wis. Stats., the State Department of Public Welfare hereby repeals and revises rules as follows:

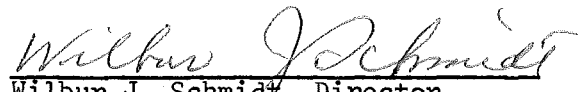
Sections PW-CY 40.12, 40.13 and 40.30 (2) (j) of the Wisconsin Administrative Code are repealed.

Sections PW-CY 40.08, 40.30 and PW-C 50.12 are revised to read:  
(The rules as revised are attached hereto).

The rules, revisions and repeals contained herein shall take effect on \_\_\_\_\_ as provided in section 227.026 (1), Wis. Stats.

Dated June 13th , 1966

STATE DEPARTMENT OF PUBLIC WELFARE

  
Wilbur J. Schmidt, Director

PW-CY 40.08 Physical Plant Standards

(1) Building

(a) Required Standards

1. Day care centers shall be in conformity with Chapter 59 of the Wisconsin Administrative Code (Industrial Commission Building Code).
9. The heating plant shall conform with Chapter 59, Industrial Commission Building Code.

(3) Ventilation

- (a) Required standards. There shall be either a ventilating system or outside windows, which conform to Chapter 59 of the Industrial Commission Building Code.

PW-CY 40.30 Adoptions

(1)

- (e) In making the investigations required by section 48.88 (2) (a), Wis. Stats., and in exercising its authority under sections 48.61 (3) (5) and 48.64, Wis. Stats., the agency shall obtain pertinent information about the family, its religious, cultural, social and economic background and the health, personalities and capacities of individual members.
- (f) In accord with sections 48.61 (3) (5), and 48.64, Wis. Stats., a careful study shall be made of the child's individual characteristics and his capacities and potentialities for growth.
- (h) Before the child is placed for adoption, the agency shall be certain that all rights of the parent or parents have been permanently terminated pursuant to section 48.40, Wis. Stats., or that the child has no parents.
- (i) At the time of the termination of parental rights, the agency shall make certain that guardianship is established pursuant to section 48.43, Wis. Stats.

(3)

(f) The agency which places the child in an adoptive home shall secure the signatures of the applicants to an agreement in conformity with section 48.64, Wis. Stats., which shall insure the right of the agency to visit the child, give directions for his care, evaluate his adjustment, and, if necessary, remove the child at the discretion of the agency. The worker shall explain the significance of this agreement.

PW-C\ 50.12

(1) Licensing

(a) Receiving homes and boarding homes used for detention must have a permit issued in accordance with provisions of sections 48.62 and 48.64, Wis. Stats.

CORRECTION OF DIVISION FOR CHILDREN AND YOUTH  
ADMINISTRATIVE RULES

The following changes are requested in the Administrative Code.

Under PW-CY 40.08 reference to Chapter 57 of the Wisconsin Administrative Code (Industrial Commission Building Code) should be Chapter 59 of the Building Code. Wisconsin Heating, Ventilation and Air Conditioning Code was Industrial Chapter 58 of the Industrial Commission Code and was repealed and became Chapter 59 of the Building Code. The changes in the Administrative rules should be made to bring the language of the existing rules into conformity.

Sections PW-CY 40.12, 40.13 and 40.30 (2) (j) should be repealed.

PW-CY 40.12 Repeal of former standards and regulations provides "The Wisconsin day care standards and regulations No. 1.01 through 1.08 adopted by the board of public welfare on November 10, 1949 are hereby repealed."

PW-CY 40.13 Revision of forms provides "Forms prescribed by the department as required by law are set forth in the appendix and may subsequently be revised by the department in conformance with the standards and regulations."

In both cases the provisions are unnecessary and there is no reason to retain the provisions in the Administrative Code.

PW-CY 40.30 (2) (j) provides "The pastor and two responsible references must be consulted in accordance with section 322.02 (2), Wis. Stats."

This requirement was deleted in the revision of the Children's Code in 1955 and the requirement in the Administrative Rules is obsolete.

The changes in Section PW-CY 40.30 relate to statutory references which were revised in 1955 with the passage of the Children's Code.

Under PW-CY 40.30 (1) (e) of the Wisconsin Administrative Code, the reference to Section 322.01 (1), Wis. Stats. is covered under 48.88 (2) (a) of the present Wisconsin Statutes.

Under 40.30 (1) (e) of the Wisconsin Administrative Code the reference to Sec. 48.36 (2), Wis. Stats. is covered under Sections 48.61 (3) (5) and 48.64 of the present Wis. Stats.

Under PW-CY 40.30 (1) (f) of the Wisconsin Administrative Code the reference to Section 46.03 (7) and section 48.36 (1) (2), Wis. Stats. are covered under Section 48.61 (3) (5) and 48.64 of the present Wis. Stats.

Under PW-CY 40.30 (1) (h) the reference to section 48.07 (7) Wis. Stats. is covered by Section 48.40 of the present Wis. Stats.

Under PW-CY 40.30 (1) (i) the reference to section 48.07 (7) is covered by section 48.43 of the present Wis. Stats.

Under PW-CY 40.30 (3) (f) the references to sections 48.22 (2), 48.36 (2) and (3), and 48.37 (3) and (4) are covered by Section 48.64 of the present Wis. Stats.

The change in section PW-C 50.12 relates to a statute which has been revised.

Specifically under PW-C 50.12 (1) the reference to 48.38 Wis. Stats. is covered by sections 48.62 and 48.64 of the present Wis. Stats.

Re: Reference to Missouri State  
in Wis. Admin. Code

Copy  
10/22/65  
to G. Keith

PW - CY 40.08 (1)(a) 1.

Ref to Chs Int 50-57 should  
be Int 50-59

PW - CY 40.08 (1)(a) 9.

and because the 2nd 59 of the Bldg Code  
was replaced

Ref should be to Building Code  
Ch Int 59.

PW - CY 40.08 (3)(a)

Ref should be to Building Code  
Ch Int 59.

(PW - CY 40.12 Should be eliminated, repeated  
PW - CY 40.13 " " " " "  
(no appendix)

PW - CY 40.30 (1)(a) Reference to 322.02 (1)

is obsolete

In (1)(a)	Reference to	43.36 (2)	incorrect	
" (1)(f)	"	46.03 (7)	"	
"	"	48.36 (1) & (2)	"	
" (1)(h)	"	48.07 (7)	"	
(2)(j)		322.02 (2)	"	

P W 44. 30(3)(f)  
Reference to 48.22(v) is incorrect  
48.36(v)(3) "  
48.37(3) "



Pr-C 50.12

Ref. to 48.38 incorrect

No hearing required when:

rrr. 02 (1)(b)

His Stats. ↙

The proposed rule is designed solely to bring the language of an existing rule into congruence with a statute which has been changed or adopted since the adoption of such rule . . . .

Order adoption is required and usual following with filing date and Review.