

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: 06/21/99

Received By: malaigm

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus 6-1452

By/Representing: Rindfleisch

This file may be shown to any legislator: NO

Drafter: malaigm

May Contact:

Alt. Drafters:

Subject: **Children - TPR and adoption**

Extra Copies:

Pre Topic:

ARC:.....Rindfleisch - Amendment #

Topic:

Private adoption services

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>
/?	malaigm 06/22/99	wjackson 06/22/99		_____			
/1			mclark 06/22/99	_____	lrb_docadmin 06/22/99		
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FE Sent For:

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			Kjf 6/24	Kjf/km 6/24			

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Subject: Children - TPR and adoption

Extra Copies:

Pre Topic:

ARC:.....Rindfleisch - Amendment # 98

Topic:

Private adoption services

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>
/?	malaigm	1 Wlj	6/22 ARC 6/22	MRC/KSH 6/22			

FE Sent For:

<END>

To Be Drafted

ARC

Agency	DHFS	Amendment#	98
ARC Analyst	Kelly Rindfleisch	IRR#	
		Tax Cut	<input type="checkbox"/>

Summary

This amendment would place funds approved by the Joint Finance in the Department of Health (DHFS) and Family Services appropriations for state foster care and adoption services. The amendment would specify that budgeted funds could be used to either employ project positions or pay the cost of contracting with private adoption agencies to supplement the work of state staff in providing adoption services for children with special needs who are under the guardianship of DHFS.

This will authorize DHFS to use project positions or contract, within the available funding approved by the Joint Finance Committee for (a) case management, child preparation, placement, and post-adoption services; (b) training for vendor staff to provide case management and other services; (c) quality assurance activities and training of DHFS staff to eventually take over quality assurance activities.

Fiscal Impact

None.

Statement of Intent

Department of Health and Family Services. Places funds approved by Joint Finance in the DHFS appropriations for state foster care and adoption services.

Controls



State of Wisconsin
1999 - 2000 LEGISLATURE

Note

LRBb0825/7 ①
GMM.../.....
Wlj

ARC:.....Rindfleisch – Amendment #98, Private adoption services

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 343, line 1: delete lines 1 to 8 and substitute:

3 “SECTION 391g. 20.435 (3) (dd) of the statutes is amended to read:

4 20.435 (3) (dd) *State foster care and adoption services.* The amounts in the
5 schedule for foster care, treatment foster care, institutional child care and subsidized
6 adoptions under ss. 48.48 (12) and 48.52, for the cost of care for children under s.
7 49.19 (10) (d) ~~and~~, for the cost of the foster care monitoring system, for the cost of
8 providing, or contracting with private adoption agencies to assist the department in
9 providing, services to children with special needs who are under the guardianship

1 of the department to prepare those children for adoption and for the cost of providing
2 postadoption services to children with special needs who have been adopted.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 22 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (e); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413/ 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293.

3 **2.** Page 344, line 20: delete ~~lines 20-25~~ and substitute:

the material beginning with that line and ending with page 345, line 4,

4 **"SECTION 399g.** 20.435 (3) (pd) of the statutes is amended to read:

5 **20.435 (3) (pd)** *Federal aid; state foster care and adoption services.* All federal
6 moneys received for meeting the costs of providing foster care, treatment foster care
7 and, institutional child care ~~under s. 48.52, and for~~ and subsidized adoptions under
8 ss. 48.48 (12) and 48.52, the cost of care for children under s. 49.19 (10) (d), the cost
9 of providing, or contracting with private adoption agencies to assist the department
10 in providing, services to children with special needs who are under the guardianship
11 of the department to prepare those children for adoption and the cost of providing
12 postadoption services to children with special needs who have been adopted.
13 Disbursements for foster care under s. 46.03 (20) and for the purposes described
14 under s. 48.627 may be made from this appropriation. *close quotes*

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 22 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (e); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293.

15 **3.** Page 1526, line 24: after that line insert:

16 **"(1x) ADOPTION OF CHILDREN WITH SPECIAL NEEDS.** Of the amounts appropriated
17 to the joint committee on finance under section 20.865 (4) (a) and (m) of the statutes
18 for the 1999–2001 fiscal biennium, the committee may allocate such amounts as the
19 committee considers appropriate for the cost to the department of health and family

NEW STATS

to the department of health and family

↑
STET

1 ~~services~~ ^{STET ✓} of providing, or contracting with private adoption agencies to assist that
2 department in providing, services to children with special needs who are under the
3 guardianship of that department to prepare those children for adoption. The joint
4 committee on finance, without finding that an emergency exists under section 13.101
5 (3) (a) of the statutes, may supplement the appropriation accounts under section
6 20.435 (3) (dd) of the statutes, as affected by this act, and section 20.435 (3) (pd) of
7 the statutes, as affected by this act, in the amounts allocated under this subsection
8 to provide for that cost. The joint committee on finance may increase the authorized
9 FTE positions for the department of health and family services by such number of
10 project positions as the committee considers appropriate to provide those services.”.

11

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0825/1

GMM.../:...
NLj

Kelly:

ARC Amendment #98 does not specify the dollar amounts that are allocated for the joint committee on finance to supplement the GPR and FED state foster care and adoption services appropriations to DHFS. Accordingly, this draft provides that the JCF may allocate such amounts as the committee considers appropriate.

Similarly, ARC Amendment #98 does not specify the number of project positions that are authorized to provide adoption services for children with special needs. Accordingly, this draft permits the JCF to authorize such number of project positions as the committee considers appropriate to provide those services.

Do you want to specify a dollar amount that is allocated for supplementing the DHFS state foster care and adoption services appropriations? Do you want to specify the number of positions that are authorized to provide adoption services for children with special needs? If so, please advise.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0825/1dn
GMM:wlj:mrc

June 22, 1999

Kelly:

ARC Amendment #98 does not specify the dollar amounts that are allocated for the joint committee on finance to supplement the GPR and FED state foster care and adoption services appropriations to DHFS. Accordingly, this draft provides that the JCF may allocate such amounts as the committee considers appropriate.

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State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0825/1
GMM:wlj:mrc



DM-Ste

ARC:.....Rindfleisch - Amendment # Private adoption services

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 343, line 1: delete lines 1 to 8 and substitute:

3 “**SECTION 391g.** 20.435 (3) (dd) of the statutes is amended to read:

4 20.435 (3) (dd) *State foster care and adoption services.* The amounts in the
5 schedule for foster care, treatment foster care, institutional child care and subsidized
6 adoptions under ss. 48.48 (12) and 48.52, for the cost of care for children under s.
7 49.19 (10) (d) ~~and~~, for the cost of the foster care monitoring system, for the cost of
8 providing, or contracting with private adoption agencies to assist the department in
9 providing, services to children with special needs who are under the guardianship

1 of the department to prepare those children for adoption and for the cost of providing
2 postadoption services to children with special needs who have been adopted.”.

3 **2.** Page 344, line 20: delete the material beginning with that line and ending
4 with page 345, line 4, and substitute:

5 **“SECTION 399g.** 20.435 (3) (pd) of the statutes is amended to read:

6 20.435 (3) (pd) *Federal aid; state foster care and adoption services.* All federal
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14 Disbursements for foster care under s. 46.03 (20) and for the purposes described
15 under s. 48.627 may be made from this appropriation.”.

16 ~~**3.** Page 1526, line 24: after that line insert.~~

17 ~~“(1x) ADOPTION OF CHILDREN WITH SPECIAL NEEDS. Of the amounts appropriated~~
18 ~~to the joint committee on finance under section 20.865 (4) (a) and (m) of the statutes~~
19 ~~for the 1999–2001 fiscal biennium, the committee may allocate such amounts as the~~
20 ~~committee considers appropriate for the cost to the department of health and family~~
21 ~~services of providing, or contracting with private adoption agencies to assist that~~
22 ~~department in providing, services to children with special needs who are under the~~
23 ~~guardianship of that department to prepare those children for adoption. The joint~~
24 ~~committee on finance, without finding that an emergency exists under section 13.101~~

1 (3) (a) of the statutes, may supplement the appropriation accounts under section
2 20.435 (3) (dd) of the statutes, as affected by this act, and section 20.435 (3) (pd) of
3 the statutes, as affected by this act, in the amounts allocated under this subsection
4 to provide for that cost. The joint committee on finance may increase the authorized
5 FTE positions for the department of health and family services by such number of
6 project positions as the committee considers appropriate to provide those services."

7

(END)

D Note

kelly:

4 This redraft deletes the nonstatutory language from
the draft based on instructions received from Rachel
Carabell of the LFB. That nonstatutory language would
have permitted JCF to supplement DHFS' appropriations
and positions for special needs adoption.

GMM

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

LRBb0825/2dn
GMM:wj:kjf

June 24, 1999

Kelly:

This redraft deletes the nonstatutory language from the draft based on instructions received from Rachel Carabell of the LFB. That nonstatutory language would have permitted JCF to supplement DHFS' appropriations and positions for special needs adoption.

Gordon M. Malaise
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State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0825/2
GMM:wlj:kjf

ARC:.....Rindfleisch – Amendment # Private adoption services

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14 Disbursements for foster care under s. 46.03 (20) and for the purposes described
15 under s. 48.627 may be made from this appropriation.”.

16 (END)