

**2013 DRAFTING REQUEST**

**Assembly Amendment (AA-AB581)**

Received: 1/24/2014 Received By: gmalaise  
Wanted: Today Same as LRB:  
For: Joel Kleefisch (608) 266-8551 By/Representing: Ashley Moore  
May Contact: Drafter: gmalaise  
Subject: Children - out-of-home placement Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email: Rep.Kleefisch@legis.wisconsin.gov  
Carbon copy (CC) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Delegation of parental powers to a relative for longer than one year

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**Instructions:**

See attached--permit delegation o fparental powers to a relative for longer than one year without the approval of the juvenile court

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**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 1/24/2014	kfollett 1/24/2014	jfrantze 1/24/2014	_____			
/1				_____	lparisi 1/24/2014	lparisi 1/24/2014	

FE Sent For:

<END>

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1/?	gmalaise	1/kjf 1/24					
FE Sent For:							

<END>

## Malaise, Gordon

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**From:** Moore, Ashlee  
**Sent:** Friday, January 24, 2014 12:19 PM  
**To:** Malaise, Gordon  
**Subject:** FW: Exception for Relatives

### Ashlee Moore

Representative Joel Kleefisch – 38<sup>th</sup> Assembly District  
307 North, State Capitol – (608) 266-8551

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**From:** Ullsvik, Christian  
**Sent:** Friday, January 24, 2014 8:57 AM  
**To:** Moore, Ashlee  
**Subject:** RE: Exception for Relatives

Hey Ashlee,

You're right, I think it makes sense to change Page 9, Ln 4-7 to "Any person who delegates his or her powers regarding the care and custody of a child to a person who is not a relative of the child for longer than one year without first obtaining the approval of the court..." Then the bill won't deter a relative from taking in a child indefinitely because of a court process or potential criminal penalties. Thanks.

Christian Ullsvik  
Office of Rep. LaTonya Johnson  
17th Assembly District

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**From:** Moore, Ashlee  
**Sent:** Thursday, January 23, 2014 5:15 PM  
**To:** Ullsvik, Christian  
**Subject:** Exception for Relatives

Hey Christian let me know what your boss thinks on this and we can alter or keep the language as needed. Thanks!

Right now the bill states on Page 9 Lines 4-7 that "Any person who delegates his or her powers regarding the care and custody of a child for longer than one year without first obtaining the approval of the court as provided in this subsection is subject to a fine not to exceed \$10,000 or imprisonment not to exceed 9 months, or both." (in other words a class A misdemeanor)

On page 13 lines 24-3 (page 14) it states "Any person who sends a child out of this state, brings a child into this state, or causes a child to be sent out of this state or brought into this state for the purpose of permanently transferring physical custody of the child to a person who is not a relative of the child is guilty of a Class A misdemeanor."

Now, the reason why page 13 makes the exemption for relatives is because that is a component of the Interstate Compact; however I think that since that exception is being made in those cases, I don't see why it shouldn't apply to the lady who wants to delegate her parental powers to her mother who lives up in Superior. I would think we would want the exception to apply in both cases.

**Ashlee Moore**

Representative Joel Kleefisch – 38<sup>th</sup> Assembly District  
307 North, State Capitol – (608) 266-8551



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBa15247

GMM...

①  
JF

IN 1124  
Today

**ASSEMBLY AMENDMENT ,  
TO ASSEMBLY BILL 581**

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 5, line 20: after “delegation” insert “is to a relative of the child or the  
3 delegation”.
- 4 **2.** Page 5, line 23: delete “to an agent”.
- 5 **3.** Page 5, line 24: after “(a)” insert “to an agent who is not a relative of the  
6 child”.
- 7 **4.** Page 9, line 5: after “child” insert “to a person who is not a relative of the  
8 child”.

9 (END)