

2019 DRAFTING REQUEST**Assembly Amendment (AA-AB47)**For: **Jim Steineke (608) 266-2418**Drafter: **ewheeler**By: **Amber**

Secondary Drafters:

Date: **7/3/2019**

May Contact:

Same as LRB:

Submit via email: **YES**Requester's email: **Rep.Steineke@legis.wisconsin.gov**Carbon copy (CC) to: **sarah.walkenhorstbarber@legis.wisconsin.gov****elisabeth.shea@legis.wisconsin.gov****elizabeth.wheeler@legis.wisconsin.gov****Steven.McCarthy@legis.wisconsin.gov****Amber.Otis@legis.wisconsin.gov****Pre Topic:**

No specific pre topic given

Topic:

Guardianship of children

Instructions:

1. Change "an action" to "any matter"
 2. Update 48.14 to include private guardianship actions as a separate type of proceeding and update references accordingly.
 3. p. 16, line 19, add "This paragraph does not abridge the duties and authorities of a guardian appointed under this chapter outside of this section."
 4. p. 17, line 24, after "record" add "relating to the child".
 5. p. 18., line 8, insert "goal or goals" before "permanency plan".
 6. p. 24, line 2-3, delete "full, limited, or temporary guardianship under this subsection" and replace with "under this section"
- p. 26, line 2, add "An order appointing an emergency guardian may not change the placement of a child under the supervision of a court pursuant to s. 48.13, 48.133, or 48.14 (1) to (10) or (12) or ch. 938.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	ewheeler 7/5/2019	csicilia 7/8/2019			
/P1	ewheeler 7/11/2019	csicilia 7/11/2019	dwalker 7/8/2019		
/P2	ewheeler 9/4/2019	wjackson 9/4/2019	lparisi 7/11/2019		
/1			mbarman 9/4/2019	mbarman 9/4/2019	

FE Sent For:

<END>



State of Wisconsin
2019 - 2020 LEGISLATURE

LRBa0408?
EAW... OPI

in 715 due 718

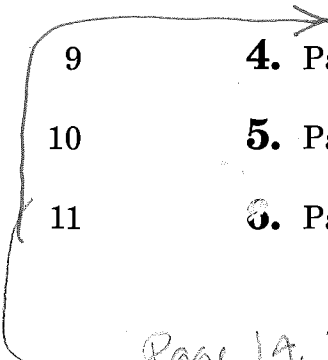
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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT,
TO ASSEMBLY BILL 47

Submit

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 5, line 11: delete the material beginning with "and" and ending with
- 3 "48.9795" on line 6 and substitute: "and 48.978 and ch. 54, ¹² ₁₂ ¹² ₁₂
- 4 **2.** Page 5, line 15: after that line insert:
- 5 "**SECTION 3m.** 48.14 (13) of the statutes is created to read:
- 6 48.14 (13) The appointment and removal of a guardian of the person for a child
- 7 under s. 48.9795. ¹² ₁₂
- 8 **3.** Page 14, line 1: delete "an action" and substitute "any matter".
- 9 **4.** Page 14, line 3: delete "action" and substitute "matter".
- 10 **5.** Page 14, line 5: delete "action" and substitute "matter".
- 11 **6.** Page 14, line 6: after "48.14" insert "^{pe}(1) to (10) or (12)".

XX



Page 14, line 1: after "48.14" insert "(1) to (10) or (12)".

Page 14, line 8: after "48.14" insert "(1) to (10) or (12)".

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7. Page 14, line 7: delete "an action" and substitute "any matter".

8. Page 14, line 11: after "48.14" insert "(1) to (10) or (12)".

****NOTE: I did not narrow the reference to s. 48.14 under subd. 2. above, because it did not appear to create a conflict.

9. Page 16, line 19: after "child." insert "This paragraph does not abridge the duties and authorities of a guardian appointed under this chapter outside of this section."

10. Page 17, line 24: after "record" insert "relating to the child".

11. Page 18, line 6: delete "an action" and substitute "any matter".

12. Page 18, line 6: after "48.14" insert "(1) to (10) or (12)".

13. Page 18, line 7: delete "action" and substitute "matter".

14. Page 18, line 8: after "with the" insert "goal or goals of the".

15. Page 18, line 10: after "48.14" insert "(1) to (10) or (12)".

16. Page 20, line 12: delete "an action" and substitute "any matter".

****NOTE: On p. 20, subs. 12. and 13. appear to overlap. Do you want to clarify these at all? I also did not narrow the reference to s. 48.14 here because it does not create a conflict.

17. Page 24, line 2: delete the material beginning with "for a" and ending with "subsection" on line 3 and substitute: "under this section".

18. Page 24, line 4: after "48.14" insert "(1) to (10) or (12)".

19. Page 26, line 2: after "appointment." insert "An order appointing an emergency guardian may not change the placement of a child under the supervision of a court pursuant to s. 48.13, 48.133, or 48.14 (1) to (10) or (12) or ch. 938."

20. Page 30, line 18: after "48.14" insert "(1) to (10) or (12)".

(END)



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**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT,
TO ASSEMBLY BILL 47**

insert

*bill high
stranger
frederick*

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 5, line 11: delete the material beginning with “and” and ending with
- 3 “48.9795” on line 12 and substitute “and 48.978 and ~~ch. 54~~”.
- 4 **2.** Page 5, line 15: after that line insert:
- 5 “**SECTION 3m.** 48.14 (13) of the statutes is created to read:
- 6 48.14 (13) The appointment and removal of a guardian of the person for a child
- 7 under s. 48.9795.”
- 8 **3.** Page 14, line 1: delete “an action” and substitute “any matter”.
- 9 **4.** Page 14, line 1: after “48.14” insert “(1) to (10) or (12)”.
- 10 **5.** Page 14, line 3: delete “action” and substitute “matter”.
- 11 **6.** Page 14, line 5: delete “action” and substitute “matter”.

*INS
1-8*

- 1 **7.** Page 14, line 6: after “48.14” insert “(1) to (10) or (12)”.
- 2 **8.** Page 14, line 7: delete “an action” and substitute “any matter”.
- 3 **9.** Page 14, line 8: after “48.14” insert “(1) to (10) or (12)”.
- 4 **10.** Page 14, line 11: after “48.14” insert “(1) to (10) or (12)”.
- 5 **11.** Page 16, line 19: after “child.” insert “This paragraph does not abridge the
6 duties and authorities of a guardian appointed under this chapter outside of this
7 section.”.
- 8 **12.** Page 17, line 24: after “record” insert “relating to the child”.
- 9 **13.** Page 18, line 6: delete “an action” and substitute “any matter”.
- 10 **14.** Page 18, line 6: after “48.14” insert “(1) to (10) or (12)”.
- 11 **15.** Page 18, line 7: delete “action” and substitute “matter”.
- 12 **16.** Page 18, line 8: after “with the” insert “goal or goals of the”.
- 13 **17.** Page 18, line 10: after “48.14” insert “(1) to (10) or (12)”.
- 14 **18.** Page 20, line 12: delete “an action” and substitute “any matter”.
- ****NOTE: On p. 20, subs. 12. and 13. appear to overlap. Do you want to clarify
 these at all? I also did not narrow the reference to s. 48.14 here because it does not create
 a conflict.
- 15 **19.** Page 24, line 2: delete the material beginning with “for a” and ending with
16 “subsection” on line 3 and substitute “under this section”.
- 17 **20.** Page 24, line 4: after “48.14” insert “(1) to (10) or (12)”.
- 18 **21.** Page 26, line 2: after “appointment.” insert “An order appointing an
19 emergency guardian may not change the placement of a child under the supervision
20 of a court pursuant to s. 48.13, 48.133, or 48.14 (1) to (10) or (12) or ch. 938.”.

2019-2020 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0408/P1ins
EAW:ejjs

INS 1-8

1. Page 9, line 12: after that line insert:

“SECTION ¹⁴13f. 48.57 (3m) (am) 1. of the statutes is amended to read:

48.57 (3m) (am) 1. The kinship care relative applies to the county department or department for payments under this subsection and, if the child is placed in the home of the kinship care relative under a court order, other than a court order under s. 48.9795 or ch. 54, 2017 stats., for a license to operate a foster home.

History: 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 271, 354, 418, 447, 449; 1979 c. 34, 221; 1981 c. 329; 1983 a. 189 s. 329 (17); 1983 a. 447; 1985 a. 176; 1987 a. 339; 1993 a. 385, 395, 446, 491; 1995 a. 27 ss. 2575 to 2579m, 9126 (19); 1995 a. 77, 289, 443; 1997 a. 3, 27, 35, 36, 41, 105, 237, 252, 292; 1999 a. 9, 103, 133, 162; 2001 a. 16 ss. 1629, 4036-4038, 4040, 4042, 4043; 2001 a. 38, 59, 69, 109; 2005 a. 25, 232, 293; 2007 a. 20; 2009 a. 28, 71, 94, 180; 2011 a. 32; 2013 a. 20, 334, 335, 362; 2015 a. 55, 166, 172; 2017 a. 59, 145, 365, 366.

SECTION ¹⁴13h. 48.57 (3n) (am) 1. of the statutes is amended to read:

48.57 (3n) (am) 1. The long-term kinship care relative applies to the county department or department for payments under this subsection, provides proof that he or she has been appointed as the guardian of the child, and, if the child is placed in the home of the long-term kinship care relative under a court order, other than a court order under s. 48.9795 or ch. 54, 2017 stats., applies to the county department or department for a license to operate a foster home.”

History: 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 271, 354, 418, 447, 449; 1979 c. 34, 221; 1981 c. 329; 1983 a. 189 s. 329 (17); 1983 a. 447; 1985 a. 176; 1987 a. 339; 1993 a. 385, 395, 446, 491; 1995 a. 27 ss. 2575 to 2579m, 9126 (19); 1995 a. 77, 289, 443; 1997 a. 3, 27, 35, 36, 41, 105, 237, 252, 292; 1999 a. 9, 103, 133, 162; 2001 a. 16 ss. 1629, 4036-4038, 4040, 4042, 4043; 2001 a. 38, 59, 69, 109; 2005 a. 25, 232, 293; 2007 a. 20; 2009 a. 28, 71, 94, 180; 2011 a. 32; 2013 a. 20, 334, 335, 362; 2015 a. 55, 166, 172; 2017 a. 59, 145, 365, 366.



State of Wisconsin
2019 - 2020 LEGISLATURE

LRBa0408/P2
EAW:cjs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
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TO ASSEMBLY BILL 47

1 At the locations indicated, amend the bill as follows:

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4 **2.** Page 5, line 15: after that line insert:

5 “SECTION 3m. 48.14 (13) of the statutes is created to read:

6 48.14 (13) The appointment and removal of a guardian of the person for a child
7 under s. 48.9795.”.

8 **3.** Page 9, line 12: after that line insert:

9 “SECTION 14f. 48.57 (3m) (am) 1. of the statutes is amended to read:

10 48.57 (3m) (am) 1. The kinship care relative applies to the county department
11 or department for payments under this subsection and, if the child is placed in the

1 home of the kinship care relative under a court order, other than a court order under
2 s. 48.9795 or ch. 54, 2017 stats., for a license to operate a foster home.

3 **SECTION 14h.** 48.57 (3n) (am) 1. of the statutes is amended to read:

4 48.57 **(3n)** (am) 1. The long-term kinship care relative applies to the county
5 department or department for payments under this subsection, provides proof that
6 he or she has been appointed as the guardian of the child, and, if the child is placed
7 in the home of the long-term kinship care relative under a court order, other than
8 a court order under s. 48.9795 or ch. 54, 2017 stats., applies to the county department
9 or department for a license to operate a foster home.”.

10 **4.** Page 14, line 1: delete “an action” and substitute “any matter”.

11 **5.** Page 14, line 1: after “48.14” insert “(1) to (10) or (12)”.

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9 emergency guardian may not change the placement of a child under the supervision
10 of a court pursuant to s. 48.13, 48.133, or 48.14 (1) to (10) or (12) or ch. 938.”.

- 11 **23.** Page 30, line 18: after “48.14” insert “(1) to (10) or (12)”.

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(END)