

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/21/2001

Received By: kahlepj

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus 7-4887

By/Representing: Hughes

This file may be shown to any legislator: NO

Drafter: kahlepj

May Contact:

Addl. Drafters:

Subject: Dom. Rel. - child support

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

ARC:.....Hughes - AM22,

Topic:

Requiring child support orders to be expressed as a fixed sum

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>
/?	kahlepj 06/21/2001	jdyer 06/22/2001		_____			
/1			pgreensl 06/22/2001	_____	lrb_docadmin 06/22/2001		

FE Sent For:

<END>

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1?	kahlepj	1/22 jld	ppg ppg	ppg selb			

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<p>the general fund.</p> <p>JFC lapsed \$5,702,000.</p> <p>This motion lapses the remaining \$1.3 million.</p>	<p>\$1.3 million GPR</p>
<p>4. Milwaukee Child Welfare (Paper 507, Alternative 3): Reduces funding in the bill by \$1.4 million GPR to provide a 100% increase to base funding for supplies and services.</p>	<p>\$1.4 million GPR</p>
<p>5. Provider Fraud and Abuse (LFB Paper 478, Alternative 1): Governor's Recommended Statutory Changes-</p> <ul style="list-style-type: none"> -Limit on the Number of Certified MA Providers - Recoveries and Opportunity for a Hearing - Fees for Repeat Offenders - Restriction on Provider's Participation - Require Surety Bond as a Condition of Certification - Certification of Overpayments to DOR - Transfer of Business Operations - DHFS Access to Provider Personnel and Records - DHFS Authority to Subpoena Providers <p>Approve all of the Governor's recommended statutory changes and reduce MA benefits finding by \$86,600 GPR and \$120,900 FED in 2002-03 to reflect projected savings in MA benefit costs that would be realized with these changes.</p>	<p>\$86,600 GPR</p>
<p>6. Income Limit for Medically Needy Recipients (LFB Paper 481, Alternative 2): Deletes Alternative 2 and language related to income limit for medically needy recipients.</p>	<p>\$500,000 GPR</p>
<p>7. Community Support Program: This county-administered program provides community-based, individualized services, including coordinated care, treatment, rehabilitation and support services, to adults with severe and persistent mental illness. Currently, there are 112 community support programs in Wisconsin, of which 82 are MA certified. Deletes JFC provision, Page 445.</p>	<p>\$2 million GPR</p>
<p>8. Substance Abuse Service Grants: Remove \$2 million from Joint Finance budget to the Substance Abuse Services Grants. (LFB Summary Page 445, #7)</p>	<p>\$2 million GPR</p>
<p>9. Asset Limit for Low-Income Families: Remove JFC language eliminating the MA Asset Limit for Low Income Families (LFB pg. 393, #13)</p>	<p>\$736,000 GPR</p>
<p>10. Percentage-Expressed Child Support Orders: Include LRBs0112/3 relating to Percentage-Expressed Child Support Orders and change language to appropriate \$1 million GPR for this provision. <i>Without this provision, Wisconsin will continue to lose federal performance incentive money.</i></p>	<p>(\$1 million GPR)</p> <p>b1453</p>
<p>11. Child Care Resource and Referral Agencies: Restore \$400,000 per year to the Child Care Resource and Referral Agencies in order to bring spending back to base. (99-00 base with a \$55,000 per year increase)</p>	<p>(\$800,000 GPR)</p>
<p>12. Provide \$200,000 in 2002-2003 for enhanced care for people with AIDS Allocate these dollars to the Life Care Services Grant within DHFS</p>	<p>(\$200,000 GPR)</p>

2001

Date (time) needed _____

LRB b 1453 / 1

**ARC CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**

PK : jld : _____

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 2001 SENATE BILL 55**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

- #. Page , line :
- #. Page , line :
- #. Page , line :
- #. Page , line :
- #. Page , line :
- #. Page , line :





SDC:.....Keckhaver—CN1049, Expressing child support as a fixed sum and providing for annual adjustments in support

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT

TO SENATE-SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

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

1
2 **1.** Page 222, line 15: after that line insert:

3 “(fs) Child support order conversion

4 assistance

GPR A

1,000,000 ✓
~~1,467,400~~

-0-”.

5 **2.** Page 371, line 10: after that line insert:

6 “**SECTION 737f.** 20.445 (3) (fs) of the statutes is created to read:

7 20.445 (3) (fs) *Child support order conversion assistance.* The amounts in the
8 schedule to provide assistance to county child support agencies for the costs of
9 converting child support orders to fixed-sum orders, to be allocated to counties on

1 the basis of the number of percentage-expressed or mixed orders in a county in cases
2 in which the state is a real party in interest under s. 767.075 (1).”.

3 **3.** Page 1190, line 16: after that line insert:

4 **“SECTION 3788m.** 767.27 (2) of the statutes is amended to read:

5 767.27 (2) ~~Except as provided in sub. (2m), disclosure~~ Disclosure forms
6 required under this section shall be filed within 90 days after the service of summons
7 or the filing of a joint petition or at such other time as ordered by the court or family
8 court commissioner. Information contained on such forms shall be updated on the
9 record to the date of hearing.

10 **SECTION 3788p.** 767.27 (2m) of the statutes is amended to read:

11 767.27 (2m) In every action in which the court has ordered a party to pay child
12 support under s. 767.25, 767.51 or 767.62 (4) or family support under s. 767.261 and
13 the circumstances specified in s. 767.075 (1) apply this chapter, including an action
14 to revise a judgment or order under s. 767.32, the court shall require the party who
15 is ordered to pay the support to annually furnish the disclosure form required under
16 this section and may require that party to annually furnish a copy of his or her most
17 recently filed state and federal income tax returns to the county child support agency
18 under s. 59.53 (5) for the county in which the order was entered. In any action in
19 which the court has ordered a party to pay child support under s. 767.25, 767.51 or
20 767.62 (4) or family support under s. 767.261, the court may require the party who
21 is ordered to pay the support to annually furnish the disclosure form required under
22 this section and a copy of his or her most recently filed state and federal income tax
23 returns to the party for whom the support has been awarded parties annually to
24 exchange financial information. A party who fails to furnish the information as

1 required by the court under this subsection may be proceeded against for contempt
2 of court under ch. 785. If the court finds that a party has failed to furnish the
3 information required under this subsection, the court may award to the party
4 bringing the action costs and, notwithstanding s. 814.04 (1), reasonable attorney
5 fees.”.

6 **4.** Page 1195, line 22: delete lines 22 to 24 and substitute:

7 “(5) (a) Nothing in this section affects a party’s right to file at any time a motion,
8 petition, or order to show cause under s. 767.32 for revision of a judgment or order
9 with respect to an amount of child or family support.

10 (b) Nothing in this section affects a party’s right to move the court for a finding
11 of contempt of court or for remedial sanctions under ch. 785 if the other party
12 unreasonably fails to provide or disclose information required under this section or
13 unreasonably fails or refuses to sign a stipulation for an annual adjustment.”.

14 **5.** Page 1414, line 2: after that line insert:

15 “(c) The treatment of section 767.27 (2) and (2m) of the statutes first applies
16 to actions in which a child or family support order under chapter 767 of the statutes,
17 as affected by this act, including a revision order under section 767.32 of the statutes,
18 as affected by this act, is granted on the effective date of this paragraph.”.

19

(END)

ARC:.....Hughes – AM22, Requiring child support orders to be expressed as
a fixed sum

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

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

2 1. Page 222, line 15: after that line insert:

3 “(fs) Child support order conversion

4 assistance GPR A 1,000,000 -0-”.

5 2. Page 371, line 10: after that line insert:

6 “SECTION 737f. 20.445 (3) (fs) of the statutes is created to read:

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8 schedule to provide assistance to county child support agencies for the costs of
9 converting child support orders to fixed-sum orders, to be allocated to counties on

1 the basis of the number of percentage-expressed or mixed orders in a county in cases
2 in which the state is a real party in interest under s. 767.075 (1).”

3 **3.** Page 1190, line 16: after that line insert:

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6 required under this section shall be filed within 90 days after the service of summons
7 or the filing of a joint petition or at such other time as ordered by the court or family
8 court commissioner. Information contained on such forms shall be updated on the
9 record to the date of hearing.

10 SECTION 3788p. 767.27 (2m) of the statutes is amended to read:

11 767.27 (2m) In every action in which the court has ordered a party to pay child
12 support under s. ~~767.25, 767.51 or 767.62 (4)~~ or family support under s. ~~767.261~~ and
13 the circumstances specified in s. ~~767.075 (1)~~ apply this chapter, including an action
14 to revise a judgment or order under s. 767.32, the court shall require the party who
15 is ordered to pay the support to annually furnish the disclosure form required under
16 this section and may require that party to annually furnish a copy of his or her most
17 recently filed state and federal income tax returns to the county child support agency
18 under s. ~~59.53 (5)~~ for the county in which the order was entered. In any action in
19 which the court has ordered a party to pay child support under s. ~~767.25, 767.51 or~~
20 ~~767.62 (4)~~ or family support under s. ~~767.261~~, the court may require the party who
21 is ordered to pay the support to annually furnish the disclosure form required under
22 this section and a copy of his or her most recently filed state and federal income tax
23 returns to the party for whom the support has been awarded parties annually to
24 exchange financial information. A party who fails to furnish the information as

1 required by the court under this subsection may be proceeded against for contempt
2 of court under ch. 785. If the court finds that a party has failed to furnish the
3 information required under this subsection, the court may award to the party
4 bringing the action costs and, notwithstanding s. 814.04 (1), reasonable attorney
5 fees.”.

6 **4.** Page 1195, line 22: delete lines 22 to 24 and substitute:

7 “(5) (a) Nothing in this section affects a party’s right to file at any time a motion,
8 petition, or order to show cause under s. 767.32 for revision of a judgment or order
9 with respect to an amount of child or family support.

10 (b) Nothing in this section affects a party’s right to move the court for a finding
11 of contempt of court or for remedial sanctions under ch. 785 if the other party
12 unreasonably fails to provide or disclose information required under this section or
13 unreasonably fails or refuses to sign a stipulation for an annual adjustment.”.

14 **5.** Page 1414, line 2: after that line insert:

15 “(c) The treatment of section 767.27 (2) and (2m) of the statutes first applies
16 to actions in which a child or family support order under chapter 767 of the statutes,
17 as affected by this act, including a revision order under section 767.32 of the statutes,
18 as affected by this act, is granted on the effective date of this paragraph.”.

19 (END)