

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0308/5dn
GMM:cjs:jf

July 19, 2001

Joyce:

In reviewing this draft, please note all of the following:

1. The draft does not create the provision relating to the counting of the children of children placed in a 2nd-chance home as a separate paragraph in s. 48.625 (1m). Instead, the draft simply inserts a sentence in that subsection creating that requirement. As such, the numerous cross-reference changes relating to s. 48.625 (1m) requested in the DHFS redrafting instructions are unnecessary.
2. Similarly, the draft does not create the child abuse reporting requirement as a separate paragraph in s. 48.63 (5). Instead, the draft simply inserts a sentence in s. 48.63 (5) (b) creating that requirement. As such, the numerous cross-reference changes relating to s. 48.63 (5) requested in the DHFS redrafting instructions are unnecessary.
3. The draft creates the CHIPS jurisdictional ground for a child of a child who is in need of a 2nd-chance home as s. 48.13 (9p) instead of s. 48.13 (10g) so that a user of the statutes may read s. 48.13 (9m) and (9p) together without having to skip through intervening, unrelated provisions.
4. The draft fleshes out more clearly in s. 48.625 (1m) DHFS' apparent intent that court-ordered children 12 years of age or over not be mixed with voluntary children 14 years of age or over in the same 2nd-chance home. Similarly, in s. 46.997 (1) (c), the draft only refers to voluntary children 14 years of age or over, and not to court-ordered children 12 years of age or over, because the grants are intended only for 2nd-chance homes serving voluntary children 14 years of age or over.

Alternatively, if the intent of DHFS' suggested language is to permit mixing of court-ordered and voluntary children, but not to permit the voluntary placement of children under 14, then the charges suggested for ss. 46.997 (1) (c) and 48.625 (1m) are probably not necessary as the age changes in ss. 46.997 (1) (a) and 48.63 (5) (b) are sufficient in themselves to convey that intent.

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