

2005 DRAFTING REQUEST

Assembly Amendment (AA-AB785)

Received: **01/30/2006**

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **John Townsend (608) 266-3156**

By/Representing: **Mary Matthias (Leg. Council)**

This file may be shown to any legislator: **NO**

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Mental Health - protect place**

Extra Copies: **Mary Matthias (Leg. Council)**

Submit via email: **YES**

Requester's email: **Rep.Townsend@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Protective placement changes

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>
/?	dkennedy 01/31/2006	jdyer 01/31/2006		_____			
/1			rschluet 01/31/2006	_____	mbarman 01/31/2006	mbarman 01/31/2006	

FE Sent For:

<END>

2005 DRAFTING REQUEST

Assembly Amendment (AA-AB785)

Received: 01/30/2006

Received By: dkennedy

Wanted: As time permits

Identical to LRB:

For: John Townsend (608) 266-3156

By/Representing: Mary Matthias (Leg. Council)

This file may be shown to any legislator: NO

Drafter: dkennedy

May Contact:

Addl. Drafters:

Subject: Mental Health - protect place

Extra Copies: Mary Matthias (Leg. Council)

Submit via email: YES

Requester's email: Rep.Townsend@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given


Topic:

Protective placement changes

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>
/?	dkennedy	1/31/06 jld	 316				

FE Sent For:

<END>

1/30/06 Betsy Abramson, Ellen Henningsen, Sarah or Craig } 663-7188
 Craig Thompson, Sarah Dietrick-Kesdof, Craig }

Amat to AB 125 - get permission from Mary Matthias

① p. 68, l. 22 - A petition to transfer a foreign guardianship and, if applicable, a petition for protective placement

② p. 69, ll. 7-9 - Same language as above

③ resident of st or SECTION 113 - Criteria ~~present~~ filed petit to transfer for guardianship ~~not present + filed petit~~, whether present or not

④ SEC 125 -

p. 74, l. 4 - after circumstances "or in wh/ the indiv. intends to reside"

RESEARCH APPENDIX - Draft Transfer/Copy Request Form

- Atty's please complete this form and give to Mike Barman

(Request Made By: DAK) (Date: 1 / 31 / 06)



Please transfer the drafting file for

2003 LRB _____ to the drafting file

for 2005 LRB _____

The final version of the 2003 draft and the final Request Sheet will be copied on yellow paper, and returned to the original 2003 drafting file. A new cover sheet will be created/included listing the new location of the drafting file's "guts".

For research purposes, because the 2003 draft was incorporated into a 2005 draft, the complete drafting file will be transferred, as a separate appendix, to the new 2005 drafting file. This request form will be inserted into the "guts" of the 2005 draft. If introduced, the appendix will be scanned/added to the electronic drafting file folder.

--- OR ---

Please copy the drafting file for

2005 LRB a 2191 / 1 (include the version) and place it in the

drafting file for 2005 LRB a 2209

For research purposes, because the original 2005 draft was incorporated into another 2005 draft, the original drafting file will be copied on yellow paper (darkened/auto centered/reduced to 90%) and added, as a separate appendix, to the new 2005 drafting file. This request form will be inserted into the "guts" of the new 2005 draft. If introduced the appendix will be scanned/added to the electronic drafting file folder.

The original drafting file will then be returned, intact, to its folder and filed. For future reference, a copy of the transfer/copy request form will also be added to the "guts" of the original draft.



By 11:30 TUES.
State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa2191/1
DAK:jld:jf

ASSEMBLY AMENDMENT,
TO 2005 ASSEMBLY BILL 785

#. Page 39, l. 18: delete "senility which"
and substitute "~~senility which~~ dementia".

#. Page 56, line 16: delete "senility which"
~~and~~ and substitute "~~senility which~~ dementia".

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

2 1. Page 66, line 22: delete lines 22 and 23 and substitute "Admission under
3 this paragraph is not permitted for an individual for whom the primary purpose of
4 admission is for treatment or services related to the individual's mental illness or
5 developmental disability".

6 2. Page 85, line 6: after "made" insert "by a person who identifies himself or
7 herself".

8 3. Page 94, line 14: delete lines 14 to 19 and substitute:

9 "(2) ATTENDANCE. The petitioner shall ensure that the individual sought to be
10 protected attends the hearing on the petition unless, after a personal interview, the
11 guardian ad litem waives the attendance and so certifies in writing to the court the
12 specific reasons why the individual is unable to attend. In determining whether to
13 waive attendance by the individual, the guardian ad litem shall consider the ability

"senility which dementia that"

1 of the individual to understand and meaningfully participate, the effect of the
2 individual's attendance on his or her physical or psychological health in relation to
3 the importance of the proceeding, and the individual's expressed desires. If the
4 individual is unable to attend a hearing only because of residency in a nursing home
5 or other facility, physical inaccessibility, or lack of transportation, the court shall, if"

#. Page 137, line 9: delete "senility which" and substitute

6 **4.** Page 139, line 20: after "cause the" insert "petitioner shall ensure that the".

7 **5.** Page 139, line 21: delete "ward or ward shall be present at" and substitute
8 "at ward or ward attends".

9 **6.** Page 140, line 1: after "litem" insert "waives the attendance and so".

10 **7.** Page 140, line 2: delete lines 2 to 4 and substitute "certifies in writing to the
11 court the specific reasons why the person proposed ward or ward is unable to attend.
12 In determining whether to waive attendance by the proposed ward or ward, the
13 guardian ad litem shall consider the ability of the proposed ward or ward to
14 understand and meaningfully participate, the effect of the proposed ward's or ward's
15 attendance on his or her physical or psychological health in relation to the
16 importance of the proceeding, and the proposed ward's or ward's expressed desires.
17 If the person".

18 **8.** Page 140, line 5: after "of" insert "residency in a nursing home or other
19 facility".

20 **9.** Page 140, line 6: delete "or" and substitute ", or".

21 (END)



TODAY BY 10:00

State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa2209/31
DAK: :...
Jld

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
**ASSEMBLY AMENDMENT ,
TO 2005 ASSEMBLY BILL 785**

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

2 **1.** Page 39, line 18: delete "senility which" and substitute "senility which
3 dementia". ✓

4 **2.** Page 56, line 16: delete "senility which" and substitute "senility which
5 dementia". ✓

6 **3.** Page 66, line 22: delete lines 22 and 23 ✓ and substitute "Admission under
7 this paragraph is not permitted for an individual for whom the primary purpose of
8 admission is for treatment or services related to the individual's mental illness or
9 developmental disability".

10 **4.** Page 68, line 22: delete "for guardianship and" and substitute "to transfer
11 a foreign guardianship and, if applicable, a petition". ✓

12 **5.** Page 69, line 7: delete "petition for". ✓ for

1 **6.** Page 69, line 8: delete “guardianship and” and substitute ^{petition} “to transfer a
2 foreign guardianship and, if applicable, a petition” ^{for}.

3 **7.** Page 70, line 10: delete lines 10 and 11 and substitute “placement or
4 protective services, an individual shall have filed a petition to transfer a foreign
5 guardianship, whether present in the state or not, or shall be a resident of the state;
6 and shall have a need for protective placement or protective services. The
7 individual”.

8 **8.** Page 74, line 5: after “others” insert “, or in the county in which the
9 individual intends to reside”.

10 **9.** Page 85, line 6: after “made” insert “by a person who identifies himself or
11 herself”.

12 **10.** Page 94, line 14: delete lines 14 to 19 and substitute:

13 “(2) ATTENDANCE. The petitioner shall ensure that the individual sought to be
14 protected attends the hearing on the petition unless, after a personal interview, the
15 guardian ad litem waives the attendance and so certifies in writing to the court the
16 specific reasons why the individual is unable to attend. In determining whether to
17 waive attendance by the individual, the guardian ad litem shall consider the ability
18 of the individual to understand and meaningfully participate, the effect of the
19 individual’s attendance on his or her physical or psychological health in relation to
20 the importance of the proceeding, and the individual’s expressed desires. If the
21 individual is unable to attend a hearing only because of residency in a nursing home
22 or other facility, physical inaccessibility, or lack of transportation, the court shall, if”.

23 **11.** Page 139, line 20: after “~~cause the~~” insert “petitioner shall ensure that
24 the”.

1 **12.** Page 139, line 21: delete “ward or ward shall be present at” and substitute
2 “at ward or ward attends”.

3 **13.** Page 140, line 1: after “litem” insert “waives the attendance and so”.

4 **14.** Page 140, line 2: delete lines 2 to 4 and substitute “certifies in writing to
5 the court the specific reasons why the ~~person~~ proposed ward or ward is unable to
6 attend. In determining whether to waive attendance by the proposed ward or ward,
7 the guardian ad litem shall consider the ability of the proposed ward or ward to
8 understand and meaningfully participate, the effect of the proposed ward’s or ward’s
9 attendance on his or her physical or psychological health in relation to the
10 importance of the proceeding, and the proposed ward’s or ward’s expressed desires.
11 If the ~~person~~”.

12 **15.** Page 140, line 5: after “of” insert “residency in a nursing home or other
13 facility”.

14 **16.** Page 140, line 6: delete “or” and substitute “, or”.

15

(END)