

## 2005 DRAFTING REQUEST

### Senate Amendment (SA-SB123)

Received: 12/13/2005

Received By: pkahler

Wanted: Soon

Identical to LRB:

For: Glenn Grothman (608) 266-7513

By/Representing: Jim Emerson

This file may be shown to any legislator: NO

Drafter: pkahler

May Contact:

Addl. Drafters:

Subject: Dom. Rel. - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: Sen.Grothman@legis.state.wi.us

Carbon copy (CC:) to:

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#### Pre Topic:

No specific pre topic given

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#### Topic:

Miscellaneous changes related to domestic relations chapter rewrite

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#### Instructions:

See Attached

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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>
/?	pkahler 12/13/2005	lkunkel 12/14/2005		_____			
/1			rschlue 12/14/2005	_____	sbasford 12/14/2005	sbasford 12/14/2005	
/2	pkahler 01/24/2006	kfollett 01/24/2006	jfrantze 01/24/2006	_____	lnorthro 01/24/2006	lnorthro 01/24/2006	

FE Sent For:

**<END>**

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/1		12/14/2005 1/24	rschluet 12/14/2005	_____	sbasford 12/14/2005	sbasford 12/14/2005	

FE Sent For:

1/24  
1/24  
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/?	pkahler	1/mk12/14					
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FE Sent For:

<END>

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

12-13

Jim Emerson from Sen. Grothman's office

need strips for a0963 so

will have to get another LRB number



# RESEARCH APPENDIX - Draft Transfer/Copy Request Form

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

(Request Made By: RJK) (Date: 12 / 13 / 05)



Please transfer the drafting file for

2003 LRB \_\_\_\_\_ to the drafting file

for 2005 LRB \_\_\_\_\_

*Done*  
*AMR*

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 a0963 / 1 <sup>(all)</sup> (include the version) and place it in the

drafting file for 2005 LRB a1877

*(Same amendment -  
lost stripes)*

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.



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBa096674

PJK:lmk/jf

a1877/1

"Ray" stays

SENATE AMENDMENT ,  
TO 2005 SENATE BILL 123

no change  
(lost stripes)

SOON  
(12-13)

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 20, line 15: after "statutes" insert ", as affected by 2005 Wisconsin Act
- 3 25,".
- 4 **2.** Page 57, line 5: after "court" insert "or county child support agency under
- 5 s. 59.53 (5)".
- 6 **3.** Page 57, line 14: delete "clerk of court" and substitute "~~clerk of court~~ or
- 7 county child support agency under s. 59.53 (5)".
- 8 **4.** Page 59, line 4: delete lines 4 to 17 and substitute:
- 9 **"(6) INTEREST ON ARREARAGE.** (intro.) A party ordered to pay child support under
- 10 this section shall pay simple interest at the rate of 1% per month on any amount in
- 11 arrears that is equal to or greater than the amount of child support due in one month.
- 12 If the party no longer has a current obligation to pay child support, interest at the
- 13 rate of 1% per month shall accrue on the total amount of child support in arrears, if

1 any. Interest under this subsection is in lieu of interest computed under s. 807.01  
2 (4), 814.04 (4), or 815.05 (8) and is paid to the department or its designee under s.  
3 ~~767.29~~ 767.57. Except as provided in s. ~~767.29~~ 767.57 (1m), the department or its  
4 designee, ~~whichever is appropriate~~, shall apply all payments received for child  
5 support as follows:

6 (7) EFFECT OF JOINT LEGAL CUSTODY. An order of joint legal custody under s.  
7 ~~767.24~~ 767.41 does not affect the amount of child support ordered.”.

8 **5.** Page 64, line 11: delete “(4) and (6)” and substitute “(4), (6) and (7m) (b)  
9 (intro.) and (c)”.

10 **6.** Page 69, line 2: after that line insert:

11 “(7m) (b) (intro.) If after an assignment is in effect the payer’s employer  
12 changes its payroll period, or the payer changes employers and the new employer’s  
13 payroll period is different from the former employer’s payroll period, the ~~clerk of~~  
14 court county child support agency under s. 59.53 (5) may, unless otherwise ordered  
15 by a judge, amend the withholding assignment or order so that all of the following  
16 apply:

17 (c) The ~~clerk of court~~ court county child support agency shall provide notice of the  
18 amended withholding assignment or order by regular mail to the payer’s employer  
19 and to the payer.”.

20 **7.** Page 78, line 1: after “statutes” insert “, as affected by 2005 Wisconsin Act  
21 25,”.

22 **8.** Page 78, line 17: delete “46.22,” and substitute “46.22,”.

23 **9.** Page 79, line 8: after “receiving” insert “aid under s. 46.261 or”.

24 **10.** Page 79, line 11: before “48.57” insert “46.261 (3),”.



- 1           **11.** Page 79, line 11: delete “(4) (h) 1.” and substitute “(4) (h) 1.”.
- 2           **12.** Page 79, line 12: before “48.57” insert “46.261 (3).”.
- 3           **13.** Page 79, line 12: delete “(4) (h) 1.” and substitute “(4) (h) 1.”.
- 4           **14.** Page 81, line 3: delete the material beginning with “to the income” and  
5 ending with “206 (a) (1)” on line 5 and substitute “~~to the income a person would earn~~  
6 ~~by working 40 hours per week for the federal minimum hourly wage under 29 USC~~  
7 ~~206 (a) (1)~~”.
- 8           **15.** Page 109, line 17: delete the material beginning with “court may” and  
9 ending with “shall,” on line 18 and substitute: “court may, or upon the request of any  
10 party shall, unless s. 767.84 (1) (a) 2. applies.”.
- 11           **16.** Page 115, line 23: delete the material beginning with that line and ending  
12 with page 116, line 2 and substitute:  
13           “**SECTION 214m.** 767.50 of the statutes is renumbered 767.883, and 767.883 (1),  
14 as renumbered, is amended to read:”.
- 15           **17.** Page 149, line 10: delete lines 10 and 11.
- 16           **18.** Page 149, line 18: after that line insert:  
17           “(9m) The treatment of section 767.295 (2) (c) of the statutes first applies to  
18 child support orders that are granted on the effective date of this subsection.”.
- 19           **19.** Page 149, line 21: after “767.457 (2),” insert “767.458 (2).”.
- 20           **20.** Page 150, line 13: delete “July 1, 2006” and substitute “January 1, 2007”.

21

(END)

Don Dyke

on p 93 of bill

do simple to  
a 1877

line 4, delete

(or redraft if  
not introduced yet)

Except as provided in  
sub. (8)

for  
Guthrie

sec 213 on p 115

amendment deletes 767.481(8)

but p 93, line 4 refers to "sub.(8)"  
that is deleted

redraft a 1877 because not  
introduced yet





State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBa1877/A

PJK:hmk:rs

2  
↑ hmk+kjf

SENATE AMENDMENT,  
TO 2005 SENATE BILL 123

"Kaj"

today  
D-note

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21

(END)

*Date*

*D-note*

*LRBa1877/1  
PJK: kje*

*This version of the amendment adds the  
change on page 93, line 4.*

*PJK ← Kay*

*Insert 3-7*

**2005-2006 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa1877/2ins  
PJK:hkr

**INSERT 3-7**

1. Page 93, line 4: delete "If Except as provided in sub. (8), if" and substitute "If".

**(END OF INSERT 3-7)**

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa1877/2dn  
PJK:lmk:jf

January 24, 2006

This version of the amendment adds the change on page 93, line 4.

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: [pam.kahler@legis.state.wi.us](mailto:pam.kahler@legis.state.wi.us)