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(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...  
PUBLIC HEARING - COMMITTEE RECORDS**

**2005-06**

(session year)

**Senate**

(Assembly, Senate or Joint)

**Committee on ... Veterans, Homeland Security,  
Military Affairs, Small Business and Government  
Reform (SC-VHSMASBGR)**

**COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

**INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
  - (**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)
  - (**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

## Senate

### Record of Committee Proceedings

#### **Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform**

##### **Senate Bill 182**

Relating to: temporary revision of child or family support when payer is on active military duty.

By Senators Plale, Brown, Grothman, Darling, Wirch, A. Lasee and Lassa; cosponsored by Representatives Musser, Suder, Staskunas, Ainsworth, Zepnick, Hahn, Travis, Sheridan, Jeskewitz, Kestell, Albers, Nass, Ott, F. Lasee, J. Fitzgerald, Seidel, Gundrum, Sinicki and Kleefisch.

April 20, 2005            Referred to Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.

May 18, 2005            **PUBLIC HEARING HELD**

Present:    (5)    Senators Brown, Zien, Kanavas, Breske and Wirch.

Absent:    (0)    None.

##### Appearances For

- Jeff Plale — State Senator , 7th State Senate District
- Anthony Hardie — Executive Assistant, Wisconsin Department of Veterans Affairs

##### Appearances Against

- None.

##### Appearances for Information Only

- Connie Chesnik, Madison — Department of Workforce Development

##### Registrations For

- Ron Brown — State Senator, 31st State Senate District
- Glenn Grothman — State Senator, 20th State Senate District
- Terry Musser — State Representative, 92nd State Assembly District
- Mike Furgal, Madison — Veterans of Foreign Wars (VFW)
- Michael Kunesh, Madison — Wisconsin Office of Justice Assistance (OJA)

##### Registrations Against

- Jason Westphal, Madison — State Bar of WI, Family Law Section

August 3, 2005

**PUBLIC HEARING HELD**

Present: (4) Senators Brown, Zien, Breske and Wirch.

Absent: (0) None.

Excused: (1) Senator Kanavas.

Appearances For

- Katy Venskus — Senator Jeff Plale

Appearances Against

- David Kaiser, Burlington — Family Law Section for the State Bar of WI

Appearances for Information Only

- None.

Registrations For

- Terry Musser — State Representative, 92nd State Assembly District
- Tom Rhatican — WI Dept of Veterans Affairs
- Steve Lawrence, Oregon — VFW Dept of WI

Registrations Against

- None.

November 7, 2005

**EXECUTIVE SESSION HELD\***

**\* - POLLING**

Moved by the Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform that **Senate Substitute Amendment 2 (LRBs0177/1)** be recommended for adoption.

Ayes: (5) Senators Brown, Zien, Kanavas, Breske and Wirch.

Noes: (0) None.

**ADOPTION OF SENATE SUBSTITUTE AMENDMENT 2 (LRBS0177/1)  
RECOMMENDED, Ayes 5, Noes 0**

Moved by the Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform that **Senate Bill 182** be recommended for passage as amended.

Ayes: (5) Senators Brown, Zien, Kanavas, Breske and Wirch.

Noes: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 5, Noes 0

Daniel Lindstedt  
Committee Clerk

**SENATE BILL 182 (LRB -1465)**

An Act to amend 767.263 (1), 767.265 (1), 767.303 (1), 767.33 (5) (a), 767.51 (6) and 808.075 (4) (d) 4.; and to create 767.321 of the statutes; relating to: temporary revision of child or family support when payer is on active military duty.

**2005**

04-20.	S.	Introduced by Senators <b>Plale, Brown, Grothman, Darling, Wirch, A. Lasee</b> and <b>Lassa</b> ; cosponsored by Representatives <b>Musser, Suder, Staskunas, Ainsworth, Zepnick, Hahn, Travis, Sheridan, Jeskewitz, Kestell, Albers, Nass, Ott, F. Lasee, J. Fitzgerald, Seidel, Gundrum, Sinicki</b> and <b>Kleefisch.</b>	
04-20.	S.	Read first time and referred to committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform .....	178
05-18.	S.	Public hearing held.	
06-15.	S.	Senate substitute amendment 1 offered by Senator <b>Plale (LRB s0141)</b> .....	262
08-03.	S.	Public hearing held.	
09-20.	S.	Senate substitute amendment 2 offered by Senator <b>Plale (LRB s0177)</b> .....	358
11-07.	S.	Executive action taken.	
11-08.	S.	Report adoption of Senate Substitute Amendment 2 recommended by committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform, Ayes 5, Noes 0 .....	438
11-08.	S.	Report passage as amended recommended by committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform, Ayes 5, Noes 0 .....	438
11-08.	S.	Available for scheduling.	

**2006**

02-16.	S.	Placed on calendar 2-21-2006 by committee on Senate Organization.	
02-21.	S.	Read a second time .....	611
02-21.	S.	Senate amendment 1 to Senate substitute amendment 2 offered by Senator <b>Plale (LRB a2422)</b> .....	611
02-21.	S.	Senate amendment 1 to Senate substitute amendment 2 <b>adopted</b> .....	611
02-21.	S.	Senate substitute amendment 2 <b>adopted</b> .....	611
02-21.	S.	Ordered to a third reading .....	611
02-21.	S.	Rules suspended .....	612
02-21.	S.	Read a third time and <b>passed</b> .....	612
02-21.	S.	Ordered immediately messaged .....	615
03-21.	A.	Received from Senate .....	983
03-21.	A.	Read first time and referred to committee on Military Affairs .....	984
04-07.	A.	Assembly amendment 1 offered by Representative <b>Musser (LRB a2878)</b> .....	1005
04-12.	A.	Public hearing held.	
04-12.	A.	Executive action taken.	
04-18.	A.	Report Assembly Amendment 1 adoption recommended by committee on Military Affairs, Ayes 6, Noes 0 .....	1015
04-18.	A.	Report concurrence as amended recommended by committee on Military Affairs, Ayes 6, Noes 0 .....	1015
04-18.	A.	Referred to committee on Rules .....	1015
05-11.	A.	Failed to concur in pursuant to Senate Joint Resolution 1 .....	1134

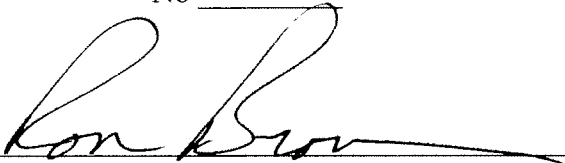
**MOTION**

Recommend Senate Substitute Amendment 2 (LRBs0177/1) to Senate Bill 182, relating to: temporary revision of child or family support when payer is on active military duty, for adoption.

Aye   X  

No           

Signature

  
\_\_\_\_\_  
Senator Ron Brown

**MOTION**

Recommend Senate Bill 182, relating to: temporary revision of child or family support when payer is on active military duty, for passage as amended.

Aye   X  

No           

Signature

  
\_\_\_\_\_  
Senator Ron Brown

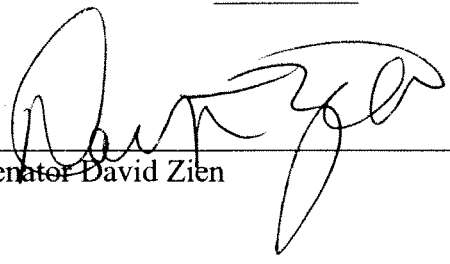
**MOTION**

Recommend Senate Substitute Amendment 2 (LRBs0177/1) to Senate Bill 182, relating to: temporary revision of child or family support when payer is on active military duty, for adoption.

Aye ✓ \_\_\_\_\_

No \_\_\_\_\_

Signature

  
\_\_\_\_\_  
Senator David Zien



**MOTION**

Recommend Senate Bill 182, relating to: temporary revision of child or family support when payer is on active military duty, for passage as amended.

✓  
Aye \_\_\_\_\_

No \_\_\_\_\_

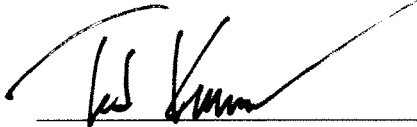
Signature

  
\_\_\_\_\_  
Senator David Zien

**MOTION**

Recommend Senate Substitute Amendment 2 (LRBs0177/1) to Senate Bill 182, relating to: temporary revision of child or family support when payer is on active military duty, for adoption.

Aye X \_\_\_\_\_ No \_\_\_\_\_

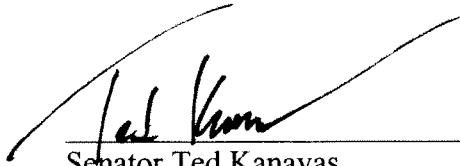
Signature  \_\_\_\_\_  
Senator Ted Kanavas

**MOTION**

Recommend Senate Bill 182, relating to: temporary revision of child or family support when payer is on active military duty, for passage as amended.

Aye   X   No           

Signature

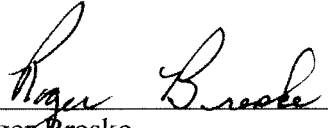
  
\_\_\_\_\_  
Senator Ted Kanavas

**MOTION**

Recommend Senate Substitute Amendment 2 (LRBs0177/1) to Senate Bill 182, relating to: temporary revision of child or family support when payer is on active military duty, for adoption.

Aye X

No \_\_\_\_\_

Signature   
Senator Roger Breske

**MOTION**

Recommend Senate Bill 182, relating to: temporary revision of child or family support when payer is on active military duty, for passage as amended.

Aye   X  

No           

Signature

  
\_\_\_\_\_  
Senator Roger Breske

**MOTION**

Recommend Senate Substitute Amendment 2 (LRBs0177/1) to Senate Bill 182, relating to: temporary revision of child or family support when payer is on active military duty, for adoption.

Aye X No \_\_\_\_\_

Signature Robert Wirch  
Senator Robert Wirch

**MOTION**

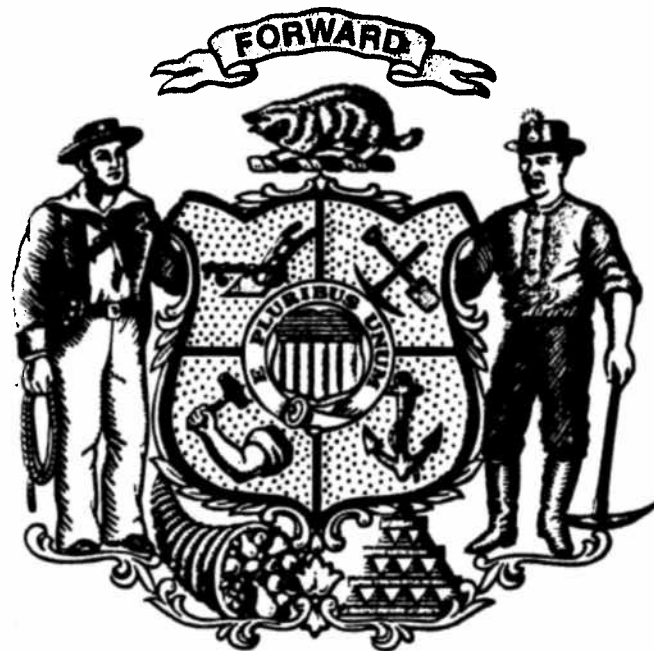
Recommend Senate Bill 182, relating to: temporary revision of child or family support when payer is on active military duty, for passage as amended.

Aye X

No \_\_\_\_\_

Signature

Robert Wirch  
Senator Robert Wirch







*Jim Doyle, Governor*  
*John A. Scocos, Secretary*

**STATE OF WISCONSIN, DEPARTMENT OF VETERANS AFFAIRS**

30 West Mifflin Street, P.O. Box 7843, Madison, WI 53707-7843  
PHONE: (608) 266-1311 1-800-947-8387 (WIS VETS)  
WEB SITE: <http://dva.state.wi.us>  
E-MAIL: [Headquarters@dva.state.wi.us](mailto:Headquarters@dva.state.wi.us)  
FAX: (608) 267-0403

May 17, 2005

Senator Jeff Plale  
Wisconsin State Senate  
State Capitol Room 108 South  
Madison, WI 53707-7882

RE: 2005 Senate Bill 182

Dear Senator Plale,

Thank you for authoring 2005 Senate Bill 182, a bill that will have significant positive impact on military reserve component service members who are parents paying child or family support and are called into active duty in the U.S. armed forces.

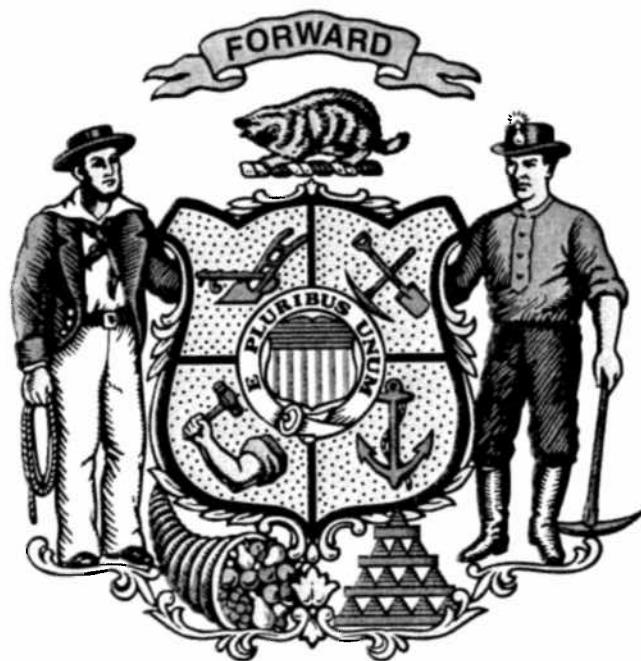
This legislation, if enacted, would recognize that some Reserve Component service members suffer a financial loss when called to active duty, and would require the amount of child or family support that the service member is obligated to be pay to be revised by the court upon a motion by the service member for the revision. In effect, this bill would help to limit the financial penalties incurred by certain Reserve Component service members called to active duty.

Especially now, in a time of war, our military service members need to be able to remain focused on the mission at hand and returning safely home. Relieving concerns of deploying and deployed military service members with regards to meeting financial obligations has been a key focus of key federal legislation to ensure these protections, including the Uniformed Servicemembers Employment and Reemployment Rights Act (USERRA), the Servicemembers Civil Relief Act (SCRA), and the act the preceded it, the Soldiers and Sailors Civil Relief Act (SSCRA). SB 182 will follow in this tradition of helping to ensure readiness, relief, and peace of mind.

Again, thank you for introducing this legislation, and for your continued support of issues of key importance to our veterans.

Sincerely,  
Department of Veterans Affairs

JOHN A. SCOCOS  
Secretary





SENATOR JEFF PLALE  
SEVENTH SENATE DISTRICT

STATE CAPITOL  
P.O. BOX 7882  
MADISON, WI 53707-7882

(608) 266-7505  
(800) 361-5487  
SEN.PLALE@LEGIS.STATE.WI.US

**Statement of Senator Jeff Plale  
Senate Bill 182  
Substitute Amendment 1**

**Committee on Veterans, Homeland Security, Military Affairs,  
Small Business and Government Reform**

**August 3, 2005**

Thank you Chairman Brown, and members of this committee, for granting this bill a re-hearing. I appreciate your patience while I took the time to work with the Department of Workforce Development to address some of the concerns they presented at the initial hearing on this proposal.

The Department of Workforce Development raised a serious concern at the last hearing regarding the language in the original bill that allowed for retroactive reimbursement of child support overpayment to individuals once they returned from active duty. It was DWD's belief that this language violated Federal guidelines on the receipt of TANF funds and could have jeopardized the State of Wisconsin's \$500 million in annual TANF monies from the Federal Government. I have come to find out that TANF guidelines are at best subjective and at worst extremely vague. As a result I have modified the bill to eliminate any retroactive payments. This will eliminate the possibility of any confusion and rectifies the concern DWD raised initially.

The Substitute Amendment made several technical changes to the bill without altering its original intent or impact. The bill as amended established the following procedures for those called to serve. Once an individual is called to active duty, they must notify the court and DWD they wish to have their support order modified. If the notification is made within 10 days of the initial call to active duty, the motion must be heard by a judge or court commissioner within 10 days of the filing or before the individual leaves for duty, whichever comes first. If the individual does not file prior to departure they may file for the revision within 180 days of returning from duty. In this case the support payment would be reduced going forward for a period of time equal to their time of service. This provision allows those called up with very little notice to take advantage of their right to a modification without jeopardizing Wisconsin's TANF Funds.



It has been brought to my attention that concerns exist surrounding the ten day requirement for hearings. I realize our Circuit Court System has a tremendous workload, however, we ask our National Guard and Reserves to make huge sacrifices. I think we must do all we can to accommodate their needs. Additionally, because these motions can be heard by Court Commissioners as necessary; I do not believe this bill creates an unmanageable burden for our judges.

Let me say again, this bill has always and will always be about doing what's right by our fighting men and women. I do not wish to make things more difficult for those who work in agencies or the courts, but I can not compromise on the efficacy of this legislation. I want to thank DWD and the LRB for their work on this initiative. I feel confident in saying that we have crafted a compromise that serves the original intent of the proposal without any unintended consequences.



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# DEFENSE FINANCE AND ACCOUNTING SERVICE MILITARY LEAVE AND EARNINGS STATEMENT

ENTITLEMENTS		DEDUCTIONS		ALLOTMENTS		SUMMARY	
Type	Amount	Type	Amount	Type	Amount	*Amt Fwd	
A	BASE PAY 3458.70	FEDERAL TAXES 197.95		TRICARE DENTAL 23.31			
B	BAS 267.18	FICA-SOC SECURITY 214.44					
C	BAH 1434.40	FICA-MEDICARE 50.15					
D	CLOTHING 428.40	SGLI FOR 250,000 16.25					
E		AJRRH 50					
F		CURR PAY RELEASED 1489.70					
G		STATUS DET 1941.92					
H		CURRENT SPT/COMM 1489.70					
I		FAMILY SGLI 10.00					
J		PRIOR SPT/COMM 1489.70					
K		MID-MONTH-PAY 1644.46					
L							
M							
N							
O							
<b>TOTAL</b>			5565.37		23.31		

LEAVE	Unf Bal 10.5	Emd 5.0	Used 14	Cr Bal 1.5	ETS Bal 14.0	Lv Lost 0	Lv Paid 50.0	Use/Lose 0	FED TAXES	Wage Period 3458.78	Wage YTD 10378.10	M/S M	Ex 04	Add'l Tax .00	Tax YTD 593.85
FICA TAXES	Wage Period 3458.70	Soc Wage YTD 10378.10	Soc Tax YTD 843.32	Med Wage YTD 10378.10	Med Tax YTD 150.45	STATE TAXES	St SD	Wage Period .00	Wage YTD .00	M/S M	Ex 05	Tax YTD .00			
PAY DATA	BAQ Type WDEP	BAQ Depn 28404	VHA Zip 28404	Rent Amt 8999.00	Share 1	Stat R	JFTR 0	Dept 0	2D JFTR	BAS Type	Charity YTD .00	TPC	PACIDN		
THRIFT SAVINGS PLAN (TSP)	Base Pay Rate 0	Base Pay Current .00	Spec Pay Rate 0	Spec Pay Current .00	Inc Pay Rate 0	Inc Pay Current .00	Bonus Pay Rate 0	Bonus Pay Current .00	Exempt .00	TSP YTD Deductions .00	Deferred .00				

REMARKS: YTD ENTITLE 13040.44 YTD DEDUCT 1487.87

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 STATUS DETERMIN HLDPAY BAL \$1941.92  
 CURRENT MONTH LEAVE BALANCE ADJUSTED.  
 START BAH 050228(081)  
 HELD PAY, SUPPORT/COMM DEBT 050228(069)  
 NONCHARGEABLE LEAVE 050226-050317(076)  
 CHARGE LEAVE 050318(077)  
 BAH BASED ON WDEP, ZIP 28404  
 BANK BANK OF AMERICA

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 -AF JUNIOR ROTC HAS 140 EMPLOYMENT  
 DUTY OFFICERS AND NCOs. VISIT  
 (SEE 'INSTRUCTORS')  
 USED LEAVE BALANCE ADJUSTED.  
 REPORT PRIOR SPT/COMM 050301 (060)  
 START BAH 050228(081)  
 START HELD PAY-STATUS 050310(069)  
 HELD PAY, SUPPORT/COMM DEBT 050318(077)  
 CLOTHING MAINTENANCE 040401-050331(083)  
 SUPPORT/COMM DEBT HELD PAY BALANCE \$1489.70

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DEFENSE FINANCE AND ACCOUNTING SERVICE MILITARY LEAVE AND EARNINGS STATEMENT																
ID	NAME (Last, First, MI)	SOC. SEC. NO.	GRADE	PAY DATE	YRS SVC	ETS	BRANCH	ADSN/DSSN	PERIOD COVERED 1-30 JUN 04							
ENTITLEMENTS			DEDUCTIONS			ALLOTMENTS			SUMMARY							
Type	Amount	Type	Amount	Type	Amount				+Amt Fwd							
A	BASE PAY	3295.50	FEDERAL TAXES	140.98	TRICARE DENTAL	22.66				+Tot Ent	3549.96					
B	BAS	254.46	FICA-SOC SECURITY	204.32						-Tot Ded	2618.82					
C			FICA-MEDICARE	47.78						-Tot Allt	22.66					
D			SGLI FOR 250.000	16.25						=Net Amt	908.48					
E			AFRH	.50						-Cr Fwd	.00					
F			CURR PAY RELEASED	1300.00						=EOM Pay	908.48					
G			CURRENT SPT/COMM	1300.00												
H			PRIOR SPT/COMM	-1300.00												
I			MID-MONTH-PAY	908.99												
J																
K																
L																
M																
N																
O																
<b>TOTAL</b>		<b>3549.96</b>		<b>2618.82</b>												
<b>LEAVE</b>		<b>BF Bal</b>	<b>Erm</b>	<b>Used</b>	<b>Cr Bal</b>	<b>ETS Bal</b>	<b>Lv Lost</b>	<b>Lv Paid</b>	<b>Use/Lose</b>	<b>FED TAXES</b>	<b>Wage Period</b>	<b>Wage YTD</b>	<b>M/S</b>	<b>Ex</b>	<b>Add'l Tax</b>	<b>Tax YTD</b>
		58.5	22.5	29	52.0	69.5	.0	50.0	.0		3295.50	19773.00	M	05	.00	845.88
<b>FICA TAXES</b>		<b>Wage Period</b>	<b>Soc Wage YTD</b>	<b>Soc Tax YTD</b>	<b>Med Wage YTD</b>	<b>Med Tax YTD</b>	<b>STATE TAXES</b>	<b>St</b>	<b>Wage Period</b>	<b>Wage YTD</b>	<b>M/S</b>	<b>Ex</b>	<b>Tax YTD</b>			
		3295.50	19773.00	1225.92	19773.00	286.68	JFTR	SD	.00	.00	M	05	.00			
<b>PAY DATA</b>		<b>BAQ Type</b>	<b>BAQ Deprn</b>	<b>VHA Zip</b>	<b>Rent Amt</b>	<b>Share</b>	<b>Stat</b>	<b>JFTR</b>	<b>Deprn</b>	<b>2D JFTR</b>	<b>BAS Type</b>	<b>Charity YTD</b>	<b>TPC</b>	<b>PACIDN</b>		
				00000	.00	0			0			.00				
<b>THRIFT SAVINGS PLAN (TSP)</b>		<b>Base Pay Rate</b>	<b>Base Pay Current</b>	<b>Spec Pay Rate</b>	<b>Spec Pay Current</b>	<b>Inc Pay Rate</b>	<b>Inc Pay Current</b>	<b>Bonus Pay Rate</b>	<b>Bonus Pay Current</b>							
		0	.00	0	.00	0	.00	0	.00							
		<b>TSP YTD Deductions</b>			<b>Deferred</b>			<b>Exempt</b>								
		.00			.00			.00								

**REMARKS:**      **YTD ENTITLE 26544.09**      **YTD DEDUCT 2910.47**

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 SUPPORT/COMM DEBT HELD PAY BALANCE \$1300.00

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TO SHIPPING OUT

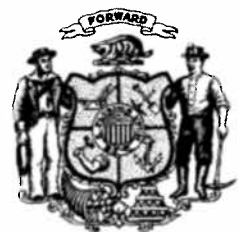
- COST OF HOUSING CAN  
EXCEED ALLOWANCE YET CT  
WILL TAKE % OF ALLOWANCE

? WHETHER THEY SHOULD  
BE HIT FOR SUPPORT  
ON BAH





# WISCONSIN STATE LEGISLATURE



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as of Friday, July 29, 2005

**2005-2006 legislative session**

**Legislative bills and resolutions**

(search for another legislative bill or resolution at the bottom of this page)

- Text, Sponsors and Analysis
- Status and Fiscal Estimate
- Lobbying Effort on this item

**Senate Bill 182**

temporary revision of child or family support when payer is on active military duty.

Organization Profile	Interests	Date Notified	Position	Comments
State Bar of Wisconsin		5/19/2005	↓	

Place pointer on icon to display comments, click icon to display prior comments

**These organizations have reported lobbying on this proposal:**

Select a legislative proposal and click "go"

**House**  Assembly  Senate  
**Proposal Type**  Bill  Joint Resolution  Resolution  
**Proposal Number**  (enter proposal number)  
**Legislative Session**

# History of Senate Bill 182

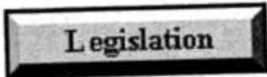
## SENATE BILL 182

An Act to amend 767.263 (1), 767.265 (1), 767.303 (1), 767.33 (5) (a), 767.51 (6) and 808.075 (4) (d) 4.; and to create 767.321 of the statutes; relating to: temporary revision of child or family support when payer is on active military duty.

2005

- 04-20. S. Introduced by Senators Plale, Brown, Grothman, Darling, Wirch, A. Lasee and Lassa; cosponsored by Representatives Musser, Suder, Staskunas, Ainsworth, Zepnick, Hahn, Travis, Sheridan, Jeskewitz, Kestell, Albers, Nass, Ott, F. Lasee, J. Fitzgerald, Seidel, Gundrum, Sinicki and Kleefisch.
- 04-20. S. Read first time and referred to committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform ..... 178
- 05-18. S. Public hearing held.
- 06-15. S. Senate substitute amendment 1 offered by Senator Plale ..... 262

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*Strike "military" from sub - send stripes back to Plale's office*