

2009 DRAFTING REQUEST

Assembly Amendment (AA-AB486)

Received: 10/19/2009

Received By: pkahler

Wanted: Soon

Identical to LRB:

For: Kristen Dexter (608) 266-9172

By/Representing: Carrie

This file may be shown to any legislator: NO

Drafter: pkahler

May Contact:

Addl. Drafters: gmalaise

Subject: Children - out-of-home placement
Public Assistance - med. assist.
Public Assistance - Wis works
Dom. Rel. - child support/maint.

Extra Copies:

Submit via email: YES

Requester's email: Rep.Dexter@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Plan for transition to independent living and delay in effective date for support and maintenance pass-through

Instructions:

Change effective date from Jan. 1, 2010 to April 1, 2010; change "90 days before turning 18 to within 90 days of turning 18

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>
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/1			phenry 10/20/2009	_____	cduerst 10/20/2009	cduerst 10/20/2009	

FE Sent For:

<END>

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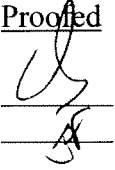
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/?	pkahler	1/10 JWP	19pkh				

FE Sent For:

<END>

Kahler, Pam

From: Kahn, Carrie
Sent: Friday, October 16, 2009 5:33 PM
To: Kahler, Pam
Cc: Malaise, Gordon
Subject: Changes to LRB a0888

Hi Pam,

Sorry to send this email late, but just wanted to clarify that the additional changes you're making to LRB a0888 (for SB 347) that incorporate the child support pass through language in LRB a0876 (currently for SB 346) should also be drafted for the Assembly bill (AB 486).

Thanks and have a good weekend!

Carrie Kahn
Legislative Assistant
State Senator Bob Jauch
P.O. Box 7882
Madison, WI 53707-7882

608-266-3510
1-800-469-6562

Malaise, Gordon

From: Bachir, Julie S - DCF [Julie.Bachir@wisconsin.gov]
Sent: Thursday, October 15, 2009 3:43 PM
To: Malaise, Gordon
Cc: Durkin, Therese A - DCF
Subject: Amendment for Federal Changes Bill (AB 486/SB 347)

Hi Gordon,

Kimmie spoke with Jauch's office and they agreed to an amendment to the Federal Changes bill regarding the provision for the 90-day Independent Living Plan under the Fostering Connections Act (section 76 of the bill): We are concerned that the new statutory language would not adequately mimic that of the federal language. The new language might actually be contrary to the federal requirement. The federal requirement is that the IL plan be implemented between the timeframe of 90 days prior to the child aging out of care and the date of the child aging out of care. The bill language would require the IL plan to be implemented prior to 90 days before the child ages out. While from a policy perspective it would make sense for a case worker to begin the process of creating the plan prior to the 90 day start time, we need something in statute to assure compliance with federal law that the plan will be reviewed or implemented after that time frame.

Here's the federal language:

“(H) during the 90-day period immediately prior to the date on which the child will attain 18 years of age, or such greater age as the State may elect under paragraph (8)(B)(iii), whether during that period foster care maintenance payments are being made on the child's behalf or the child is receiving benefits or services under section 477, a caseworker on the staff of the State agency, and, as appropriate, other representatives of the child provide the child with assistance and support in developing a transition plan that is personalized at the direction of the child, includes specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and work force supports and employment services, and is as detailed as the child may elect.”.

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110_cong_public_laws&docid=f:publ351.110.pdf

Also, Kimmie is wondering whether you received the requested amendment for the child support bill.

I'll call you later today.

Julie S. (Bachir) Majerus
Policy Advisor
Division of Safety and Permanence
Department of Children and Families
Phone: 608-267-2073

10/15/2009

upon way
p 58, line 11 after that line

From: Malaise, Gordon
Sent: Wednesday, October 14, 2009 1:33 PM
To: Kahler, Pam
Cc: Peterson, Ilsa
Subject: FW: Urgent: Drafting instructions for date change

Pam:

This amendment, which deals with child support arrears, would be yours. They want the amendment drafted to AB-485 (LRB-3511/1) and SB-346 (LRB-2992/1).

Gordon

-----Original Message-----

From: Peterson, Ilsa
Sent: Wednesday, October 14, 2009 11:39 AM
To: Malaise, Gordon
Subject: FW: Urgent: Drafting instructions for date change

Hello-

I would like the following instructions drafted for LRB 3511/1. If you have any questions feel free to call my office, however you might have better luck calling Connie Chesnik, whose number is listed below.

Rep Dexter is the Author of LRB 3511/1 with Senator Jauch so we will both be requesting the same amendment. (I think you might have already drafted this for Senator Jauch)

Thanks you so much,
Ilsa

Ilsa Peterson
Office of Representative Kristen Dexter 68th Assembly District
Phone: (608) 266-9172
Toll Free: (888) 534-0068

-----Original Message-----

From: Chesnik, Connie - DCF
Sent: Tuesday, October 13, 2009 9:00 AM
To: Collins, Kimmie L - DCF; Pfeiffer, Susan E - DCF; Chellew, Carol - DCF
Cc: Hunt, Ron F - DCF
Subject: RE: Urgent: Drafting instructions for date change

Kimmie, these are the statutory provisions for which the effective date needs to be changed. Both were created in the budget bill, 2009 Act 28. Both deal with the pass-through of child support for former assistance recipients. The effective date for s.49.776 is in section 9422(12) of that bill. The effective date for s. 49.1452 is in s. 9408(14). It's my understanding that the Bureau of Child Support would like to see the effective date changed to April 1, 2010 which is the date the changes required to implement the pass-through for current assistance recipients. If Pam Kahler has any questions, please have her feel free to contact me.

Thanks,
Connie

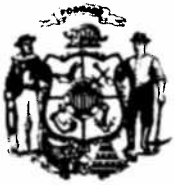
49.776 Payment of support arrears. If a custodial parent who formerly received payments under s. 49.775 but who is no longer receiving payments under s. 49.775 assigned to the state under s. 49.775 (2) (bm) his or her right or the right of the dependent child to support from any other person, the department shall pay to the custodial parent all money in support arrears that is collected by the department after the custodial parent's receipt of payments under s. 49.775 ceased and that accrued while the custodial parent was

yments.
tion is created eff. 1-1-10 by 2009 Wis. Act 28.
09 a. 28.

49.1452 Payment of support arrears. If an individual who formerly participated in, but is no longer participating in, Wisconsin Works assigned to the state under s. 49.145 (2) (s) his or her right or the right of any dependent child of the individual to support or maintenance from any other person, the department shall pay to the individual all money in support or maintenance arrears that is collected by the department after the individual's participation ceased and that accrued while the individual was participating in Wisconsin Works.

NOTE: This section is created eff. 1-1-10 by 2009 Wis. Act 28.
History: 2009 a. 28.

Connie M. Chesnik
Attorney
608-267-7295 (office)
608-692-7379 (cell)
connie.chesnik@wisconsin.gov



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB 0908/2
GMM&PJK:jld:rs

0908/1

↑
stays

ASSEMBLY

↑
~~SENATE~~ AMENDMENT,

↓
TO 2009 ~~SENATE~~ BILL 347

↓
ASSEMBLY

→ 486

SOON
(= 10-19)
D-note

- 1 At the locations indicated, amend the bill as follows: ✓
- 2 1. Page 3, line 15: delete "and". ✓
- 3 2. Page 3, line 18: after "placement" insert "; and changing the effective date ✓
- 4 for paying to certain former public assistance recipients support or maintenance
- 5 arrears collected by the state". ✓
- 6 3. Page 48, line 18: delete "By no later than 90 days" and substitute "During ✓
- 7 the 90 days immediately". ✓
- 8 4. Page 48, line 24: delete "by no later than 90 days" and substitute "during ✓
- 9 the 90 days immediately". ✓
- 10 5. Page 49, line 9: delete "By no later than 90 days" and substitute "During the ✓
- 11 90 days immediately". ✓
- 12 6. Page 49, line 15: delete "by no later than 90 days" and substitute "during ✓
- 13 the 90 days immediately". ✓

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7. Page 97, line 7: after that line insert:

“SECTION 178w. 2009 Wisconsin Act 28, section 9408 (14) is amended to read:
[2009 Wisconsin Act 28] Section 9408 (14) ARREARAGES COLLECTED. The
treatment of section 49.1452 of the statutes and SECTION 9308 (9) of this act take
effect on ~~January~~ April 1, 2010.

SECTION 178x. 2009 Wisconsin Act 28, section 9422 (12) (a) is amended to read:
[2009 Wisconsin Act 28] Section 9422 (12) (a) Arrearages collected. The
treatment of section 49.776 of the statutes and SECTION 9322 (7) (a) of this act take
effect on ~~January~~ April 1, 2010.”

8. Page 99, line 12: after “publication,” insert “whichever is later,”.

9. Page 99, line 23: after that line insert:

“(2) SUPPORT ARREARS PASS-THROUGH. SECTIONS 178w and 178x of this act take
effect on the day after publication.”

(END)

Dueto

This amendment adds a few items to
LRBa0889/1 that were requested by Carrie Kahn
in Senator Jauch's office. This amendment to AB-486
is the same as an amendment for Senator Jauch to
SB-347. et ~~add~~ replaces LRBa0889/1.

ATK

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

LRBa0908/1dn
PJK:jld:ph

October 20, 2009

This amendment adds a few items to LRBa0889/1 that were requested by Carrie Kahn in Senator Jauch's office. This amendment to AB-486 is the same as an amendment for Senator Jauch to SB-347. It replaces LRBa0889/1.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.wisconsin.gov