



State of Wisconsin



LEGISLATIVE REFERENCE BUREAU


RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**


Date Transfer Requested: 10/01/2013 (Per: EHS)


Appendix A2


Appendix A1  The drafting file for LRB 13-0480 (used to create 13-3303)


 **Appendix A2**  The drafting file for LRB 11-0558 (used to create 13-0480)


Appendix B1  The drafting file for LRB 13-0481 (used to create 13-3303)

Appendix B2  The drafting file for LRB 11-0559 (used to create 13-0481)

Appendix C1  The drafting file for LRB 13-0482 (used to create 13-3303)

Appendix C2  The drafting file for LRB 11-0560 (used to create 13-0482)

Appendix D1  The drafting file for LRB 13-0483 (used to create 13-3303)

Appendix D2  The drafting file for LRB 11-0563 (used to create 13-0483)

Appendix E  The drafting file for LRB 13-0484 (used to create 13-3303)

Appendix F  The drafting file for LRB 13-0486 (used to create 13-3303)

Appendix G  The drafting file for LRB 13-0487 (used to create 13-3303)

Appendix H  The drafting file for LRB 13-0488 (used to create 13-3303)

Appendix I  The drafting file for LRB 13-0489 (used to create 13-3303)

has been transferred to the drafting file for

2013 LRB-3303



State of Wisconsin
LEGISLATIVE REFERENCE BUREAU

➡ Appendix A

LRB BILL HISTORY RESEARCH APPENDIX

➡ The drafting file for 2011 LRB-0558 (For: Leg. Council - LRC)

has been transferred to the drafting file for

2013 LRB-0480 (For: Leg. Council - LRC)



RESEARCH APPENDIX -
PLEASE KEEP WITH THE DRAFTING FILE

Date Transfer Requested: 11/02/2012 (Per: PJK)

➡ The attached draft was incorporated into the new draft listed above. For research purposes the attached materials were added, as a appendix, to the new drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

2011 DRAFTING REQUEST

Bill

Received: 11/19/2010

Received By: pkahler

Wanted: As time permits

Companion to LRB:

For: Legislative Council - LRC

By/Representing: Laura Rose

May Contact:

Drafter: pkahler

Subject: Dom. Rel. - paternity

Add. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Anne.Sappenfield@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Delete reference to minors signing paternity acknowledgments

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>
/?	pkahler 11/19/2010	jdyer 11/22/2010		_____			
/P1			rschluet 11/23/2010	_____	sbasford 11/23/2010		
/1	pkahler 01/12/2012	jdyer 01/13/2012	phenry 01/13/2012	_____	ggodwin 01/13/2012		

FE Sent For:

2011 DRAFTING REQUEST

Bill

Received: 11/19/2010

Received By: pkahler

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For: Legislative Council - LRC

By/Representing: Laura Rose

May Contact:

Drafter: pkahler

Subject: Dom. Rel. - paternity

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Laura.Rose@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Delete reference to minors signing paternity acknowledgments

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>
/?	pkahler 11/19/2010	jdye 11/22/2010	1/13 rschlue	ph ph			
/P1		1/13 jle	11/23/2010		sbasford 11/23/2010		

FE Sent For:

<END>

2011 DRAFTING REQUEST

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Wanted: As time permits

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By/Representing: Laura Rose

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Subject: Dom. Rel. - paternity

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Laura.Rose@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Delete reference to minors signing paternity acknowledgments

Instructions:

See attached

Drafting History:

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1/?	pkahler	PI 11/22/10	J 11/22/10	Ken 11/23	JJ 11/23		

FE Sent For:

<END>

Jim Doyle
Governor

Reggie Bicha
Secretary



State of Wisconsin
Department of Children and Families

201 East Washington Avenue, Room G200
P.O. Box 8916
Madison, WI 53708-8916

Telephone: 608-267-3905
Fax: 608-266-6836
dcf.wisconsin.gov

CORRESPONDENCE/Memorandum

State of Wisconsin

Date: October 29, 2010
To: Director Terry Anderson
Legislative Council
From: Secretary Reggie Bicha
Department of Children and Families
RB
Subject: Department of Children and Families Law Revision Proposals

The Department of Children and Families is seeking a number of technical amendments through the law revision process. Below are the proposals listed by program area and unless otherwise stated the proposal has not been introduced in previous sessions and have no fiscal effect.

Child Support:

Technical amendments to Chapter 767 intended to address minor corrections needed following the recodification of that Chapter in 2005 Wisconsin Act 443.

Requests 1 through 5 were included as a part of 2007 SB 362. However, that legislation was not acted upon prior to the end of the legislative session. None of the following proposals will have a fiscal effect. → 249

3. Voluntary Paternity Acknowledgments/Minors

Specific Statutory Change

Amend s.69.15(3)(b)3 to delete the language allowing the State Registrar to accept voluntary paternity acknowledgments signed by minor parents.

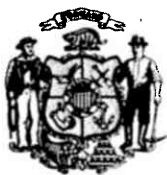
Administrative or Substantive Problem with Current Law and Need for the Change

2005 Wis. Act 443 created s.767.805(1m) which provides that minor parents are not permitted to sign voluntary acknowledgments of paternity. It was determined by the Legislative Council Special Committee on Recodification of Chapter 767 that minors need the protection of a guardian ad litem to explain their rights and responsibilities. However, the vital records provisions in Chapter 69 still allow the State Registrar to accept voluntary paternity acknowledgments from minors as long as the form is also signed by a parent or legal guardian of a minor.

4. Paternity/GAL for Deceased Respondents

Specific Statutory Change

Amend Wis. Stat. s§ 767.86 (1) to provide that the summons and petition must be served on the personal representative of or the guardian ad litem of the deceased respondent



State of Wisconsin
2011 - 2012 LEGISLATURE

LRB-0558/7
PJK:.....

PI
Jld

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

(w/ 11-19)

LX

statement ✓

1 AN ACT; relating to: deleting a reference to minors acknowledging paternity
2 (suggested as remedial legislation by the Department of Children and
3 Families).

Analysis by the Legislative Reference Bureau

Under current law, a court may order child support, legal custody, and periods of physical placement on the basis of a statement acknowledging paternity that is signed by both parents and filed with the state registrar. The state registrar may insert the name of the father on a child's birth certificate on the basis of a statement acknowledging paternity. Since January 1, 2007, a minor has been prohibited from signing a statement acknowledging paternity. Current law, however, authorizes the state registrar to insert the father's name on a child's birth certificate on the basis of a statement acknowledging paternity that is signed by a minor parent as long as the minor parent's parent or legal guardian signs, too. This bill harmonizes the prohibition against a minor parent signing a statement acknowledging paternity with the statutes related to requirements for when the state registrar may change facts on birth certificates.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

INSERT
PREF

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:



1 **SECTION 1.** 69.15 (3) (b) 3. ^X of the statutes is amended to read:

2 69.15 (3) (b) 3. Except as provided under par. (c), if the state registrar receives
3 a statement acknowledging paternity on a form prescribed by the state registrar and
4 signed by both parents, ~~and by a parent or legal guardian of any parent who is neither~~
5 of whom [✓] was under the age of 18 years when the form was signed, [✓] along with the fee
6 under s. 69.22, the state registrar shall insert the name of the father under subd. 1.
7 The state registrar shall mark the certificate to show that the form is on file. The
8 form shall be available to the department of children and families or a county child
9 support agency under s. 59.53 (5) pursuant to the program responsibilities under s.
10 49.22 or to any other person with a direct and tangible interest in the record. The
11 state registrar shall include on the form for the acknowledgment the information in
12 s. 767.805 and the items in s. 767.813 (5g).

13 History: 1985 a. 315; 1987 a. 413; 1989 a. 183; 1993 a. 481; 1995 a. 201, 404; 1997 a. 3, 27, 191; 2001 a. 16, 61; 2003 a. 52; 2005 a. 443 ss. 4, 5, 265; 2007 a. 20.

(END)

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

PI
LRB-0558/ins
PJK:.....

INSERT PREF

LRS -
use
note: LRC
component

↑
insert
not
checked
in

LAW REVISION COMMITTEE PREFATORY NOTE: ~~This bill is introduced by the Law Revision Committee under s. 13.83 (1) (c) 1. and 5., Stats., as a result of the Legislative Reference Bureau's case and opinion review under s. 13.92 (2) (b), Stats.~~ This bill is a remedial legislation proposal, requested by the ~~(?)~~ and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., Stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

Department of
Children and
Families

(end ins)

Kahler, Pam

From: Malaise, Gordon
Sent: Tuesday, November 16, 2010 5:41 PM
To: Kahler, Pam
Cc: Rose, Laura
Subject: FW: Department of Children and Families Law Revision Proposals
Attachments: law revision-1.pdf

Pam:

Here are DCF's remedial legislation proposals. The proposals relating to child support and W-2 look like yours. The child welfare proposals are mine.

Gordon

From: Rose, Laura
Sent: Tuesday, November 16, 2010 3:17 PM
To: Malaise, Gordon
Subject: FW: Department of Children and Families Law Revision Proposals

Hi, Gordon,

Attached are the Law Revision remedial legislation proposals from DCF for the upcoming legislative session. I reviewed them, and I think they are okay. Please let me know if you have any questions.

Thanks very much,

Laura

Laura D. Rose, Deputy Director

Wisconsin Legislative Council

One East Main Street, Suite 401

PO Box 2536

Madison, WI 53701-2536

tel: 608.266.9791

fax: 608.266.3830

laura.rose@legis.wisconsin.gov

11/17/2010

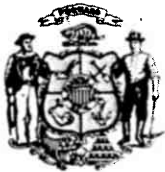
From: DCF Secretary Reggie Bicha [mailto:DCFSecretaryReggieBicha@wisconsin.gov]
Sent: Friday, October 29, 2010 3:20 PM
To: Anderson, Terry C.
Cc: Rose, Laura
Subject: Department of Children and Families Law Revision Proposals

I am attaching the Department of Children and Families Law Revision Proposals. Thank you.

Sincerely,

Reggie Bicha
Secretary

11/17/2010



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-0558/P
PJK:jld:re

rmis

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

2011 BILL

*by 1-17
(in 1-12)*

Lx

Regen

1 AN ACT *to amend* 69.15 (3) (b) 3. of the statutes; **relating to:** deleting a reference
2 to minors acknowledging paternity (suggested as remedial legislation by the
3 Department of Children and Families).

Analysis by the Legislative Reference Bureau

Under current law, a court may order child support, legal custody, and periods of physical placement on the basis of a statement acknowledging paternity that is signed by both parents and filed with the state registrar. The state registrar may insert the name of the father on a child's birth certificate on the basis of a statement acknowledging paternity. Since January 1, 2007, a minor has been prohibited from signing a statement acknowledging paternity. Current law, however, authorizes the state registrar to insert the father's name on a child's birth certificate on the basis of a statement acknowledging paternity that is signed by a minor parent as long as the minor parent's parent or legal guardian signs, too. This bill harmonizes the prohibition against a minor parent signing a statement acknowledging paternity with the statutes related to requirements for when the state registrar may change facts on birth certificates.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Children and Families and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 69.15 (3) (b) 3. of the statutes is amended to read:

2 69.15 (3) (b) 3. Except as provided under par. (c), if the state registrar receives
3 a statement acknowledging paternity on a form prescribed by the state registrar and
4 signed by both parents, ~~and by a parent or legal guardian of any parent who is neither~~
5 of whom was under the age of 18 years when the form was signed, along with the fee
6 under s. 69.22, the state registrar shall insert the name of the father under subd. 1.
7 The state registrar shall mark the certificate to show that the form is on file. The
8 form shall be available to the department of children and families or a county child
9 support agency under s. 59.53 (5) pursuant to the program responsibilities under s.
10 49.22 or to any other person with a direct and tangible interest in the record. The
11 state registrar shall include on the form for the acknowledgment the information in
12 s. 767.805 and the items in s. 767.813 (5g).

13

(END)

Insert 2-12 ✓

[note: std]

Insert 2-12

558^e

Note:
CS

Modifies the statute relating to inserting the name of a father on a birth certificate pursuant to an acknowledgement of paternity so that it is consistent with current law under which a minor father may not sign an acknowledgement of paternity.

LPS-
Fix font
size

(end of ins 2-12)



State of Wisconsin
LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX -
PLEASE DO NOT REMOVE FROM DRAFTING FILE

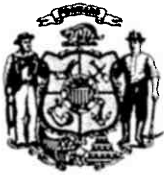
Date Transfer Requested: 02/06/2012 (Per: PJK & GMM)

☛ Compile Draft – Appendix A
... Part 01 of 01

- | | |
|---|---|
| A ☛ The 2011 drafting file for LRB-0558 | D ☛ The 2011 drafting file for LRB-0563 |
| B ☛ The 2011 drafting file for LRB-0559 | E ☛ The 2011 drafting file for LRB-0569 |
| C ☛ The 2011 drafting file for LRB-0560 | |

2011 LRB-0558 has been copied/added to the drafting file for

2011 LRB-0568



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-0558/1
PJK:jld:ph

2011 BILL

1 **AN ACT** *to amend* 69.15 (3) (b) 3. of the statutes; **relating to:** deleting a reference
2 to minors acknowledging paternity (suggested as remedial legislation by the
3 Department of Children and Families).

Analysis by the Legislative Reference Bureau

Under current law, a court may order child support, legal custody, and periods of physical placement on the basis of a statement acknowledging paternity that is signed by both parents and filed with the state registrar. The state registrar may insert the name of the father on a child's birth certificate on the basis of a statement acknowledging paternity. Since January 1, 2007, a minor has been prohibited from signing a statement acknowledging paternity. Current law, however, authorizes the state registrar to insert the father's name on a child's birth certificate on the basis of a statement acknowledging paternity that is signed by a minor parent as long as the minor parent's parent or legal guardian signs, too. This bill harmonizes the prohibition against a minor parent signing a statement acknowledging paternity with the statutes related to requirements for when the state registrar may change facts on birth certificates.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

BILL

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Children and Families and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 69.15 (3) (b) 3. of the statutes is amended to read:

2 69.15 (3) (b) 3. Except as provided under par. (c), if the state registrar receives
3 a statement acknowledging paternity on a form prescribed by the state registrar and
4 signed by both parents, ~~and by a parent or legal guardian of any parent who is neither~~
5 ~~of whom was~~ under the age of 18 years ~~when the form was signed~~, along with the fee
6 under s. 69.22, the state registrar shall insert the name of the father under subd. 1.
7 The state registrar shall mark the certificate to show that the form is on file. The
8 form shall be available to the department of children and families or a county child
9 support agency under s. 59.53 (5) pursuant to the program responsibilities under s.
10 49.22 or to any other person with a direct and tangible interest in the record. The
11 state registrar shall include on the form for the acknowledgment the information in
12 s. 767.805 and the items in s. 767.813 (5g).

NOTE: Modifies the statute relating to inserting the name of a father on a birth certificate pursuant to an acknowledgement of paternity so that it is consistent with current law under which a minor father may not sign an acknowledgement of paternity.

13

(END)