



### 2005 DRAFTING REQUEST

#### Senate Substitute Amendment (SSA-SB221)

Received: 06/14/2005

Received By: gmalaise

Wanted: 06/16/2005

Identical to LRB:

For: Julie Lassa (608) 266-3123

By/Representing: Jessica Ford Kelly

This file may be shown to any legislator: NO

Drafter: gmalaise

May Contact:

Addl. Drafters:

Subject: Children - abuse and neglect

Extra Copies:

Submit via email: YES

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

Carbon copy (CC:) to:

---

#### Pre Topic:

No specific pre topic given

---

#### Topic:

Shaken baby syndrome and impacted bably education and training

---

#### Instructions:

See Attached--draft sub. that folds in LRB a0738 and a0749 exec'ed by committee and that clarifies that training for day care providers apply to providers that provide care for children under 5.

---

#### 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>
/?	gmalaise 06/15/2005	kfollett 06/16/2005		_____			
/1			rschluet 06/16/2005	_____	sbasford 06/16/2005	sbasford 06/16/2005	
/2	gmalaise 06/17/2005	kfollett 06/17/2005	jfrantze 06/17/2005	_____	lemery 06/17/2005	lemery 06/17/2005	

FE Sent For:

<END>

06/20/2005

→ "1/2" ←

see  
attached

**2005 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB221)**

Received: 06/14/2005

Received By: gmalaise

Wanted: 06/16/2005

Identical to LRB:

For: Julie Lassa (608) 266-3123

By/Representing: Jessica Ford Kelly

This file may be shown to any legislator: NO

Drafter: gmalaise

May Contact:

Addl. Drafters:

Subject: Children - abuse and neglect

Extra Copies:

Submit via email: YES

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

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Shaken baby syndrome and impacted bably education and training

---

**Instructions:**

See Attached--draft sub. that folds in LRB a0738 and a0749 exec'ed by committee and that clarifies that training for day care providers apply to providers that provide care for children under 5.

---

**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>
/?	gmalaise 06/15/2005	kfollett 06/16/2005		_____			
/1		12 klf 6/17	rschlue 06/16/2005	_____	sbasford 06/16/2005	sbasford 06/16/2005	

FE Sent For:

*Self*  
06/17  
<END>

2005 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB221)

Received: 06/14/2005

Received By: gmalaise

Wanted: 06/16/2005

Identical to LRB:

For: Julie Lassa (608) 266-3123

By/Representing: Jessica Ford Kelly

This file may be shown to any legislator: NO

Drafter: gmalaise

May Contact:

Addl. Drafters:

Subject: Children - abuse and neglect

Extra Copies:

Submit via email: YES

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

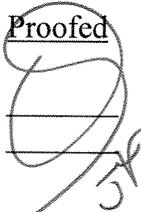
Shaken baby syndrome and impacted bably education and training

Instructions:

See Attached--draft sub. that folds in LRB a0738 and a0749 exec'ed by committee and that clarifies that training for day care providers apply to providers that provide care for children under 5.

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>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

1?	gmalaise	11kjf 6/16					
----	----------	---------------	---	---	--	--	--

FE Sent For:

<END>

**Malaise, Gordon**

---

**From:** Kelly, Jessica  
**Sent:** Tuesday, June 14, 2005 3:37 PM  
**To:** Malaise, Gordon  
**Subject:** SB 221 Substitute Amendment

✓ I spoke with Joanna Richard, who had a meeting in her office with legal counsel, et. al. She said legal counsel suggested the bill be clearer as to WHO it affects...as in, the bill needs to be clearer that it affects providers who take care of kids up to the age of five. I thought it was pretty clear, but they do not.

They suggested that Page 13, line 20...the word "sooner" be changed to "later". This will clear up the million dollar fiscal implication.

✓ Also, if you could incorporate the other two amendments that were exec'ed by the committee into the sub today, that'd be great.

And as always, the sooner you can get this to us, the better. We would like to try to get it scheduled on the floor next week, but would like a REVISED FISCAL ON THE SUB FROM DHFS AND DWD.

Thanks, Gordon!

**Jessica Ford Kelly**  
Office of Senator Julie Lassa  
State Capitol, Room 109 - South  
P.O. Box 7882  
Madison, WI 53708-7882  
608-266-3123  
1-800-925-7491 toll-free  
608-267-6797

-0788

✓ a0738

✓ a0749

## **Malaise, Gordon**

---

**From:** Bernstein, Howard  
**Sent:** Wednesday, June 15, 2005 2:12 PM  
**To:** Kelly, Jessica; Richard, JoAnna - DWD  
**Cc:** Malaise, Gordon; Brueggeman, Rebecca  
**Subject:** RE: SB 221 Substitute Amendment

My answer to the question of how long DWD needs to give recertifying providers before they are responsible for the new training: six months after the materials are ready, so 18 months in total after the effective date. I have talked to Rebecca and six months seems to be a reasonable estimate based on the time that may be needed for individual providers to get the new training before having to get recertified. I have talked to Gordon about DWD's concern for having this issue addressed in the substitute amendment, so that DWD can provide a revised fiscal note to document that the issue raised in our earlier fiscal note has been addressed. Gordon is expecting to hear from the Senator's office to authorize this drafting.

- Howard Bernstein, DWD Legal Counsel

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

**From:** Kelly, Jessica  
**Sent:** Wednesday, June 15, 2005 1:53 PM  
**To:** Richard, JoAnna - DWD; Bernstein, Howard  
**Subject:** RE: SB 221 Substitute Amendment

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

**From:** Malaise, Gordon  
**Sent:** Wednesday, June 15, 2005 1:52 PM  
**To:** Kelly, Jessica  
**Subject:** RE: SB 221 Substitute Amendment

Correct. So actually, "2 years after the effective date" means one year after the materials are ready. So one year is chopped off already.

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

**From:** Kelly, Jessica  
**Sent:** Wednesday, June 15, 2005 1:35 PM  
**To:** Malaise, Gordon  
**Subject:** FW: SB 221 Substitute Amendment  
**Importance:** High

Just so I get my facts straight before this gets even more convoluted...

The bill says that it takes effect on the day after publication or on the 2nd day after publication of the 2005-07 biennial budget, whichever is later. DHFS has one year after the enactment of the bill to have the training materials ready.

Is that correct?

Jessica Ford Kelly  
Office of Senator Julie Lassa  
State Capitol, Room 109 - South  
P.O. Box 7882  
Madison, WI 53708-7882  
608-266-3123

1-800-925-7491 toll-free  
608-267-6797

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

From: Richard, JoAnna - DWD  
Sent: Wednesday, June 15, 2005 1:22 PM  
To: Kelly, Jessica; Malaise, Gordon; Bernstein, Howard  
Subject: RE: SB 221 Substitute Amendment

Jessica,  
What is the timetable for having the materials and curriculum available?  
Jo

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

From: Kelly, Jessica  
Sent: Wednesday, June 15, 2005 1:19 PM  
To: Richard, JoAnna - DWD; Malaise, Gordon; Bernstein, Howard  
Subject: RE: SB 221 Substitute Amendment

We would also like this drafted in the easiest manner to reflect a new fiscal note. The question that our office needs an answer to is ... How long does DWD need to certify providers?

If we change the language from "sooner" to "later", we are still dealing with a two year time period and Senator Lassa would like providers certified with SBS prevention as soon as possible after the bill becomes effective.

Jessica Ford Kelly  
Office of Senator Julie Lassa  
State Capitol, Room 109 - South  
P.O. Box 7882  
Madison, WI 53708-7882  
608-266-3123  
1-800-925-7491 toll-free  
608-267-6797

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

From: Richard, JoAnna - DWD  
Sent: Wednesday, June 15, 2005 1:10 PM  
To: Malaise, Gordon; Kelly, Jessica; Bernstein, Howard  
Subject: RE: SB 221 Substitute Amendment

Gordon,

We would like to have this corrected so we can reflect that in a new fiscal note. What is the easiest way to make this happen?

Jo

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

From: Malaise, Gordon  
Sent: Wednesday, June 15, 2005 10:28 AM  
To: Richard, JoAnna - DWD; Kelly, Jessica; Bernstein, Howard  
Subject: RE: SB 221 Substitute Amendment

Jessica, JoAnna, and Howard:

Because day care providers are recertified monthly under s. 48.651, saying "by no later than the renewal date of the certification or by two years after the effective date of this subdivision, whichever is later" renders the reference to the renewal date surplusage. Accordingly, we can achieve the same effect in a more legally sound manner by simply deleting the reference to the renewal

date. Then, Senator Lassa can offer a floor amendment deleting "two years" and substituting "three months".

Gordon

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

From: Richard, JoAnna - DWD  
Sent: Wednesday, June 15, 2005 8:54 AM  
To: Kelly, Jessica; Malaise, Gordon  
Subject: Re: SB 221 Substitute Amendment

Gordon,

Our legal counsel is Howard Bernstein. Feel free to contact him about this matter.

Jo

-----  
Sent from my BlackBerry Wireless Handheld

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

From: Kelly, Jessica <Jessica.Kelly@legis.state.wi.us>  
To: Malaise, Gordon <Gordon.Malaise@legis.state.wi.us>  
CC: Richard, JoAnna - DWD <JoAnna.Richard@dwd.state.wi.us>  
Sent: Wed Jun 15 08:37:00 2005  
Subject: RE: SB 221 Substitute Amendment

Gordon, the committee didn't do anything with your amendment changing the timeline for DWD/DHFS because the committee wouldn't let Senator Lassa cross out "two years" and put in "three months." The amendment crossing out "sooner" and placing "later" in was suggested by DWD legal counsel. I'm cc'ing this to Joanna Richard who may be able to put you in contact with that attorney.

As far as the other two amendments, you are correct.

Jessica Ford Kelly  
Office of Senator Julie Lassa  
State Capitol, Room 109 - South  
P.O. Box 7882  
Madison, WI 53708-7882  
608-266-3123  
1-800-925-7491 toll-free  
608-267-6797

---

From: Malaise, Gordon  
Sent: Tuesday, June 14, 2005 4:37 PM  
To: Kelly, Jessica  
Subject: RE: SB 221 Substitute Amendment

Jessica:

To obtain a supplemental fiscal estimate for the sub, you will have to request the presiding officer to make that request of DOA. See Joint Rule 41 (3) (b).

As for changing "sooner" to "later" at page 13, line 20, wouldn't two years after the effective date always be "later" in that day care providers are certified monthly? If so, then why not just use the amendment I drafted, which deletes the reference to the renewal date?

Or, is that not the version that the committee approved? I remember Senator Lassa was talking about three months instead of two years.

Finally, just to be clear, the two amendments that were exec'ed, those would be the one

permitting instruction in one of grades 10 to 12 and the one deleting the requirement that the new position be a nursing position, correct?

Gordon

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

From: Kelly, Jessica  
Sent: Tuesday, June 14, 2005 3:37 PM  
To: Malaise, Gordon  
Subject: SB 221 Substitute Amendment

I spoke with Joanna Richard, who had a meeting in her office with legal counsel, et. al. She said legal counsel suggested the bill be clearer as to WHO it affects...as in, the bill needs to be clearer that it affects providers who take care of kids up to the age of five.

I thought it was pretty clear, but they do not.

They suggested that Page 13, line 20...the word "sooner" be changed to "later". This will clear up the million dollar fiscal implication.

Also, if you could incorporate the other two amendments that were exec'ed by the committee into the sub today, that'd be great.

And as always, the sooner you can get this to us, the better.  
We would like to try to get it scheduled on the floor next week, but would like a REVISED FISCAL ON THE SUB FROM DHFS AND DWD.

Thanks, Gordon!

Jessica Ford Kelly  
Office of Senator Julie Lassa  
State Capitol, Room 109 - South  
P.O. Box 7882  
Madison, WI 53708-7882  
608-266-3123  
1-800-925-7491 toll-free  
608-267-6797

LRB	Status	Attorney	Analyst	Subject	Topic	Date
05b0004	In	All			Technical Amendment	
05b0022/1	In	chanaman	Holten	Employ Pub - collective bargain	Repeal the QEO elimination	4/13/05
05b0023/1	In	pkahler	Holten	Public Assistance - med. assist.	Pharmacy reimbursement methodology report	4/13/05
05b0024/1	In	pkahler	Holten	Health - miscellaneous	Sharing health insurance information	4/13/05
05b0025/1	In	rchampag	Holten	Legislature - miscellaneous	Designation of official state newspaper	4/14/05
05b0026/1	In	rchampag	Holten	Employ Pub - civil service	Study of state government administrator salaries	4/13/05
05b0027/1	In	jkreye	Holten	Tax, Other - real est trnsfr fee	Real estate transfer fee in first class cities	4/14/05
05b0028/1	In	rchampag	Holten	Employ Pub - civil service	References to head of OSER	4/13/05
05b0029/1	In	mdsida	Holten	Criminal Law - sentencing	Sentencing Commission report regarding alternative dispositions for nonviolent offenses	4/14/05
05b0030/1	In	rchampag	Holten	Employ Pub - civil service	Equal Rights Division duties	4/13/05
05b0031/1	In	dkennedy	Holten	Health - long-term care	Regional managed care organizations	4/14/05
05b0032/1	In	rnelson2	Holten	Justice - civil	The power of the attorney general to bring action for civil rights violation	4/14/05
05b0033/1	In	rnelson2	Holten	Veterans - def. of veteran	Definition of a veteran	4/14/05
05b0034/1	In	gmalaise	Holten	Employ Priv - prevailing wage	Prevailing wage contractor records	4/14/05
05b0035/1	In	pgrant	Holten	Education - school boards	School district general fund balances	4/14/05
05b0036/1	In	jkuesel	Holten	Local Gov't - misc.	Penalty for state and local contractors who submit false claims	4/15/05
05b0037/1	In	csundber	Holten	Transportation - miscellaneous, State Govt - procurement	Rural economic development study	4/15/05
05b0038/1	In	bitradewe	Bonderud	Econ. Development - bus. dev.	Environmental Improvement Fund Changes	4/21/05
05b0039/1	In	rkite	Hotynski	Environment - water quality	Reduce number of DNR division administrators	4/21/05
05b0041/1	In	jkuesel	Onsager (Paul)	Nat. Res. - miscellaneous	DOA assistance with Elections Board IT development	4/28/05
05b0042/1	In	jkuesel	Onsager (Paul)	Elections - miscellaneous	Audit of Elections Board IT development projects	4/28/05
05b0043/P1	In	csundber	Russell	Elections - miscellaneous	Increase DFI lapse in '06 to \$344,200	4/28/05
05b0044/P1	In	csundber	Russell	Bus. Assn. - corporations	Increase fee for certificate of authority	4/28/05
05b0045/1	In	rnelson2	Hotynski	Nat. Res. - fish and game	Reduce endangered resources funding appropriation maximum.	4/21/05
05b0046/1	In	rchampag	Runde (DL)	State Finance - bonding	Medical Assistance bonding provisions	4/21/05
05b0047/1	In	phurley	Dyck	Transportation - veh reg/filing	Electronic processing	5/9/05
05b0048/1	In	agary	Dyck	Transportation - traffic laws,	Changing forfeiture amount for first offense operating after revocation	4/21/05
05b0049/2	In	mglass	Hotynski	Transportation - driver licenses	Review of stewardship acquisitions by joint finance	6/6/05
05b0050/1	In	rchampag	Renner	Nat. Res. - LWSR stewardship	DORL program revenue lapse	4/21/05
	In			State Finance - bud generally		





2005

Date (time) needed TH 6/16

LRBs 0143, 11

SUBSTITUTE AMENDMENT [TO A BILL]

GMM : kjf:

Use the appropriate components and routines developed for substitute amendments.

(S) N SUBSTITUTE AMENDMENT

TO 2005 (SB) AB 221 (LRB- )

AN ACT... [generate catalog] to repeal...; to renumber...; to consolidate and renumber...; to renumber and amend...; to consolidate, renumber and amend...; to amend...; to repeal and recreate...; and to create... of the statutes; relating to:

.....

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

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

SECTION #.