

2001 DRAFTING REQUEST

Bill

Received: **11/16/2000**

Received By: **malaigm**

Wanted: **As time permits**

Identical to LRB:

For: **Jerry Petrowski (608) 266-1182**

By/Representing: **Randy**

This file may be shown to any legislator: **NO**

Drafter: **malaigm**

May Contact:

Alt. Drafters:

Subject: **Discrimination - employment**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Employment discrimination based on conviction record; exception for schools

Instructions:

Redraft 99 AB 446 with AA 3.

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>
/?	malaigm 11/16/2000	jdye 11/17/2000		_____			S&L
/1			rschluet 11/17/2000	_____	lrb_docadmin 11/17/2000	lrb_docadmin 01/08/2001	
				_____	lrb_docadmin 01/08/2001		

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Gretschmann, Karen

From: Gretschmann, Karen
Sent: Wednesday, November 15, 2000 2:07 PM
To: Malaise, Gordon
Subject: AB446 REDRAFT REQUEST

Gordon:

Randy from Petrowski's office called and requested a redraft on AB 446 for ASAP. I told him I would pass along the message and if you needed to call him, you would. His number is 6-1182. The file should be in the editing room.

Thanks!

Karen

Karen Gretschmann
Legislative Program Assistant/Financial Specialist
Legal Section
Wisconsin Legislative Reference Bureau
(608) 266-3561

AA3 adopted

(-1065/1)

Soon

jd

1999 ASSEMBLY BILL 446

September 7, 1999 - Introduced by Representatives PETROWSKI, KELSO, WALKER, JENSEN, AINSWORTH, ALBERS, DUFF, FREESE, GROTHMAN, HAHN, HANDRICK, HUEBSCH, HUNDERTMARK, JESKEWITZ, KESTELL, KREIBICH, F. LASEE, MONTGOMERY, MUSSER, NASS, OTT, OWENS, PETTIS, PLOUFF, SKINDRUD, STONE, SUDER, UNDERHEIM, URBAN, VRAKAS, WARD, GUNDERSON, RYBA and HOVEN, cosponsored by Senators SHIBILSKI, DARLING, HUELSMAN and ROSENZWEIG. Referred to Committee on Education.

Regen

a county children with disabilities education board,

1 AN ACT to create 111.335 (1) (d) of the statutes; relating to: permitting an
2 educational agency to refuse to employ or to terminate from employment an
3 unpardoned felon.

Analysis by the Legislative Reference Bureau

Current law, subject to certain exceptions, prohibits discrimination in employment based on conviction record. Current law specifies, however, that it is not employment discrimination because of conviction record to refuse to employ or to terminate from employment any individual who has been convicted of any felony, misdemeanor or other offense, the circumstances of which substantially relate to the circumstances of the particular job. This bill specifies that it is not employment discrimination because of conviction record for an educational agency to refuse to employ or to terminate from employment any individual who has been convicted of a felony and who has not been pardoned for that felony, whether or not the circumstances of the felony substantially relate to the circumstances of the particular job.

Under the bill, an "educational agency" is defined as a school district, a cooperative educational service agency, a state correctional institution, a juvenile secured correctional facility, a secured child caring institution, the Wisconsin School for the Visually Handicapped, the Wisconsin School for the Deaf, the Mendota Mental Health Institute, the Winnebago Mental Health Institute, a state center for the developmentally disabled, a private school or an agency under contract with a school board to provide a program for children at risk,

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an

a

Center

, a charter school,

, or a nonsectarian private school or agency under contract with the Milwaukee Public Schools board to provide educational programs for children enrolled in the school district

Insert 2-2

~~ASSEMBLY AMENDMENT 3,
TO 1999 ASSEMBLY BILL 446~~

September 15, 1999 - Offered by COMMITTEE ON EDUCATION.

At the locations indicated, amend the bill as follows:

1. Page 2, line 2: delete that line and substitute:

~~111.235 (1) (d)~~ 1. In this paragraph, "educational agency" means a school district, a cooperative educational service agency, a county children with disabilities education board, a state correctional institution under s. 302.01, a secured correctional facility, as defined in s. 938.02 (15m), a secured child caring institution, as defined in s. 938.02 (15g), the Wisconsin ^{Center} School for the Visually Handicapped, the Wisconsin School for the Deaf, the Mendota Mental Health Institute, the Winnebago Mental Health Institute, a state center for the developmentally disabled, a private school, a charter school, a private, nonprofit, nonsectarian agency under contract with a school board under s. 118.153 (3) (c) or a nonsectarian private school or agency under contract with the board of school directors in a 1st class city under s. 119.235 (1).

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text: treat

NO #

(end of insert)

1 ~~2. Notwithstanding s. 111.322, it is not employment discrimination”.~~

2 ~~2. Page 2, line 3: delete “, as defined in s. 115.31 (1) (b).”~~

3 (END)



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

November 17, 2000

MEMORANDUM

To: Representative Petrowski

From: Gordon M. Malaise, Senior Legislative Attorney

Re: LRB-1065 Employment discrimination based on conviction record; exception for schools

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-9738 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.