

**2003 DRAFTING REQUEST**

**Bill**

Received: **10/03/2002**

Received By: **mkunkel**

Wanted: **As time permits**

Identical to LRB:

For: **Regulation and Licensing**

By/Representing: **Myra Shelton**

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

Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Occupational Reg. - misc**

Extra Copies: **PJH**

Submit via email: **YES**

Requester's email: **william.dusso@drl.state.wi.us**

Carbon copy (CC:) to: **christopher.klein@drl.state.wi.us**

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**Pre Topic:**

No specific pre topic given

---

**Topic:**

FBI criminal history checks for credential applicants

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**Instructions:**

See Attached

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**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	mkunkel 10/22/2002	kgilfoy 10/22/2002	jfrantze 10/23/2002	_____	sbasford 10/23/2002		
		kgilfoy 11/06/2002		_____			
/2			pgreensl	_____	amentkow		State

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/4	mkunkel 02/28/2003	kgilfoy 02/28/2003	chaugen 02/28/2003	_____	sbasford 02/28/2003		State
			chaugen 02/28/2003	_____			
/5	mkunkel 03/17/2003	kgilfoy 03/17/2003	rschluet 03/17/2003	_____	amentkow 03/17/2003	mbarman 03/24/2003	

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↳ At intro

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*for Senator Cowles - see attached*

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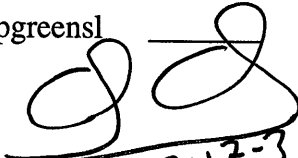
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			↓	↓			

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				13 2/25 rs/cph			

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FE Sent For:

*1-10/22*  
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*10/23*

*3alb*  
*10/23*  
 <END>

**Kunkel, Mark**

---

**From:** Shelton, Myra  
**Sent:** Thursday, October 03, 2002 5:40 PM  
**To:** Kunkel, Mark  
**Cc:** Dusso, William  
**Subject:** FW: Budget Request (Statutory Language) 2003-

Hi Mark,

Hope all is well with you. Could you please draft the attached statutory biennial budget requests for us. If you have any questions on the requests please contact Bill Dusso. Thanks a million for all your help on this. Have a great upcoming weekend. Myra

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

**From:** Dusso, William  
**Sent:** Thursday, October 03, 2002 11:04 AM  
**To:** Shelton, Myra  
**Subject:** Budget Request (Statutory Language) 2003-2005.doc

WLD

**2003-05 BIENNIAL BUDGET**

**REQUESTS FOR  
STATUTORY CHANGES**

**September 16, 2002  
(Revisions of 9/24/02)**

**DEPARTMENT OF REGULATION AND LICENSING  
Oscar Herrera, Secretary**



M D I R  
-0509  
A. **STATUTORY AUTHORIZATION - FBI CRIMINAL HISTORY RECORD CHECKS**

Currently the Department of Regulation and Licensing (DRL) obtains criminal background information on certain applicants, principally applicants for a credential as a private security person. The criminal background is also checked for applicants who admit to having been convicted of a crime.

Information about criminal history in states other than Wisconsin is obtained from the FBI by submitting requests through the Wisconsin Department of Justice. The FBI mandates consistency in state law with its national policy and has recently advised the Department that a change is needed in a Wisconsin statute in order for the FBI to continue to process requests from the Department. Unless a change is made in state law, the Department will be unable to obtain a complete criminal history record for applicants.

Modest revisions are required in Wis. Stat. § 440.03 (13) to achieve consistency with federal law so as to permit FBI processing of DRL fingerprint cards. The FBI's analysis concluded that the current statute does not specifically require an applicant to submit fingerprints and does not require the fingerprints to be sent to the state identification bureau for a check of state records before forwarding to the FBI for a national criminal history background check.

**Proposed Statutory Language**

440.03 (13) of the Statutes is amended to read:

The department may conduct an investigation to determine whether an applicant for a credential issued under chs. 440 to 480 satisfies any of the eligibility requirements specified for the credential, including whether the applicant does not have an arrest or conviction record. In conducting an investigation under this subsection, the department may require an applicant to provide any information that is necessary for the investigation

or, for the purpose of obtaining information related to an arrest or conviction record of an applicant, to complete forms provided by the department of justice or the federal bureau of investigation. The department may use federal bureau of investigation records for the screening of applicants. If the department requires an applicant to submit to a national criminal history background check, the applicant shall submit fingerprints to the department. The department shall submit the fingerprints to the department of justice for a check of state records before forwarding to the federal bureau of investigation for a national criminal history background check. The department shall charge the applicant any fees, costs or other expenses incurred in conducting the investigation under this subsection.

them?  
**Initial applicability of this proposal**

This proposal should be effective on the day after publication of the budget act.



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-0509/1

MDK:.....

**2003 BILL**

1 **AN ACT** <sup>DEN'T  
GEN. CAT.</sup> relating to: criminal background investigations by the Department  
2 of Regulation and Licensing of applicants for certain professional credentials. ✓

---

***Analysis by the Legislative Reference Bureau***

Under current law, the Department of Regulation and Licensing (DRL) investigates applicants for certain professional credentials issued by DRL and boards in DRL to determine whether the applicants satisfy the eligibility requirements for the credentials. For some credentials, an applicant is ineligible for the credential if he or she has an arrest or conviction record the circumstances of which substantially relate to the professional activity for which the credential is issued. Current law allows DRL to require an applicant to provide any information that is necessary for investigating an applicant's eligibility.

This bill specifies that DRL is allowed to use the records of the Federal Bureau of Investigation (FBI) for screening applicants in investigations described above. Also, the bill specifies that if DRL requires a criminal history background check of an applicant for an investigation, DRL is allowed to require the applicant to submit fingerprints. Under the bill, DRL must submit the fingerprints to the Department of Justice for checking state records before DRL can submit the fingerprints to the FBI for checking national records.

---

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

## BILL

## SECTION 1

1 SECTION 1. 20.165 (1) (g) of the statutes is amended to read:

2 20.165 (1) (g) *General program operations.* The amounts in the schedule for  
3 the licensing, rule making, and regulatory functions of the department, except for  
4 preparing, administering, and grading examinations. Ninety percent of all moneys  
5 received under chs. 440 to 480, except ss. 440.03 (13) (c) and 440.05 (1) (b), less \$10  
6 of each renewal fee received under s. 452.12 (5), and all moneys transferred from the  
7 appropriation under par. (i) and all moneys received under s. 440.055 (2), shall be  
8 credited to this appropriation.

History: 1971 c. 125; 1973 c. 90, 156, 333; 1975 c. 39; 1977 c. 29, 400, 418; 1979 c. 34; 1979 c. 175 s. 53; 1979 c. 221 s. 2202 (45); 1981 c. 20; 1983 a. 27; 1985 a. 29; 1989 a. 31, 307; 1991 a. 167, 269, 315; 1993 a. 16, 102, 490; 1995 a. 27, 461; 1997 a. 27; 1999 a. 9; 2001 a. 16.

9 SECTION 2. 20.165 (1) (gm) of the statutes is amended to read:

10 20.165 (1) (gm) *Applicant investigation reimbursement.* Ninety percent of all  
11 moneys received from applicants for credentials under s. 440.03 (13) (c), for the  
12 purpose of conducting investigations under s. 440.03 (13) (a).

History: 1971 c. 125; 1973 c. 90, 156, 333; 1975 c. 39; 1977 c. 29, 400, 418; 1979 c. 34; 1979 c. 175 s. 53; 1979 c. 221 s. 2202 (45); 1981 c. 20; 1983 a. 27; 1985 a. 29; 1989 a. 31, 307; 1991 a. 167, 269, 315; 1993 a. 16, 102, 490; 1995 a. 27, 461; 1997 a. 27; 1999 a. 9; 2001 a. 16.

13 SECTION 3. 440.03 (13) of the statutes is renumbered 440.03 (13) (a) and

14 amended to read:

15 440.03 (13) (a) The department may conduct an investigation to determine  
16 whether an applicant for a credential issued under chs. 440 to 480 satisfies any of  
17 the eligibility requirements specified for the credential, including whether the  
18 applicant does not have an arrest or conviction record. In conducting an  
19 investigation under this subsection paragraph, the department may require an  
20 applicant to provide any information that is necessary for the investigation or, for the  
21 purpose of obtaining information related to an arrest or conviction record of an  
22 applicant, to complete forms provided by the department of justice or the federal

**BILL**

1 bureau of investigation. The department may also use federal bureau of  
2 investigation records for screening applicants.

3 (c) The department shall charge the applicant any fees, costs, or other expenses  
4 incurred in conducting the investigation under ~~this subsection~~ par. (a).

History: 1977 c. 418 ss. 24, 792; 1979 c. 34, 221, 337; 1981 c. 94; 1985 a. 29, 340; 1989 a. 31, 340; 1991 a. 39; 1993 a. 16, 102, 107, 443, 445, 490, 491; 1995 a. 27 ss. 6472g, 6472j, 9126 (19); 1995 a. 233; 1997 a. 27, 75, 79; 1997 a. 191 ss. 312, 313, 318; 1997 a. 231, 237; 1997 a. 261 ss. 1 to 4, 7, 10, 13; 1997 a. 311; 1999 a. 9, 32; 2001 a. 16, 66, 80.

5 **SECTION 4. 440.03 (13) (b) of the statutes is created to read:**

6 440.03 (13) (b) If the department requires a criminal history background check  
7 for an investigation under par. (a), the department may require an applicant to  
8 submit fingerprints to the department. The department shall submit the  
9 fingerprints to the department of justice for checking state records before submitting  
10 the fingerprints to the federal bureau of investigation for checking national records.

11

(END)



**2003 BILL**

SOON

NOTE

Gen. Cat.

1 AN ACT ~~relating to~~; relating to: criminal background investigations by the Department  
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***Analysis by the Legislative Reference Bureau***

Under current law, the Department of Regulation and Licensing (DRL) investigates applicants for certain professional credentials issued by DRL and boards in DRL to determine whether the applicants satisfy the eligibility requirements for the credentials. For some credentials, an applicant is ineligible for the credential if he or she has an arrest or conviction record the circumstances of which substantially relate to the professional activity for which the credential is issued. Current law allows DRL to require an applicant to provide any information that is necessary for investigating an applicant's eligibility.

This bill specifies that DRL is allowed to use the records of the Federal Bureau of Investigation (FBI) for screening applicants in investigations described above. Also, the bill specifies that, if DRL requires a criminal history background check of an applicant for an investigation, DRL is allowed to require the applicant to submit fingerprints. Under the bill, DRL must submit the fingerprints to the Department of Justice for checking state records before DRL can submit the fingerprints to the FBI for checking national records.

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

**BILL**

1           **SECTION 1.** 20.165 (1) (g) of the statutes is amended to read:

2           20.165 (1) (g) *General program operations.* The amounts in the schedule for  
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8 credited to this appropriation.

9           **SECTION 2.** 20.165 (1) (gm) of the statutes is amended to read:

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12 purpose of conducting investigations under s. 440.03 (13) (a).

13           **SECTION 3.** 440.03 (13) of the statutes is renumbered 440.03 (13) (a) and  
14 amended to read:

15           440.03 (13) (a) The department may conduct an investigation to determine  
16 whether an applicant for a credential issued under chs. 440 to 480 satisfies any of  
17 the eligibility requirements specified for the credential, including whether the  
18 applicant does not have an arrest or conviction record. In conducting an  
19 investigation under this ~~subsection~~ paragraph, the department may require an  
20 applicant to provide any information that is necessary for the investigation or, for the  
21 purpose of obtaining information related to an arrest or conviction record of an  
22 applicant, to complete forms provided by the department of justice or the federal  
23 bureau of investigation. The department may also use federal bureau of  
24 investigation records for screening applicants.



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

LRB-0509/2dn  
MDK:kmg:pg

November 6, 2002

This /2 draft contains technical changes.

Mark D. Kunkel  
Legislative Attorney  
Phone: (608) 266-0131  
E-mail: [mark.kunkel@legis.state.wi.us](mailto:mark.kunkel@legis.state.wi.us)



**Kunkel, Mark**

---

**From:** Dusso, William  
**Sent:** Sunday, February 16, 2003 4:16 PM  
**To:** Kunkel, Mark  
**Cc:** Klein, Christopher; Schlaefel, Mary - DRL; 'mferrell@leo.gov'  
**Subject:** Request for legislative changes relating to Federal Bureau of

Hi Mark:

The enclosed materials are the last sent in connection with our request to DOA to have a budget bill provision to take care of the request that the FBI has made to revise the DRL statute on background investigations. You also have this request as an item for separate legislation. Recall that FBI staff have stated that the FBI will discontinue processing DRL requests if the statute is not revised by May 2003.

Because of timing and other uncertainties in the budget process, DRL must pursue a change in the statute that would be effective before the budget bill is passed. The recent letter from Mr. Adams is specific in the criteria that must be included in the bill for approval by the Access Integrity Unit of the FBI. Could you make changes in the bill draft that you prepared as LRB-0509/2 in order to meet the criteria described in the enclosed letter from Mr. Patrick Adams. We would like to have the bill draft available for circulation to potential legislative sponsors as soon as possible.

Thank you. Please let me know of any questions.

WLD

Amend Wis. Stat. § 440.03 (13) (a) to read:

The department may conduct an investigation to determine whether an applicant for a credential issued under chs. 440 to 480 satisfies any of the eligibility requirements specified for the credential, including whether the applicant does not have an arrest or conviction record. In conducting an investigation under this subsection, the department may require an applicant to provide any information that is necessary for the investigation or, for the purpose of obtaining information related to an arrest or conviction record of an applicant, to complete forms provided by the department of justice. The department shall require the persons who are subject to the background investigations under s. 440.26 to be photographed and fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's fingerprints. The department of justice may submit the fingerprint cards to the federal bureau of investigation for the purpose of verifying the identity of the persons fingerprinted and obtaining records of their criminal arrests and convictions. The department shall charge the applicant any fees, costs or other expenses incurred in conducting the investigation under this subsection.

(b) Upon receipt of credible evidence that a person who is applying for or who has been issued a credential issued by the department pursuant to chs. 440 to 480 has been charged with or convicted of a crime, the department may investigate the charge or conviction. If an investigation occurs, the department shall require the persons who are subject to the investigation to be photographed and fingerprinted on 2 fingerprint cards each bearing a complete set of the person's fingerprints for the purpose of obtaining information related to an arrest or conviction record. The department of justice may submit the fingerprint cards to the federal bureau of investigation for the purpose of obtaining records of their criminal arrests and convictions. The occupations to which this paragraph applies are:

1. Accountant, certified public; ✓
2. Acupuncturist; ✓
3. Advanced practice nurse prescriber; ✓
4. Aesthetician; ✓
5. Aesthetics instructor; ✓
6. Appraiser real estate, certified residential; ✓
7. Appraiser, real estate, licensed; ✓
8. Architect; ✓
9. Athletic trainer; ✓
10. Auctioneer; ✓
11. Audiologist; ✓
12. Barber or cosmetologist; ✓
13. Barbering or cosmetology instructor; ✓
14. Barbering or cosmetology manager; ✓
15. Boxer; ✓
16. Cemetery preneed seller; ✓
17. Cemetery salesperson; ✓
18. Chiropractor; ✓
19. Dental hygienist; ✓

20. Dentist; ✓
21. Designer of engineering systems; ✓
22. Dietitian; ✓
23. Drug distributor; ✓
24. Electrologist; ✓
25. Electrology instructor; ✓
26. Professional engineer; ✓
27. Fund-raising counsel; ✓
28. Funeral director; ✓
29. Hearing instrument specialist; ✓
30. Home inspector; ✓
31. Investigator; ✓ ?
32. Landscape architect; ✓
33. Land surveyor; ✓
34. Manicuring instructor; ✓
35. Manicurist; ✓
36. Marriage and family therapist; ✓
37. Licensed practical nurse; ✓
38. Registered nurse; ✓
39. Nurse-midwife; ✓
40. Nursing home administrator; ✓
41. Occupational therapist; ✓
42. Occupational therapy assistant; ✓
43. Optometrist, pharmacist; ✓
44. Physical therapist; ✓
45. Physician; ✓
46. Physician assistant; ✓
47. Podiatrist; ✓
- ~~48. Private detective;~~
49. Private practice school psychologist; ✓
50. Private security person;
51. Professional counselor; ✓
52. Professional fund-raiser; ✓
53. Professional geologist; ✓
54. Professional hydrologist; ✓
55. Professional soil scientist; ✓
56. Psychologist; ✓
57. Real estate broker; ✓
58. Real estate salesperson; ✓
59. Interior designer; ✓
60. Massage therapist and bodyworker; ✓
61. Music, art or dance therapist; ✓
62. Respiratory care practitioner; ✓
63. Social worker; ✓
64. Advanced practice social worker; ✓
65. Independent social worker; ✓

66. Independent clinical social worker; ✓

67. Speech-language pathologist; ✓

68. Time-share salesperson; ✓

69. Veterinarian; ✓

70. Veterinary technician, and hereafter, any new occupations or professions which reference this paragraph for backgrounding. ✓

**Melody Ferrell**

---

**From:** "Collins, Phillip E." <collinspe@DOJ.STATE.WI.US>  
**To:** <mferrell@leo.gov>  
**Cc:** "Garb, Joel" <Joel.Garb@drf.state.wi.us>  
**Sent:** Tuesday, December 10, 2002 1:35 PM  
**Attach:** 440\_03\_13.doc  
**Subject:** Fingerprinting Statute

Melody,

Please take a look at the attachment and let me know what you think. If you need to take a closer look at the statutes involved they are available online at <http://folio.legis.state.wi.us/>.

There are two distinct parts of the statute, the first authorizes the submission of fingerprints to the FBI for private detectives, investigators and security personnel. The second part authorizes submission of fingerprints to obtain a criminal record for any person credentialed by the Wisconsin Department of Regulation and Licensing who is under investigation for the commission of a crime.

<<440\_03\_13.doc>>

Phil Collins  
[collinspe@doj.state.wi.us](mailto:collinspe@doj.state.wi.us)  
(608) 267-2235

"Ack MCF: 11b. 1/2/03"

1/2/2003

ss. 440.03 (13) The department may conduct an investigation to determine whether an applicant for a credential issued under chs. 440 to 480 satisfies any of the eligibility requirements specified for the credential, including whether the applicant does not have an arrest or conviction record. In conducting an investigation under this subsection, the department may require an applicant to provide any information that is necessary for the investigation or, for the purpose of obtaining information related to an arrest or conviction record of an applicant, to complete forms provided by the department of justice. The department shall require the persons who are subject to the background investigations under s. 440.26 to be photographed and fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's fingerprints. The department of justice may submit the fingerprint cards to the federal bureau of investigation for the purpose of verifying the identity of the persons fingerprinted and obtaining records of their criminal arrests and convictions. The department shall charge the applicant any fees, costs or other expenses incurred in conducting the investigation under this subsection.

- (a) Upon receipt of credible evidence that a person who is applying for or who has been issued a credential issued by the department pursuant to chs. 440 to 480 has been charged with or convicted of a crime, the department may investigate the charge or conviction. If an investigation occurs, the department shall require the persons who are subject to the investigation to be photographed and fingerprinted on 2 fingerprint cards each bearing a complete set of the person's fingerprints for the purpose of obtaining information related to an arrest or conviction record. The department of justice may submit the fingerprint cards to the federal bureau of investigation for the purpose of obtaining records of their criminal arrests and convictions.

The credentials issued by the department pursuant to chs. 440 to 480 are: private detectives, investigators, security personnel, certified public accountant, acupuncturist, advanced practice nurse prescriber, aesthetician, aesthetics instructor, real estate appraiser, licensed, real estate appraiser, general, real estate appraiser, residential, or licensed, architect, athletic trainer, auctioneer, audiologist, barber or cosmetologist, barbering or cosmetology instructor, barbering or cosmetology manager, boxer, cemetery preneed seller, cemetery salesperson, chiropractor, dental hygienist, dentist, designer of engineering systems, dietitian, drug distributor, electrologist, electrology instructor, professional engineer, fund-raising counsel, funeral director, hearing instrument specialist, home inspector, landscape architect, land surveyor, manicuring instructor, manicurist, marriage and family therapist, licensed practical nurse, registered nurse, nurse-midwife, nursing home administrator, occupational therapist, occupational therapy assistant, optometrist, pharmacist, physical therapist, physician, physician assistant, podiatrist, private detective, private practice school psychologist, private security person, professional counselor, professional fund-raiser, professional geologist, professional hydrologist, professional soil scientist, psychologist, real estate broker, real estate salesperson, interior designer, massage therapist and bodyworker, music, art or dance therapist, respiratory care practitioner, social worker, advanced practice social worker, independent social worker, independent clinical social worker, speech-language pathologist, time-share salesperson, veterinarian, and veterinary technician.



U.S. Department of Justice

Federal Bureau of Investigation

Clarksburg, WV 26306

January 21, 2003

Mr. Phillip E. Collins
Operations Manager
Criminal Information Bureau
Wisconsin Department of Justice
Post Office Box 2718
Madison, WI 53701-2718

Dear Mr. Collins:

Reference is made to your E-mail dated December 10, 2002, requesting a review of amended draft language to Wisconsin Statutes Annotated (WISA) pertaining to private detectives, investigators, and security personnel; a previously submitted E-mail dated November 27, 2002, and to draft legislation submitted by Mr. Joel Garb, of the Wisconsin Department of Regulation and Licensing, dated October 2, 2002; and to several telephone conversations with Ms. Melody Ferrell, of the Access Integrity Unit (AIU).

The AIU has reviewed the draft language which would amend WISA § 440.03(13). The provisions of this bill deals with three separate categories of persons:

- 1. Applicants for credentials who are not amenable to a national CHRI check.
2. Persons subject to backgrounding pursuant to Section 440.26 (private detectives) who are amendable to a national CHRI check.
3. Persons applying for or who have been issued a credential for whom "credible evidence" has been received, who are amendable to a national CHRI check.

sp. Dir.
Chief of Staff

Vertical routing slip with columns: National Sec, OEECA, OPCA, OPR, Training, Int. Affs, Inspect, Inv. Serv, Laboratory

Mr. Phillip E. Collins

The problem with the third category is (1) lack of explicit identification of those covered by the provisions of Chapters 440-480 (including subsequent amendments to those Chapters); (2) the definition of "credible evidence"; and (3) the lack of ability to add new categories of persons easily.

The language which should be added to the end of WiSA § 440.03(13)(a) is:

"The occupations to whom this paragraph applies are:

1. Accountant, certified public;
2. Accountant, public;
3. Etc.;
70. Veterinarian;
71. Veterinary technician; and

Hereafter, any new occupations or professions which reference this paragraph for backgrounding such positions."

Hence, when a new occupation or profession is to be treated as falling under WiSA § 440.03(13)(a), it would include the following language:

[Name of position] is amenable to criminal backgrounding pursuant to the provisions of § 440.03(13)(a).

In summary, WiSA § 440.03(13) would authorize fingerprint submissions for private detectives, watchmen, and security personnel, (previously approved as WiSA § 440.26); however, it would not authorize background checks on other credentialed individuals regulated under Chapters 440 to 480. Fingerprint background checks may only be conducted on those individuals applying for or issued a credential pursuant to Chapters 440 to 480 and are under investigation, providing those individuals are explicitly listed in 440.03(13)(a). Finally, any additional occupations or professions which are added to the list of credentialed individuals may only be backgrounded if the specific statute for that position references WiSA 440.03(13)(a) or if WiSA 440.03(13)(a) is amended to include the specific category.



Mr. Phillip E. Collins

The AIU appreciates the initiative you have taken in submitting draft legislation prior to its enactment. Should you need further clarification or assistance in drafting suitable language, please do not hesitate to contact Ms. Ferrell at (304) 625-2865.

Sincerely yours,



Patrick J. Adams  
Chief  
Programs Support Section  
Criminal Justice Information  
Services Division

1 - Mr. Gerry Coleman  
Director  
Crime Information Bureau  
Wisconsin Department of Justice  
Post Office Box 2718  
Madison, WI 53701-2718

NOTE: The enclosed material with referenced correspondence has been detached and is being retained in the AIU, Programs Support Section, Criminal Justice Information Services Division, Module E3.



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-0509/2  
MDK:kmg:pg (3)

By tomorrow  
2-25  
2 PM

D-NOTE

RM has  
been  
run

2003 BILL

1 AN ACT *Gen. Cat.* to renumber and amend 440.03 (13); to amend 20.165 (1) (g) and  
2 20.165 (1) (gm); and to create 440.03 (13) (b) of the statutes; relating to:  
3 criminal background investigations by the Department of Regulation and  
4 Licensing of applicants for certain professional credentials.

*Analysis by the Legislative Reference Bureau*

Under current law, the Department of Regulation and Licensing (DRL) investigates applicants for certain professional credentials issued by DRL and boards in DRL to determine whether the applicants satisfy the eligibility requirements for the credentials. For some credentials, an applicant is ineligible for the credential if he or she has an arrest or conviction record the circumstances of which substantially relate to the professional activity for which the credential is issued. Current law allows DRL to require an applicant to provide any information that is necessary for investigating an applicant's eligibility.

This bill specifies that DRL is allowed to use the records of the Federal Bureau of Investigation (FBI) for screening applicants in investigations described above. Also, the bill specifies that, if DRL requires a criminal history background check of an applicant for an investigation, DRL is allowed to require the applicant to submit fingerprints. Under the bill, DRL must submit the fingerprints to the Department

INSERT 1A

**BILL**

INSERT  
2-1 ✓

of Justice for checking state records before DRL can submit the fingerprints to the FBI for checking national records.

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

**SECTION 1.** 20.165 (1) (g) of the statutes is amended to read:

20.165 (1) (g) *General program operations.* The amounts in the schedule for the licensing, rule making, and regulatory functions of the department, except for preparing, administering, and grading examinations. Ninety percent of all moneys received under chs. 440 to 480, except ss. 440.03 (13) (c) and 440.05 (1) (b), less \$10 of each renewal fee received under s. 452.12 (5), and all moneys transferred from the appropriation under par. (i) and all moneys received under s. 440.055 (2), shall be credited to this appropriation.

**SECTION 2.** 20.165 (1) (gm) of the statutes is amended to read:

20.165 (1) (gm) *Applicant investigation reimbursement.* Ninety percent of all moneys received from applicants for credentials under s. 440.03 (13) (c), for the purpose of conducting investigations under s. 440.03 (13) (a).

**SECTION 3.** 440.03 (13) of the statutes is renumbered 440.03 (13) (a) and amended to read:

440.03 (13) (a) The department may conduct an investigation to determine whether an applicant for a credential issued under chs. 440 to 480 satisfies any of the eligibility requirements specified for the credential, including whether the applicant does not have an arrest or conviction record. In conducting an investigation under this subsection paragraph, the department may require an applicant to provide any information that is necessary for the investigation or, for the purpose of obtaining information related to an arrest or conviction record of an

**BILL**

1 applicant, to complete forms provided by the department of justice or the federal  
2 bureau of investigation. ~~The department may also use federal bureau of~~  
3 ~~investigation records for screening applicants.~~

4 (c) The department shall charge the applicant any fees, costs, or other expenses  
5 incurred in conducting the investigation under ~~this subsection~~ *par. (a)*.

6 **SECTION 4.** 440.03 (13) (b) of the statutes is created to read:

7 440.03 (13) (b) If the department requires a criminal history background check  
8 for an investigation under par. (a), the department may require an applicant to  
9 submit fingerprints to the department. The department shall submit the  
10 fingerprints to the department of justice for checking state records before submitting  
11 the fingerprints to the federal bureau of investigation for checking national records.

12

(END)

2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0509/3ins  
MDK:.....

1

INSERT 1A:

This bill specifies that, if DRL receives credible evidence that an applicant for a credential has been charged with or convicted of a crime, DRL is allowed to investigate the charge or conviction. If DRL conducts such an investigation, DRL must photograph and fingerprint the applicant. Under the bill, DRL must photograph and fingerprint an applicant for the following types of credentials, even if DRL has not received credible evidence regarding convictions or crimes: private detectives ~~and private security personnel~~ <sup>persons</sup> ~~and~~ <sup>AA1)</sup> The bill allows the state Department of Justice ~~(DRL)~~ to submit fingerprints obtained by DRL under the bill to the Federal Bureau of Investigation ~~(DRL)~~ for the purpose of verifying the identity of the applicant and obtaining his or her records of criminal arrests and convictions.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

2

INSERT 2-1: ✓

3

SECTION 1. 440.03 (13) of the statutes is renumbered 440.03 (13) (a) and

4

amended to read:

5

440.03 (13) (a) The department may conduct an investigation to determine

6

whether an applicant for a credential issued under chs. 440 to 480 satisfies any of

7

the eligibility requirements specified for the credential, including whether the

8

applicant does not have an arrest or conviction record. In conducting an

9

investigation under this ~~subsection~~ paragraph, the department may require an

10

applicant to provide any information that is necessary for the investigation or, for the

11

purpose of obtaining information related to an arrest or conviction record of an

12

applicant, to complete forms provided by the department of justice ~~or the federal~~

13

~~bureau of investigation.~~

14

(d) The department shall charge the an applicant any fees, costs, or other expenses incurred in conducting the any investigation under this subsection or s.

15

16

440.26.

1           **SECTION 2.** 440.03 (13) (b) of the statutes is created to read:

2           440.03 (13) (b) Upon the receipt of credible evidence that an applicant for any  
3 of the following credentials has been charged with or convicted of a crime, the  
4 department may investigate the charge or conviction:

- 5           1. Accountant, certified public.
- 6           2. Acupuncturist,<sup>↑</sup>
- 7           3. Advanced practice nurse prescriber.
- 8           4. Aesthetician.
- 9           5. Aesthetics instructor.
- 10          6. Appraiser, real estate, certified general.
- 11          7. Appraiser, real estate, certified residential.
- 12          8. Appraiser, real estate, licensed.
- 13          9. Architect.
- 14          10. Athletic trainer.
- 15          11. Auctioneer.
- 16          12. Audiologist.
- 17          13. Barber or cosmetologist.
- 18          14. Barbering or cosmetology instructor.
- 19          15. Barbering or cosmetology manager.
- 20          16. Boxer.
- 21          17. Cemetery preneed seller.
- 22          18. Cemetery salesperson.
- 23          19. Chiropractor.
- 24          20. Dental hygienist.
- 25          21. Dentist.

- 1 22. Designer of engineering systems.
- 2 23. Dietitian.
- 3 24. Drug distributor.
- 4 25. Drug manufacturer.
- 5 26. Electrologist.
- 6 27. Electrology instructor.
- 7 28. Engineer, professional.
- 8 29. Fund-raising counsel.
- 9 30. Funeral director.
- 10 31. Hearing instrument specialist.
- 11 32. Home inspector.
- 12 33. Landscape architect.
- 13 34. Land surveyor.
- 14 35. Manicuring instructor.
- 15 36. Manicurist.
- 16 37. Marriage and family therapist.
- 17 38. Massage therapist or bodyworker.
- 18 39. Music, art, or dance therapist.
- 19 40. Nurse, licensed practical.
- 20 41. Nurse, registered.
- 21 42. Nurse-midwife.
- 22 43. Nursing home administrator.
- 23 44. Occupational therapist.
- 24 45. Occupational therapy assistant.
- 25 46. Optometrist.

3

- 1 47. Perfusionist.
- 2 48. Pharmacist.
- 3 49. Physical therapist.
- 4 50. Physical therapist assistant.
- 5 51. Physician.
- 6 52. Physician assistant.
- 7 53. Podiatrist.
- 8 54. Private practice school psychologist.
- 9 55. Professional counselor.
- 10 56. Professional fund-raiser.
- 11 57. Professional geologist.
- 12 58. Professional hydrologist.
- 13 59. Professional soil scientist.
- 14 60. Psychologist.
- 15 61. Real estate broker.
- 16 62. Real estate salesperson.
- 17 63. Registered interior designer.
- 18 64. Respiratory care practitioner.
- 19 65. Social worker.
- 20 66. Social worker, advanced practice.
- 21 67. Social worker, independent.
- 22 68. Social worker, independent clinical.
- 23 69. Speech-language pathologist.
- 24 70. Time-share salesperson.
- 25 71. Veterinarian.



1           72. Veterinary technician.

2           73. Any other profession or occupation specified by law.

3           **SECTION 3.** 440.03 (13) (c) of the statutes is created to read:

4           440.03 (13) (c) The department shall require an applicant for a credential  
5           under s. 440.26<sup>✓</sup> who is subject to a background investigation and a person for whom  
6           the department conducts an investigation under par. (b)<sup>✓</sup> to be photographed and  
7           fingerprinted on ~~two~~ fingerprint cards, each bearing a complete set of the person's  
8           fingerprints. The department of justice may submit the fingerprint cards to the  
9           federal bureau of investigation for the purpose of verifying the identity of the persons  
10          fingerprinted and obtaining records of their criminal arrests and convictions.

2

DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

03-0509/3dn

MDK: /:....  
*mdg*

Bill Dusso:

Please note the following about this bill:

1. The draft includes certified general real estate appraisers, which aren't listed in the instructions. Is that okay?
2. The instructions include investigator, private detective, and private security person, which are not included in the bill. Aren't those professions addressed in proposed s. 440.03 (13) (c)?
3. The bill includes perfusionists and physical therapy <sup>ist</sup> assistants, which aren't included in the instructions.

Finally, note that I drafted the bill in response to the FBI's preference for identifying all of the credentials for which the state is allowed to submit fingerprints.

Mark D. Kunkel  
Senior Legislative Attorney  
Phone: (608) 266-0131  
E-mail: mark.kunkel@legis.state.wi.us

(Note that only private detectives and private security persons aren't specifically mentioned. Instead, they are ~~referenced~~ covered under proposed s. 440.03(13)(c) with reference to s. 440.26.)

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

LRB-0509/3dn  
MDK:kmg:cph

February 24, 2003

Bill Dusso:

Please note the following about this bill:

1. The draft includes certified general real estate appraisers, which aren't listed in the instructions. Is that okay?
2. The instructions include investigator, private detective, and private security person, which are not included in the bill. Aren't those professions addressed in proposed s. 440.03 (13) (c)?
3. The bill includes perfusionists and physical therapist assistants, which aren't included in the instructions.

Finally, note that I drafted the bill in response to the FBI's preference for identifying all of the credentials for which the state is allowed to submit fingerprints. (Note that only private detectives and private security persons aren't specifically mentioned. Instead, they are covered under proposed s. 140.03 (13) (c) with reference to s. 440.26.)

Mark D. Kunkel  
Senior Legislative Attorney  
Phone: (608) 266-0131  
E-mail: mark.kunkel@legis.state.wi.us

*Under current law,*

*(an applicant for those credentials is ineligible if he or she has been convicted of an unpardoned felony, even if the circumstances do not substantially relate to private detective or security activities.)*

**2003 BILL**

*Today by 3PM*

*Also, for some credentials, DRL or a board in DRL may take disciplinary action against a credential holder who has such an arrest or conviction.*

*2 PM or less per*

*Ed M. Cook*

1 **AN ACT to renumber and amend 440.03 (13); and to create 440.03 (13) (b) and**  
2 **440.03 (13) (c) of the statutes; relating to: criminal background investigations**  
3 **by the Department of Regulation and Licensing of applicants for certain**  
4 **professional credentials.**

*or credential holder*

*for a credential*

**Analysis by the Legislative Reference Bureau**

Under current law, the Department of Regulation and Licensing (DRL) investigates applicants for certain professional credentials issued by DRL and boards in DRL to determine whether the applicants satisfy the eligibility requirements for the credentials. For some credentials, an applicant is ineligible for the credential if he or she has an arrest or conviction record the circumstances of which substantially relate to the professional activity for which the credential is issued. Current law allows DRL to require an applicant to provide any information that is necessary for investigating an applicant's eligibility.

This bill specifies that, if DRL receives credible evidence that an applicant for a credential has been charged with or convicted of a crime, DRL is allowed to investigate the charge or conviction. If DRL conducts such an investigation, DRL must photograph and fingerprint the applicant. Under the bill, DRL must photograph and fingerprint an applicant for the following types of credentials, even if DRL has not received credible evidence regarding convictions or crimes: 1) private detectives; and 2) private security persons. The bill allows the state Department of Justice to submit fingerprints obtained by DRL under the bill to the Federal Bureau

*9*

*or holder of 5*

**BILL**

of Investigation for the purpose of verifying the identity of the applicant and obtaining his or her records of criminal arrests and convictions.

or credential holder

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

**SECTION 1.** 440.03 (13) of the statutes is renumbered 440.03 (13) (a) and amended to read:

440.03 (13) (a) The department may conduct an investigation to determine whether an applicant for a credential issued under chs. 440 to 480 satisfies any of the eligibility requirements specified for the credential, including whether the applicant does not have an arrest or conviction record. In conducting an investigation under this subsection paragraph, the department may require an applicant to provide any information that is necessary for the investigation or, for the purpose of obtaining information related to an arrest or conviction record of an applicant, to complete forms provided by the department of justice ~~or the federal bureau of investigation.~~

(d) The department shall charge the an applicant any fees, costs, or other expenses incurred in conducting the any investigation under this subsection or s. 440.26.

**SECTION 2.** 440.03 (13) (b) of the statutes is created to read:

440.03 (13) (b) Upon the receipt of credible evidence that an applicant for any of the following credentials has been charged with or convicted of a crime, the department may investigate the charge or conviction:

1. Accountant, certified public.
2. Acupuncturist.

or holder of

**BILL**

- 1           3. Advanced practice nurse prescriber.
- 2           4. Aesthetician.
- 3           5. Aesthetics instructor.
- 4           6. Appraiser, real estate, certified general.
- 5           7. Appraiser, real estate, certified residential.
- 6           8. Appraiser, real estate, licensed.
- 7           9. Architect.
- 8           10. Athletic trainer.
- 9           11. Auctioneer.
- 10          12. Audiologist.
- 11          13. Barber or cosmetologist.
- 12          14. Barbering or cosmetology instructor.
- 13          15. Barbering or cosmetology manager.
- 14          16. Boxer.
- 15          17. Cemetery preneed seller.
- 16          18. Cemetery salesperson.
- 17          19. Chiropractor.
- 18          20. Dental hygienist.
- 19          21. Dentist.
- 20          22. Designer of engineering systems.
- 21          23. Dietitian.
- 22          24. Drug distributor.
- 23          25. Drug manufacturer.
- 24          26. Electrologist.
- 25          27. Electrology instructor.

**BILL**

- 1           28. Engineer, professional.
- 2           29. Fund-raising counsel.
- 3           30. Funeral director.
- 4           31. Hearing instrument specialist.
- 5           32. Home inspector.
- 6           33. Landscape architect.
- 7           34. Land surveyor.
- 8           35. Manicuring instructor.
- 9           36. Manicurist.
- 10          37. Marriage and family therapist.
- 11          38. Massage therapist or bodyworker.
- 12          39. Music, art, or dance therapist.
- 13          40. Nurse, licensed practical.
- 14          41. Nurse, registered.
- 15          42. Nurse-midwife.
- 16          43. Nursing home administrator.
- 17          44. Occupational therapist.
- 18          45. Occupational therapy assistant.
- 19          46. Optometrist.
- 20          47. Perfusionist.
- 21          48. Pharmacist.
- 22          49. Physical therapist.
- 23          50. Physical therapist assistant.
- 24          51. Physician.
- 25          52. Physician assistant.

**BILL**

- 1 53. Podiatrist.
- 2 ~~55~~54. Private practice school psychologist.
- 3 ~~57~~55. Professional counselor.
- 4 ~~58~~56. Professional fund-raiser.
- 5 ~~59~~57. Professional geologist.
- 6 ~~60~~58. Professional hydrologist.
- 7 ~~61~~59. Professional soil scientist.
- 8 ~~62~~60. Psychologist.
- 9 ~~63~~61. Real estate broker.
- 10 ~~64~~62. Real estate salesperson.
- 11 ~~65~~63. Registered interior designer.
- 12 ~~66~~64. Respiratory care practitioner.
- 13 ~~67~~65. Social worker.
- 14 ~~68~~66. Social worker, advanced practice.
- 15 ~~69~~67. Social worker, independent.
- 16 ~~70~~68. Social worker, independent clinical.
- 17 ~~71~~69. Speech-language pathologist.
- 18 ~~72~~70. Time-share salesperson.
- 19 ~~73~~71. Veterinarian.
- 20 ~~74~~72. Veterinary technician.
- 21 ~~75~~73. Any other profession or occupation specified by law.

54. Private detective.

56. Private security person.

private detective license or a private security permit

**SECTION 3.** 440.03 (13) (c) of the statutes is created to read:

440.03 (13) (c) The department shall require an applicant for a ~~credential~~ *credential* under s. 440.26 ~~who is subject to a background investigation~~ and a person for whom the department conducts an investigation under par. (b) ~~to be~~ *to be* photographed and



**BILL**

1 fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's  
2 fingerprints. The department of justice may submit the fingerprint cards to the  
3 federal bureau of investigation for the purpose of verifying the identity of the persons  
4 fingerprinted and obtaining records of their criminal arrests and convictions.

5

**(END)**

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

LRB-0509/5dn  
MDK:.....

Bill Dusso:

This version makes 2 changes that were recommended by Russ Whitesel at the Legislative Council:

1. The analysis is corrected so that it does not state the DRL itself must fingerprint and photograph applicants and credential holders.
2. The version refers to other professions or occupation specified by law that are regulated by DRL or boards in DRL. (The previous version referred only to other professions and occupations specified by law.)

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D-NOTE

2003 BILL

Tomorrow  
3/18

RM  
was been  
PUN

1 AN ACT *to renumber and amend* 440.03 (13); and *to create* 440.03 (13) (b) and  
2 440.03 (13) (c) of the statutes; **relating to:** criminal background investigations  
3 by the Department of Regulation and Licensing of applicants for certain  
4 professional credentials.

require  
Gen. Cat.

**Analysis by the Legislative Reference Bureau**

Under current law, the Department of Regulation and Licensing (DRL) investigates applicants for certain professional credentials issued by DRL and boards in DRL to determine whether the applicants satisfy the eligibility requirements for the credentials. For some credentials, an applicant is ineligible for the credential if he or she has an arrest or conviction record the circumstances of which substantially relate to the professional activity for which the credential is issued. Also, for some credentials, DRL or a board in DRL may take disciplinary action against a credential holder who has such an arrest or conviction. Current law allows DRL to require an applicant for a credential to provide any information that is necessary for investigating an applicant's eligibility.

This bill specifies that, if DRL receives credible evidence that an applicant for, or holder of, a credential has been charged with or convicted of a crime, DRL is allowed to investigate the charge or conviction. If DRL conducts such an investigation, DRL must ~~photograph and fingerprint~~ the applicant or credential holder.

Under the bill, DRL must ~~photograph and fingerprint~~ an applicant or credential holder for the following types of credentials, even if DRL has not received

require  
to be photographed and fingerprinted

**BILL**

credible evidence regarding convictions or crimes: 1) private detectives; and 2) private security persons. (Under current law, an applicant for those credentials is ineligible if he or she has been convicted of an unpardoned felony, even if the circumstances do not substantially relate to private detective or security activities.)

The bill allows the state Department of Justice to submit fingerprints obtained by DRL under the bill to the Federal Bureau of Investigation for the purpose of verifying the identity of the applicant or credential holder and obtaining his or her records of criminal arrests and convictions.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1           SECTION 1. 440.03 (13) of the statutes is renumbered 440.03 (13) (a) and  
2 amended to read:

3           440.03 (13) (a) The department may conduct an investigation to determine  
4 whether an applicant for a credential issued under chs. 440 to 480 satisfies any of  
5 the eligibility requirements specified for the credential, including whether the  
6 applicant does not have an arrest or conviction record. In conducting an  
7 investigation under this subsection paragraph, the department may require an  
8 applicant to provide any information that is necessary for the investigation or, for the  
9 purpose of obtaining information related to an arrest or conviction record of an  
10 applicant, to complete forms provided by the department of justice ~~or the federal~~  
11 ~~bureau of investigation~~.

12           (d) The department shall charge ~~the~~ an applicant any fees, costs, or other  
13 expenses incurred in conducting ~~the~~ any investigation under this subsection or s.  
14 440.26.

15           SECTION 2. 440.03 (13) (b) of the statutes is created to read:

**BILL**

1           440.03 (13) (b) Upon the receipt of credible evidence that an applicant for or  
2 holder of any of the following credentials has been charged with or convicted of a  
3 crime, the department may investigate the charge or conviction:

- 4           1. Accountant, certified public.
- 5           2. Acupuncturist.
- 6           3. Advanced practice nurse prescriber.
- 7           4. Aesthetician.
- 8           5. Aesthetics instructor.
- 9           6. Appraiser, real estate, certified general.
- 10          7. Appraiser, real estate, certified residential.
- 11          8. Appraiser, real estate, licensed.
- 12          9. Architect.
- 13          10. Athletic trainer.
- 14          11. Auctioneer.
- 15          12. Audiologist.
- 16          13. Barber or cosmetologist.
- 17          14. Barbering or cosmetology instructor.
- 18          15. Barbering or cosmetology manager.
- 19          16. Boxer.
- 20          17. Cemetery preneed seller.
- 21          18. Cemetery salesperson.
- 22          19. Chiropractor.
- 23          20. Dental hygienist.
- 24          21. Dentist.
- 25          22. Designer of engineering systems.

**BILL**

- 1           23. Dietitian.
- 2           24. Drug distributor.
- 3           25. Drug manufacturer.
- 4           26. Electrologist.
- 5           27. Electrology instructor.
- 6           28. Engineer, professional.
- 7           29. Fund-raising counsel.
- 8           30. Funeral director.
- 9           31. Hearing instrument specialist.
- 10          32. Home inspector.
- 11          33. Landscape architect.
- 12          34. Land surveyor.
- 13          35. Manicuring instructor.
- 14          36. Manicurist.
- 15          37. Marriage and family therapist.
- 16          38. Massage therapist or bodyworker.
- 17          39. Music, art, or dance therapist.
- 18          40. Nurse, licensed practical.
- 19          41. Nurse, registered.
- 20          42. Nurse-midwife.
- 21          43. Nursing home administrator.
- 22          44. Occupational therapist.
- 23          45. Occupational therapy assistant.
- 24          46. Optometrist.
- 25          47. Perfusionist.

**BILL**

- 1           48. Pharmacist.
- 2           49. Physical therapist.
- 3           50. Physical therapist assistant.
- 4           51. Physician.
- 5           52. Physician assistant.
- 6           53. Podiatrist.
- 7           54. Private detective.
- 8           55. Private practice school psychologist.
- 9           56. Private security person.
- 10          57. Professional counselor.
- 11          58. Professional fund-raiser.
- 12          59. Professional geologist.
- 13          60. Professional hydrologist.
- 14          61. Professional soil scientist.
- 15          62. Psychologist.
- 16          63. Real estate broker.
- 17          64. Real estate salesperson.
- 18          65. Registered interior designer.
- 19          66. Respiratory care practitioner.
- 20          67. Social worker.
- 21          68. Social worker, advanced practice.
- 22          69. Social worker, independent.
- 23          70. Social worker, independent clinical.
- 24          71. Speech-language pathologist.
- 25          72. Time-share salesperson.

**BILL**

1 73. Veterinarian.

2 74. Veterinary technician.

3 75. Any other profession or occupation specified by law.

4 **SECTION 3.** 440.03 (13) (c) of the statutes is created to read:

5 440.03 (13) (c) The department shall require an applicant for a private  
6 detective license or a private security permit under s. 440.26, and a person for whom  
7 the department conducts an investigation under par. (b), to be photographed and  
8 fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's  
9 fingerprints. The department of justice may submit the fingerprint cards to the  
10 federal bureau of investigation for the purpose of verifying the identity of the persons  
11 fingerprinted and obtaining records of their criminal arrests and convictions.

12

(END)

*that is regulated by the department  
or a credentialing board*



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

LRB-0509/5dn  
MDK:kmg:rs

March 17, 2003

Bill Dusso:

This version makes 2 changes that were recommended by Russ Whitesel at the Legislative Council:

1. The analysis is corrected so that it does not state the DRL itself must fingerprint and photograph applicants and credential holders.
2. The version refers to other professions or occupation specified by law that are regulated by DRL or boards in DRL. (The previous version referred only to other professions and occupations specified by law.)

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## **Barman, Mike**

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**From:** Kunkel, Mark  
**Sent:** Monday, March 24, 2003 2:01 PM  
**To:** Barman, Mike  
**Subject:** LRB-509/5

Mike: please jacket the above for Sen. Cowles.

(I understand the Reg. and Licensing requested the bill, but they have given permission to let Sen. Cowles have the draft.)

---

Mark D. Kunkel  
Senior Legislative Attorney  
Legislative Reference Bureau  
(608) 266-0131

## Barman, Mike

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**From:** Barman, Mike  
**Sent:** Monday, March 24, 2003 2:28 PM  
**To:** Sen.Cowles  
**Subject:** LRB-0509/5 (attached) (bill jacket to follow)



03-0509/5



03-0509/5dn

*Mike Barman*

**Mike Barman - Senior Program Asst. (PH. 608-266-3561)**  
**(E-Mail: [mike.barman@legis.state.wi.us](mailto:mike.barman@legis.state.wi.us)) (FAX: 608-264-6948)**

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