

## 2009 DRAFTING REQUEST

### Assembly Amendment (AA-AB462)

Received: 10/20/2009

Received By: **pkahler**

Wanted: **Today**

Identical to LRB:

For: **Robin Vos (608) 266-9171**

By/Representing: **Jennifer Toftness**

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

Drafter: **pkahler**

May Contact:

Addl. Drafters:

Subject: **Public Assistance - Wis works**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Vos@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

#### Pre Topic:

No specific pre topic given

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#### Topic:

Ineligibility for violation

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#### 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 10/20/2009	bkraft 10/20/2009		_____			
/1			mduchek 10/20/2009	_____	mbarman 10/20/2009	mbarman 10/20/2009	
/2	pkahler 10/20/2009	bkraft 10/20/2009	mduchek 10/20/2009	_____	cduerst 10/21/2009	cduerst 10/21/2009	
/3	pkahler	bkraft	mduchek	_____	mbarman	mbarman	

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	10/27/2009	10/27/2009	10/27/2009 _____		10/27/2009	10/27/2009	

FE Sent For:

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13 bjk 10/27

MD 10/27

PK 10/27

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MD  
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JF  
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/?	pkahler	1/bjk <sup>10/20</sup>		_____			
				_____			

FE Sent For:

<END>

**Kahler, Pam**

---

**From:** Toftness, Jennifer  
**Sent:** Tuesday, October 20, 2009 2:54 PM  
**To:** Kahler, Pam  
**Subject:** Amendment Request

Pam,

Please Draft LRB 3616 as an amendment. It meets the intent that the bill does not withstand the 10 years under W2 rule, and therefore makes anyone who is guilty of Wisconsin Shares Fraud ineligible to ever receive the benefit.

Thank you,

Jenny

Jenny Toftness  
Office of State Representative Robin Vos  
63rd Assembly District  
(888) 534 0063

10/20/2009



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBa0924/6

PJK:.....

bjk

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

ASSEMBLY AMENDMENT,  
TO 2009 ASSEMBLY BILL 462

bh SA  
+ccc x-ref

Insert

MOW

D-vote

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 2: after "provided" insert "; ineligibility for a child care subsidy  
3 under Wisconsin Shares for a violation under the program;"

4 2. Page 23, line 3: after that line insert:

5 Insert 1-4

6 3. Page 24, line 1: delete "This act" and substitute "Except for the treatment  
7 of section 49.155 (8) of the statutes, this act".

8 4. Page 24, line 7: after that line insert:

9 "(2) INELIGIBILITY FOR CONVICTION OF VIOLATION. The treatment of section 49.155  
10 (8) of the statutes first applies to convictions that occur on the effective date of this  
11 subsection."

11 5. Page 24, line 13: after that line insert:





*Insert 1-4*

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:*

1     "*37f* B" SECTION ~~49.155~~ (8) of the statutes is created to read:

2             49.155 (8) INELIGIBILITY FOR CONVICTION OF VIOLATION. Notwithstanding sub.  
3     (1m) and ss. 49.141 (7) (c) and 49.151 (2), an individual who is receiving or has  
4     received a child care subsidy under this section and who is convicted in a federal or  
5     state court of violating any provision of, or rule promulgated under, this section shall  
6     be permanently ineligible thereafter to receive a child care subsidy under this  
7     section. *↓* *⊙* *←*

**SECTION 2. Initial applicability.**

(1) This act first applies to ~~convictions~~ that occur on the effective date of this subsection.

(END) *f us 1-4)*

8  
9  
10  
11

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

~~October 15, 2009~~  
Date

From  
a 0865/ldn

a 0924/ldn  
LRB a 0865/ldn  
PJK [initials]

bjk

This amendment may be considered nongermane under Assembly Rule 54 (3) (f) if it is determined to substantially expand the scope of the bill.

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

**Kahler, Pam**

---

**From:** Toftness, Jennifer  
**Sent:** Tuesday, October 20, 2009 3:57 PM  
**To:** Kahler, Pam  
**Subject:** Drafting mistake

Hi Pam,

This is my fault. I made a mistake when instructing you to draft LRB 3616 into an amendment. Instead of making someone ineligible forever, please make them ineligible for 10 years.

Thank you,

Jenny

Jenny Toftness  
Office of State Representative Robin Vos  
63rd Assembly District  
(888) 534 0063

10/20/2009



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBa0924/2  
PJK:bjk:md

stays revision

ASSEMBLY AMENDMENT,  
TO 2009 ASSEMBLY BILL 462

now  
Please do  
note this  
line (see 11)

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 2: after "provided" insert "; ineligibility for a child care subsidy  
3 under Wisconsin Shares for a violation under the program;"

4 2. Page 23, line 3: after that line insert:

5 "SECTION 37f. 49.155 (8) of the statutes is created to read:

6 49.155 (8) INELIGIBILITY FOR CONVICTION OF VIOLATION. Notwithstanding sub.  
7 (1m) and ss. 49.141 (7) (c) and 49.151 (2), an individual who is receiving or has  
8 received a child care subsidy under this section and who is convicted in a federal or  
9 state court of violating any provision of, or rule promulgated under, this section shall  
10 be permanently ineligible thereafter to receive a child care subsidy under this  
11 section." *for 10 years, beginning on the date of the conviction*

12 3. Page 24, line 1: delete "This act" and substitute "Except for the treatment  
13 of section 49.155 (8) of the statutes, this act".



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

LRBa0924/2dn  
PJK:bjk:md

October 20, 2009

This amendment may be considered nongermane under Assembly Rule 54 (3) (f) if it is determined to substantially expand the scope of the bill.

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

**Kahler, Pam**

---

**From:** Toftness, Jennifer  
**Sent:** Tuesday, October 27, 2009 1:57 PM  
**To:** Kahler, Pam  
**Cc:** Mcginnis, Cindy; Sappenfield, Anne; Swissdorf, Kim  
**Subject:** Changes to LRBa0924

Pam,

Please modify this draft to specify that anyone found guilty of Wisconsin Shares fraud could no longer receive these benefits for a period not to exceed 5 years. Please also draft it to mirror the process under 49.151(2) rather than 49.155, so it would also include decisions made by administrative law judges.

Thanks again,

Jenny

Jenny Toftness  
Office of State Representative Robin Vos  
63rd Assembly District  
(888) 534 0063

10/27/2009





State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBa0924/  
PJK:bjk:md

*stays*  
*Whisman*

ASSEMBLY AMENDMENT,  
TO 2009 ASSEMBLY BILL 462

*bh*  
*SA*  
*xccc*  
*today, please*  
*(in 10-27)*

Inserts

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 2: after "provided" insert "; ineligibility for a child care subsidy  
3 under Wisconsin Shares for a violation under the program;".

4 **2.** Page 23, line 3: after that line insert:

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6 49.155 (8) INELIGIBILITY FOR CONVICTION OF VIOLATION. Notwithstanding sub.

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8 received a child care subsidy under this section and who is convicted in a federal or

9 state court of violating any provision of, or rule promulgated under, this section shall

10 be ineligible for 10 years, beginning on the date of the conviction, to receive a child

11 care subsidy under this section."

12 **3.** Page 24, line 1: delete "This act" and substitute "Except for the treatment

13 of section 49.155 (8) of the statutes, this act".

Insert 1-7

has violated

up to 5

Insert 1-10

the individual

1  
2  
3  
4  
5  
6  
7  
8  
9

**4.** Page 24, line 7: after that line insert:

"(2) INELIGIBILITY FOR CONVICTION OF VIOLATION. The treatment of section 49.155 (8) of the statutes first applies to convictions that occur on the effective date of this subsection."

**5.** Page 24, line 13: after that line insert:

"(2) INELIGIBILITY FOR CONVICTION OF VIOLATION. The treatment of section 49.155 (8) of the statutes and SECTION 40 (2) of this act take effect on the day after publication."

(END)

**2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa0924/3ins  
PJK:.....

**INSERT 1-7**

1 *not* if a court finds or it is determined after an administrative hearing that

**(END OF INSERT 1-7)**

**INSERT 1-10**

2 *not* judgment or decision

**(END OF INSERT 1-10)**