

2009 DRAFTING REQUEST

Assembly Amendment (AA-AB462)

Received: 10/21/2009

Received By: gmalaise

Wanted: Soon

Identical to LRB:

For: Robin Vos (608) 266-9171

By/Representing: Jenny Toftness

This file may be shown to any legislator: NO

Drafter: gmalaise

May Contact:

Addl. Drafters:

Subject: Children - day care

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

Topic:

Background checksof child careproviders; fingerprinting required; barred offenses expanded

Instructions:

See attached--1. Require fingerprinting of applicants for licensure or certification. 2. Use list of permanently barred offenses in AB 479.

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 10/21/2009	jdye 10/22/2009		_____			
/1			rschlue 10/22/2009	_____	cduerst 10/22/2009	cduerst 10/22/2009	

FE Sent For:

<END>

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/?	gmalaise	1 10/22 jld		_____			

FE Sent For:

<END>

Malaise, Gordon

From: Kahler, Pam
Sent: Tuesday, October 20, 2009 4:36 PM
To: Malaise, Gordon
Subject: FW: amendment request

Gordon:

I believe this would be yours - to AB 462.

From: Toftness, Jennifer
Sent: Tuesday, October 20, 2009 4:12 PM
To: Kahler, Pam
Subject: amendment request

Pam,

AB 479

Please draft an amendment requiring that in order to be certified or licensed as a child care provider, the prospective provider must be fingerprinted by local law enforcement and that fingerprint must be run through a database to determine that the prospective provider has never been convicted of the prohibitions on licensure specified in LRB 3047, drafted by Rep. Gundrum.

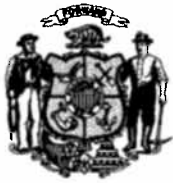
I have been given permission by Rep. Gundrum to use the prohibitions specified in his LRB draft for this amendment. If you need verbal permission, please call Steve Knudson in Rep. Gundrum's office.

FYI – it sounds like the Democrats have now decided not to take AB 462 up today. So there is no rush on these final requests. I believe this bill will come up on Tuesday.

Thank you,

Jenny

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



State of Wisconsin
2009 - 2010 LEGISLATURE

EV 10/21
50 or

LRBa0930/1
GMM...
jld

ASSEMBLY AMENDMENT,
TO 2009 ASSEMBLY BILL 462

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

2 1. Page 6, line 19: delete "7." and substitute "8."

3 2. Page 11, line 10: after that line insert:

4 "SECTION 13g. 48.685 (2) (br) of the statutes is created to read:

5 48.685 (2) (br) If the person who is the subject of a search under par. (am) is
6 seeking a license to operate a day care center under s. 48.65, certification as a day
7 care provider under s. 48.651, or a contract under s. 120.13 (14) to operate a day care
8 program, the department, county department, agency contracted with under s.
9 48.651 (2), or school board shall require the person to be fingerprinted on
10 fingerprint cards, each bearing a complete set of the person's fingerprints. The
11 department of justice may provide for the submission of the fingerprint cards to the
12 federal bureau of investigation for the purposes of verifying the identity of the person
13 fingerprinted and obtaining records of his or her criminal arrests and convictions.

13

Fix

1 **3.** Page 16, line 11: delete the material beginning with that line and ending
2 with page 17, line 12, and substitute:

3 ✓"1. An offense under ch. 948 that is a felony, other than a violation of s. 948.22
4 (2) or 948.51 (2).

5 2. A violation of s. 940.19 (3), 1999 stats., or of s. 940.19 (2), (4), (5), or (6) or
6 940.20 (1) or (1m), if the victim is the spouse of the person.

7 3. A violation of s. 943.23 (1m) or (1r), 1999 stats., or of s. 940.01, 940.02, 940.03,
8 940.05, 940.06, 940.21, 940.225 (1), (2), or (3), 940.23, 940.305, 940.31, 941.20 (2) or
9 (3), 941.21, 943.10 (2), 943.23 (1g), or 943.32 (2).

10 4. A misdemeanor involving sexual abuse, child abuse, or domestic abuse, if the
11 person has ever been convicted or adjudicated delinquent for committing any felony.

12 5. A violation of s. 940.19 (3), 1999 stats., or of s. 125.075 (1), 125.085 (3) (a) 2.,
13 125.105 (2) (b), 125.66 (3), 125.68 (12), 940.09, 940.12, 940.19 (2), (4), (5), or (6),
14 940.20, 940.203, 940.205, 940.207, 940.22 (2) or (3), 940.25, 940.285 (2), 940.295,
15 942.09 (2), or 948.22 (2), a violation of s. 948.51 (2) that is a felony under s. 948.51
16 (3) (b) or (c), a violation of s. 346.63 (1), (2), (5), or (6) that is a felony under s. 346.65
17 (2) (am) 5., 6., or 7., or (f), (2j) (d), or (3m), or an offense under ch. 961 that is a felony,
18 if the person has ever been convicted or adjudicated delinquent for any other crime.

19 6. A violation listed in subd. 5., if the person has never been convicted or
20 adjudicated delinquent for committing any other crime and the person completed his
21 or her sentence, including any probation, parole, or extended supervision, or was
22 discharged by the department of corrections, less than 10 years before the date of the
23 investigation under sub. (2) (am) or (b) 1.

