



State of Wisconsin
1997 - 1998 LEGISLATURE

LRBa2190/1
GMM;jlg:km

**ASSEMBLY AMENDMENT 1,
TO 1997 ASSEMBLY BILL 886**

March 25, 1998 – Offered by Representative SPILLNER.

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 1, line 4: delete “12 years of age or over”.
- 3 **2.** Page 1, line 5: delete that line and substitute “delinquent on or after his or
4 her 12th birthday for committing a serious crime or who, on or after his or her 12th
5 birthday, has a delinquency petition”.
- 6 **3.** Page 3, line 8: after “delinquent” insert “on or after his or her 12th birthday”.
- 7 **4.** Page 3, line 9: delete lines 9 to 17.
- 8 **5.** Page 3, line 21: delete “is 12 years of age or over and”.
- 9 **6.** Page 4, line 2: after “delinquent” insert “on or after his or her 12th birthday”.
- 10 **7.** Page 4, line 6: delete “is 12 years of age or over and”.
- 11 **8.** Page 4, line 10: after “person” insert “is 12 years of age or over and”.
- 12 **9.** Page 4, line 12: after that line insert:

1 “**SECTION 4m.** 48.685 (2) (am) (intro.) of the statutes, as created by 1997
2 Wisconsin Act 27, is amended to read:

3 48.685 (2) (am) (intro.) Subject to subd. 5., the department, a county
4 department or a school board shall obtain all of the following with respect to a person
5 specified under par. (a) (intro.) and shall obtain the information specified in subds.
6 1. and 4. with respect to a person specified in par. (ag) (intro.) who is under 18 years
7 of age, but not under 12 years of age, and who is an employe, prospective employe,
8 contractor, prospective contractor, nonclient resident or prospective nonclient
9 resident of a day care center that is licensed under s. 48.65 or established or
10 contracted for under s. 120.13 (14) or of a day care provider that is certified under s.
11 48.651:”.

12 **10.** Page 4, line 18: delete lines 18 to 25.

13 **11.** Page 5, line 1: delete lines 1 to 8 and substitute:

14 “**SECTION 7d.** 48.685 (2) (b) 4. of the statutes is created to read:

15 48.685 (2) (b) 4. Subdivision 1. does not apply with respect to a person under
16 18 years of age, but not under 12 years of age, who is an employe, prospective
17 employe, contractor, prospective contractor, nonclient resident or prospective
18 nonclient resident of a day care center that is licensed under s. 48.65 or established
19 or contracted for under s. 120.13 (14) or of a day care provider that is certified under
20 s. 48.651 and with respect to whom the department, a county department or a school
21 board is required under par. (am) (intro.) to obtain the information specified in par.
22 (am) 1. and 4.

23 **SECTION 7g.** 48.685 (2) (c) of the statutes, as created by 1997 Wisconsin Act 27,
24 is amended to read:

1 48.685 (2) (c) If the background information form completed by a person under
2 sub. (6) (am) indicates that the person is not ineligible to be employed, contracted
3 with or permitted to reside at an entity for a reason specified in par. (ag) 1. to 5., an
4 entity may employ or contract with the person or permit the person to reside at the
5 entity for not more than 60 days pending the receipt of the information sought under
6 par. (am) 1. and 4. or (b) 1. An entity shall provide supervision for a person who is
7 employed, contracted with or permitted to reside as permitted under this paragraph.

8 **SECTION 7m.** 48.685 (3) (a) of the statutes, as created by 1997 Wisconsin Act
9 27, is amended to read:

10 48.685 (3) (a) Every 4 years or at any time within that period that the
11 department, a county department or a school board considers appropriate, the
12 department, county department or school board shall request the information
13 specified in sub. (2) (am) 1. to 5. for all persons who are licensed, certified or
14 contracted to operate an entity and shall request the information specified in sub. (2)
15 (am) 1. and 4. for all persons under 18 years of age, but not under 12 years of age, who
16 are employees, contractors or nonclient residents of a day care center that is licensed
17 under s. 48.65 or established or contracted for under s. 120.13 (4) or of a day care
18 provider that is certified under s. 48.651.

19 **SECTION 7p.** 48.685 (3) (b) of the statutes, as created by 1997 Wisconsin Act 27,
20 is amended to read:

21 48.685 (3) (b) Every 4 years or at any time within that period that an entity
22 considers appropriate, the entity shall request the information specified in sub. (2)
23 (b) 1. a. to e. for all persons specified in sub. (2) (ag) (intro.) other than persons who
24 are under 18 years of age, but not under 12 years of age and who are employees,
25 contractors or nonclient residents of a day care center that is licensed under s. 48.65

1 or established or contracted for under s. 120.13 (14) or of a day care provider that is
2 certified under s. 48.651.”.

3 **12.** Page 5, line 21: delete “12 years of age or over”.

4 **13.** Page 6, line 4: after “delinquent” insert “on or after his or her 12th
5 birthday”.

6 **14.** Page 6, line 23: delete “who is 12 years of age or over”.

7 **15.** Page 6, line 24: after “delinquent” insert “on or after his or her 12th
8 birthday”.

9 **16.** Page 7, line 3: after that line insert:

10 “**SECTION 9g.** 48.685 (6) (b) of the statutes, as created by 1997 Wisconsin Act
11 27, is amended to read:

12 48.685 (6) (b) For persons specified under par. (a) who are regulated, licensed
13 or certified by, or registered with, the department, for persons specified in par. (am)
14 1. who are under 18 years of age, but not under 12 years of age, and who are employes,
15 prospective employes, contractors or prospective contractors of a day care center that
16 is licensed under s. 48.65 or established or contracted for under s. 120.13 (4) or of a
17 day care provider that is certified under s. 48.651, for persons specified in par. (am)
18 2., and for other persons specified by the department by rule, the entity shall send
19 the background information form to the department. For all other persons specified
20 in par. (a) and for all other persons specified under par. (am) 1., the entity shall
21 maintain the background information form on file for inspection by the
22 department.”.

23 (END)