



# STATE OF WISCONSIN Assembly Journal

## Ninety-Ninth Regular Session

11:17 A.M.

WEDNESDAY, September 23, 2009

The Assembly met in the Assembly Chamber located in the State Capitol.

Representative Molepske Jr. in the chair.

The Assembly dispensed with the call of the roll.

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### AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 29** offered by Representative Staskunas.

Assembly substitute amendment 1 to **Assembly Bill 30** offered by Representative Staskunas.

Assembly amendment 1 to **Assembly Bill 406** offered by Representative Kessler.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 74**

Relating to: designating each October as hydrocephalus awareness month.

By Representative Vukmir; cosponsored by Senator Darling.

To committee on **Rules**.

#### **Assembly Bill 431**

Relating to: fees charged to qualified lake associations for certain permits to control aquatic plants.

By Representatives Friske, Ripp, Brooks, Knodl, Bies, Gunderson, LeMahieu, Meyer, Nass, Petersen, Petrowski, Suder, Tauchen and Townsend; cosponsored by Senators Holperin, Kreitlow, A. Lasee, Schultz, Olsen and Lazich.

To committee on **Natural Resources**.

#### **Assembly Bill 432**

Relating to: notification requirements for persons who must register as sex offenders and who are on school premises and providing penalties.

By Representatives Friske, Brooks, Ripp, Gunderson, Suder and Townsend.

To committee on **Criminal Justice**.

#### **Assembly Bill 433**

Relating to: registration fees for certain motor vehicles issued special registration plates.

By Representatives Friske, Barca, Ripp, Spanbauer, Brooks, Hraychuck, Jorgensen, Clark, Bies, Gunderson, LeMahieu, Meyer, Petersen, Suder and Townsend; cosponsored by Senators Hansen, A. Lasee, Schultz and Grothman.

To committee on **Veterans and Military Affairs**.

#### **Assembly Bill 434**

Relating to: eliminating Special Transfer Program aid.

By Representatives Friske, Bies, Kestell, LeMahieu, Lothian, Petersen, Rhoades, Strachota, Suder, Tauchen and Townsend; cosponsored by Senators Schultz and Grothman.

To committee on **Education Reform**.

#### **Assembly Bill 435**

Relating to: the operation of all-terrain vehicles on highways for the purpose of certain types of access and granting rule-making authority.

By Representatives Mursau, Brooks, Gunderson, Kaufert, Knodl, Nass, Nerison, Nygren, A. Ott, Suder, Townsend, M. Williams and Ballweg; cosponsored by Senators Holperin, Hansen, Olsen and Schultz.

To committee on **Transportation**.

#### **Assembly Bill 436**

Relating to: stewardship funding for grants to control invasive species.

By Representatives Molepske Jr., A. Ott, Pasch, Berceau, Hraychuck and Mursau; cosponsored by Senator Holperin.

To committee on **Natural Resources**.

#### **Assembly Bill 437**

Relating to: reorganizing the Milwaukee Public School System into eight school districts and creating a Milwaukee Public Schools Redistricting and Implementation Commission.

By Representatives Vukmir, Vos, Davis, Nass, Gunderson, Zipperer, Bies and Lothian; cosponsored by Senators Kanavas, Grothman, Darling and A. Lasee.

To committee on **Education Reform**.

#### **Assembly Bill 438**

Relating to: changes in the regulation of boxing contests, regulating mixed martial arts fighting contests, granting rule-making authority, making an appropriation, and providing a penalty.

By Representatives Colon, Pocan, Zepnick, Hintz, Zigmunt, Kleefisch, Vruwink, Richards, Cullen, Staskunas,

Honadel and Seidel; cosponsored by Senators Hansen, Lehman, Plale, Cowles, Lassa, Taylor and Sullivan.

To committee on **Consumer Protection**.

**Assembly Bill 439**

Relating to: powersports vehicle manufacturers, distributors, and dealers and providing a penalty.

By Representatives Vruwink, Kaufert, Ripp, Townsend, A. Ott, Zepnick and Kestell; cosponsored by Senators Hansen, Holperin, Taylor, Ellis, Cowles and Schultz.

To committee on **Tourism, Recreation and State Properties**.

**Assembly Bill 440**

Relating to: licensure of dietitian nutritionists and requiring the exercise of rule-making authority.

By Representatives Pasch, Hebl, Danou, Spanbauer, Fields, A. Ott, Zepnick, Soletski, Richards, Suder and Lothian; cosponsored by Senators Vinehout, Carpenter, Lehman, Taylor and Plale.

To committee on **Health and Healthcare Reform**.

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**MESSAGE FROM THE SENATE**

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

**Senate Bill 190**  
**Senate Bill 241**  
**Senate Bill 243**

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**ACTION ON THE SENATE MESSAGE**

**Senate Bill 190**

Relating to: renewals and extensions of business contracts.

By Senators Wirch, Lehman, Taylor, Holperin, Lassa and Erpenbach; cosponsored by Representatives Turner, Hubler, Townsend, Vos, Kaufert, Spanbauer, Bies, Kessler, Hilgenberg and Zepnick.

To committee on **Jobs, the Economy and Small Business**.

**Senate Bill 241**

Relating to: modifying the definition of all-terrain vehicle.

By Senators Holperin, Taylor, Vinehout, Harsdorf, A. Lasee and Grothman; cosponsored by Representatives Hraychuck, Brooks, Roys, Townsend, Jorgensen, Radcliffe,

Suder, Petrowski, Hubler, Gunderson, Tauchen, Murtha, Ballweg, Ripp and Spanbauer.

To committee on **Tourism, Recreation and State Properties**.

**Senate Bill 243**

Relating to: hunting of deer during the open bow hunting season.

By Senators Miller, Holperin, Lehman, Kedzie, Lassa, Vinehout, Taylor and Grothman; cosponsored by Representatives Hraychuck, Molepske Jr., Jorgensen, Ripp, Murtha, Ballweg, Nerison, Gunderson, Mason, Brooks and A. Ott.

To committee on **Fish and Wildlife**.

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**SPEAKER'S APPOINTMENTS**

September 23, 2009

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Fuller:

I am appointing Representative Don Pridemore to the Personal Privacy Committee to replace Representative Scott Suder during his military deployment.

This appointment is effective immediately.

Sincerely,  
*MICHAEL J. SHERIDAN*  
Assembly Speaker

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**SPEAKER'S COMMUNICATIONS**

September 23, 2009

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Fuller:

Pursuant to Assembly Rule 42 (3)(c), I am withdrawing Assembly Bill 426 from the Assembly Committee on Ways and Means and re-referring it to the Assembly Committee on Jobs, the Economy and Small Business.

I have the consent of Representative Gary Hebl, chairperson of the Assembly Committee on Ways and Means, to take this action.

Thank you for your immediate attention to this referral.

Sincerely,  
*MICHAEL J. SHERIDAN*  
Assembly Speaker

## AGENCY REPORTS

State of Wisconsin  
Legislative Audit Bureau  
Madison

September 23, 2009

To the Honorable, the Legislature:

Earlier this year, the Joint Legislative Audit Committee directed this office to conduct a comprehensive audit of the State's child care subsidy program, Wisconsin Shares, which is administered by the Department of Children and Families (DCF). Our June 2009 letter report on the first phase of that audit identified numerous eligibility, wage verification, and record-keeping problems and estimated that, as a result, \$22.5 million in improper subsidy payments had been made in 2008. Our evaluation of the overall effectiveness of child care regulation is ongoing, but we are writing at this time to disclose a serious problem we discovered during the course of our work.

In July 2009, we began to compare the addresses of registered sex offenders to addresses for the sites at which all licensed and certified child care providers care for children. We subsequently found four matches. DCF and the Department of Corrections (DOC), which maintains Wisconsin's Sex Offender Registry, were notified immediately and have confirmed the accuracy of the matches we found in electronic records. They are continuing to follow up and at this point believe that no child was harmed as a result of the situations we identified. However, we could not independently determine whether registered sex offenders had ever been present while care was being provided, and unless procedures are implemented to ensure similar situations do not occur in the future, such a potential will exist.

In response to our findings, DCF issued a memorandum on August 25, 2009, directing state licensing and county certification staff to search an electronic database of registered sex offenders for anyone who applies for licensure or certification as a child care provider.

Our work on sex offender data matches is complete, but we are continuing to compare DCF's information on child care providers, their employees, and other household members with both criminal records maintained by the Wisconsin Department of Justice and records of substantiated cases of child abuse or neglect maintained by DCF. If necessary, we will report our findings separately upon completion of our analyses. We expect that the entire child care regulation evaluation will be completed in December 2009.

We appreciate the courtesy and cooperation of DCF and DOC in completing this analysis.

Sincerely,  
*JANICE MUELLER*  
State Auditor

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## ADJOURNMENT

Representative Nelson moved that the Assembly stand adjourned until pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

11:18 A.M.