



STATE OF WISCONSIN Assembly Journal

Ninety-Ninth Regular Session

THURSDAY, December 17, 2009

The Chief Clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly amendment 1 to Assembly amendment 1 to **Assembly Bill 512** offered by Representative Pasch.

Assembly amendment 1 to **Assembly Bill 524** offered by Representative Kessler.

Assembly substitute amendment 1 to **Assembly Bill 620** offered by Representative Benedict.

Assembly substitute amendment 1 to **Senate Bill 290** offered by Representative Colon.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 09-072

Relating to the approved version of REScheck software used to show compliance with uniform dwelling code thermal envelope requirements.

Submitted by Department of Commerce.

Report received from Agency, December 2, 2009.

To committee on **Housing**.

Referred on December 16, 2009.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 616

Relating to: school nurses and the administration of drugs to pupils.

By Representatives Pope–Roberts, Pasch, Turner and A. Williams; cosponsored by Senators Lehman, Robson, Miller and Taylor.

To committee on **Education**.

Assembly Bill 617

Relating to: applicability to private roads and driveways of certain rules of the road governing passing school buses.

By Representatives Pope–Roberts, Clark, Knodl, Townsend, Ripp, A. Williams and Gunderson; cosponsored by Senators Lehman, Miller and Taylor.

To committee on **Transportation**.

Assembly Bill 618

Relating to: regulating certain tree stands used for hunting.

By Representatives Newcomer, Zigmunt, Petrowski, Suder, A. Ott, Townsend, Kaufert, Strachota, Knodl and Kleefisch; cosponsored by Senator Schultz.

To committee on **Fish and Wildlife**.

Assembly Bill 619

Relating to: county, city, town, and village authority to create local elections boards and to regulate the financing of campaigns for county, city, town, and village offices; duties of municipal and county boards of election commissioners; and granting rule–making authority.

By Representatives Pocan, Smith, Berceau, Hebl, Milroy, Parisi, Pope–Roberts, A. Williams and Zepnick; cosponsored by Senators Risser, Lehman, Miller and Sullivan.

To committee on **Elections and Campaign Reform**.

Assembly Bill 620

Relating to: physical fitness assessments, school nutrition, a quality rating system for day care centers, and granting rule–making authority.

By Representative Benedict.

To committee on **Public Health**.

Assembly Bill 621

Relating to: library boards of public libraries established in a first class city.

By Representatives Colon, Fields, Zepnick, A. Williams, Toles, Richards and Cullen; cosponsored by Senators Coggs and Taylor.

To committee on **Urban and Local Affairs**.

Assembly Bill 622

Relating to: pupils attending a school district under the Open Enrollment Program who are habitually truant.

By Representatives Smith, Pope–Roberts, Staskunas, Krusick and Molepske Jr.; cosponsored by Senators Kreitlow, Lehman, Taylor and Darling.

To committee on **Education**.

Assembly Bill 623

Relating to: seasonal weight limitations for certain vehicles transporting agricultural crops.

By Representatives Petrowski, Smith, M. Williams, Clark, Ripp, Gunderson, Townsend, Tauchen, Ballweg and Suder; cosponsored by Senators Kreitlow, Erpenbach, Schultz, Harsdorf, Taylor and Olsen.

To committee on **Transportation**.

Assembly Bill 624

Relating to: the use of the terms college, university, state, and Wisconsin in the name of a school; the issuing, manufacture, or use of a false academic credential; the false use of a legitimate academic credential; making an appropriation; and providing a penalty.

By Representatives Hixson, Townsend, Danou, Benedict, Parisi and A. Williams; cosponsored by Senators Risser, Vinehout and Taylor.

To committee on **Colleges and Universities**.

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Health Services
Madison

December 14, 2009

To the Honorable, the Legislature:

I am transmitting the Report of the Committee to Study Intermediate Care Facilities for the Mentally Retarded (ICFs-MR) in Wisconsin. This Committee was established pursuant to [2009 Wisconsin Act 28](#), the 2009-11 biennial budget bill, and was charged with studying the need for existing ICFs-MR in maintaining an effective, high-quality, planned system of services for person with developmental disabilities.

The Committee found that Wisconsin has a strong long-term care system for serving people with developmental disabilities, with quality services both in institutional and in community-based settings. The Committee also concluded that the state needs an array of service capacities for people with developmental disabilities to both meet the range of needs across individuals and the varying needs a single individual may have over his or her lifetime. The Committee developed a set of recommendations designed to enhance the quality, access, and choice of long-term care services for persons with developmental disabilities in Wisconsin.

I wish to recognize and express appreciation to the members of this Committee for the time, energy, and thought that they devoted to this important issue.

Sincerely,
KAREN E. TIMBERLAKE
Secretary

Referred to committee on **Aging and Long-Term Care**.

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

December 17, 2009

To the Honorable, the Assembly:

We have completed the final phase of our evaluation of the effectiveness of child care regulation, including an audit of Wisconsin Shares, as requested by the Joint Legislative Audit Committee. More than 11,000 child care facilities were either licensed by the Department of Children and Families (DCF) or certified by county and tribal agencies during all or part of fiscal year (FY) 2008-09. In June 2009, 60.2 percent of the regulated facilities received \$25.6 million in Wisconsin Shares subsidy payments to care for the children of low-income working families and participants in W-2, the State's welfare-to work program.

In FY 2008-09, DCF spent \$13.6 million for the regulation and oversight of licensed and certified child care facilities and the administration of Wisconsin Shares. County and tribal agencies spent \$15.4 million to regulate certified facilities. State, county, and tribal regulatory staff inspect licensed and certified facilities and evaluate their compliance with child care rules, which are designed primarily to address health and safety concerns. However, as of June 30, 2009, 617 licensed facilities were overdue for a regulatory visit by DCF. In contrast, county and tribal regulatory agencies generally met the timeliness standards DCF has established for them.

All regulatory staff are required to issue written citations when they identify violations of child care rules, and they may address serious or persistent violations with progressively severe sanctions that include suspension or revocation. However, because regulatory staff cannot rate the severity of violations they cite, DCF cannot effectively use information maintained in statewide licensing and certification databases to target higher-risk facilities for increased regulatory attention.

We continued our efforts to identify operators of child care facilities, members of their households, and employees convicted of certain crimes. We found eight instances in which convicted felons or individuals who had abused or neglected children were employed by or reported living in child care facilities. We also identified 317 individuals whose past criminal offenses require further investigation.

Throughout 2009, the Legislature and DCF have taken numerous steps to restore public confidence in Wisconsin Shares and to aggressively address fraud and abuse. Our report recommends continued monitoring of DCF's progress in implementing these changes.

We appreciate the courtesy and cooperation extended to us by DCF, the Department of Justice, and the county agencies we contacted during our evaluation.

Respectfully submitted,
JANICE MUELLER
State Auditor