



# STATE OF WISCONSIN Assembly Journal

## Ninety-Fifth Regular Session

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MONDAY, September 24, 2001

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

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### AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 157** offered by committee on **Criminal Justice**.

Assembly amendment 1 to **Assembly Bill 399** offered by committee on **Transportation**.

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### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 01-045**

Relating to the use of force to prevent escapes, pursue and capture escaped persons detained or committed under chapter 980, stats., and to provide security at facilities housing such persons.

Submitted by Department of Health and Family Services. Report received from Agency, September 19, 2001.

To committee on **Corrections and the Courts**.

Referred on September 24, 2001.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 57**

Relating to: memorializing Congress to study and modify the social security earnings limit.

By Joint Legislative Council.

To committee on **Labor and Workforce Development**.

#### **Assembly Bill 507**

Relating to: creating an exemption from the regulation of anhydrous ammonia.

By Representatives Ott, Freese, Ainsworth, Duff, J. Fitzgerald, Hahn, Jeskewitz, Musser, Olsen, Meyerhofer, Ward, Starzyk, Vrakas, Gronemus and Lippert; cosponsored by Senators Hansen, Erpenbach, Harsdorf, Roessler and Cowles.

To committee on **Agriculture**.

#### **Assembly Bill 508**

Relating to: payment of judgments in traffic cases and in municipal court and the suspension of operating privileges.

By Representatives Jeskewitz, Riley, La Fave, Bock, Montgomery, Musser, Ryba, Coggs, Turner, Albers, Plale, Young and Ott; cosponsored by Senators Moore, Plache and George.

To committee on **Judiciary**.

#### **Assembly Bill 509**

Relating to: national guard tuition grants and making an appropriation.

By Representatives Musser, Albers, Nass, Lassa, Jensen, Boyle, Hundertmark, Schneider, Hubler, Miller, Loeffelholz, Jeskewitz, Gronemus, Meyerhofer, Suder, Rhoades, Gunderson, Friske, Ladwig, Black, Lippert, J. Fitzgerald, Turner, Carpenter, Hahn, Ott, Walker, Vrakas, Urban, Riley, Owens, Sykora, Ryba and Seratti; cosponsored by Senators Moen, Burke, S. Fitzgerald, Hansen, Schultz, Wirch, Baumgart, Grobschmidt, Roessler and Zien.

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

#### **Assembly Bill 510**

Relating to: making technical and policy changes in the tax incremental financing program based on the recommendations of the governor's working group on tax incremental finance and modifying the environmental remediation tax incremental financing program.

By Representatives M. Lehman, Sykora, Musser, Olsen and Ainsworth.

To committee on **Ways and Means**.

#### **Assembly Bill 511**

Relating to: creating an individual income tax deduction for educational supplies for dependent pupils who attend certain elementary and secondary schools.

By Representatives Meyerhofer, Ladwig, Lassa, Ryba, Gronemus, Jeskewitz, J. Lehman, Young, Musser, Balow, Plale, F. Lasee, Plouff and Sykora; cosponsored by Senators Roessler, Grobschmidt, Hansen, Plache and Schultz.

To joint survey committee on **Tax Exemptions**.

#### **Assembly Bill 512**

Relating to: repealing, consolidating, renumbering, amending and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, eliminating defects, anachronisms, conflicts, ambiguities and obsolete provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

By Law Revision Committee.  
To committee on **Rules**.

**Assembly Bill 513**

Relating to: repealing, consolidating, renumbering, amending and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, eliminating defects, anachronisms, conflicts, ambiguities and obsolete provisions, reconciling conflicts, and repelling unintended repeals (Revisor's Correction Bill).

By Law Revision Committee.  
To committee on **Rules**.

**Assembly Bill 514**

Relating to: reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

By Law Revision Committee.  
To committee on **Rules**.

**Assembly Bill 515**

Relating to: restrictions on promulgating or enforcing certain rules regulating the sighting of a firearm.

By Representatives Petrowski, Gronemus, Sykora, Loeffelholz, Montgomery, Suder, Starzyk, Pettis, Kestell, Albers, Musser, Krawczyk, Boyle, Grothman, Bies, Owens, Hundertmark, Gunderson, J. Fitzgerald, Johnsrud and F. Lasee; cosponsored by Senators Shibilski, Hansen, Welch and A. Lasee.

To committee on **Natural Resources**.

**Assembly Bill 516**

Relating to: special labor-related reports; training, education, and development zone tax credits; training and education programs; providing an exemption from emergency rule procedures; granting rule-making authority; and making appropriations.

By Joint Legislative Council.  
To committee on **Labor and Workforce Development**.

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**COMMITTEE REPORTS**

The committee on **Corrections and the Courts** reports and recommends:

**Assembly Bill 481**

Relating to: the interstate compact for adult offender supervision.

Passage:  
Ayes: 9 – Representatives Walker, Suder, Friske, Owens, Underheim, Balow, Coggs, Pocan and Colon.  
Noes: 0.

To committee on **Rules**.

**Assembly Bill 484**

Relating to: lie detector tests of sexual assault victims.

Passage:  
Ayes: 8 – Representatives Walker, Suder, Friske, Owens, Underheim, Balow, Coggs and Pocan.  
Noes: 1 – Representative Colon.

To committee on **Rules**.

**Assembly Bill 495**

Relating to: seizure of computers used in crimes against children.

Passage:  
Ayes: 9 – Representatives Walker, Suder, Friske, Owens, Underheim, Balow, Coggs, Pocan and Colon.  
Noes: 0.

To committee on **Rules**.

*SCOTT WALKER*  
Chairperson  
Committee on Corrections and the Courts

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The committee on **Criminal Justice** reports and recommends:

**Assembly Bill 157**

Relating to: possession of body armor by persons convicted of or adjudicated delinquent for certain felony offenses and providing a penalty.

Assembly amendment 1 adoption:  
Ayes: 11 – Representatives Suder, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens, Staskunas, Young, Colon and Sherman.  
Noes: 3 – Representatives Gundrum, Wood and Boyle.

Passage as amended:  
Ayes: 10 – Representatives Suder, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens, Staskunas, Colon and Sherman.  
Noes: 1 – Representative Young.

To committee on **Rules**.

**Assembly Bill 280**

Relating to: placing bodily substances in edibles and providing a penalty.

Passage:  
Ayes: 10 – Representatives Suder, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens, Staskunas, Colon and Sherman.  
Noes: 1 – Representative Young.

To committee on **Rules**.

**Assembly Bill 355**

Relating to: burglary and providing a penalty.

Assembly amendment 1 adoption:  
Ayes: 11 – Representatives Suder, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens, Staskunas, Young, Colon and Sherman.  
Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Suder, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens and Staskunas.

Noes: 3 – Representatives Young, Colon and Sherman.

To committee on **Rules**.

### **Assembly Bill 425**

Relating to: substances used to induce false negative drug tests and providing a penalty.

Assembly amendment 1 adoption:

Ayes: 11 – Representatives Suder, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens, Staskunas, Young, Colon and Sherman.

Noes: 0.

Passage as amended:

Ayes: 10 – Representatives Suder, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens, Staskunas, Colon and Sherman.

Noes: 1 – Representative Young.

To committee on **Rules**.

### **Assembly Bill 477**

Relating to: crimes affecting the U.S. flag and providing a penalty.

Passage:

Ayes: 7 – Representatives Suder, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz and Owens.

Noes: 4 – Representatives Staskunas, Young, Colon and Sherman.

To committee on **Rules**.

*SCOTT SUDER*  
Chairperson  
Committee on Criminal Justice

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The committee on **Transportation** reports and recommends:

### **Assembly Bill 150**

Relating to: proper display of a registration plate and providing a penalty.

Assembly amendment 1 adoption:

Ayes: 15 – Representatives Stone, Petrowski, Gunderson, Hahn, Suder, Leibham, Lippert, Loeffelholz, Sherman, Meyerhofer, Plouff, Schooff, Plale, Staskunas and Steinbrink.

Noes: 0.

Assembly amendment 2 adoption:

Ayes: 15 – Representatives Stone, Petrowski, Gunderson, Hahn, Suder, Leibham, Lippert, Loeffelholz, Sherman, Meyerhofer, Plouff, Schooff, Plale, Staskunas and Steinbrink.

Noes: 0.

Passage as amended:

Ayes: 15 – Representatives Stone, Petrowski, Gunderson, Hahn, Suder, Leibham, Lippert, Loeffelholz, Sherman, Meyerhofer, Plouff, Schooff, Plale, Staskunas and Steinbrink.

Noes: 0.

To committee on **Rules**.

### **Assembly Bill 271**

Relating to: authority of a court to suspend an adult's operating privilege for failing to pay a forfeiture for an ordinance violation unrelated to the operation of a motor vehicle.

Passage:

Ayes: 13 – Representatives Stone, Petrowski, Hahn, Leibham, Lippert, Loeffelholz, Sherman, Meyerhofer, Plouff, Schooff, Plale, Staskunas and Steinbrink.

Noes: 2 – Representatives Gunderson and Suder.

To committee on **Rules**.

### **Assembly Bill 399**

Relating to: exempting cities, villages, towns, and counties from the motor vehicle fuel tax.

Assembly amendment 1 adoption:

Ayes: 10 – Representatives Hahn, Suder, Leibham, Lippert, Loeffelholz, Sherman, Plouff, Schooff, Plale and Steinbrink.

Noes: 5 – Representatives Stone, Petrowski, Gunderson, Meyerhofer and Staskunas.

Passage as amended:

Ayes: 13 – Representatives Stone, Petrowski, Gunderson, Leibham, Lippert, Loeffelholz, Sherman, Meyerhofer, Plouff, Schooff, Plale, Staskunas and Steinbrink.

Noes: 2 – Representatives Hahn and Suder.

### **Assembly Bill 400**

Relating to: exempting school districts from the motor vehicle fuel tax.

Assembly amendment 1 adoption:

Ayes: 11 – Representatives Petrowski, Gunderson, Suder, Leibham, Lippert, Loeffelholz, Sherman, Plouff, Schooff, Plale and Steinbrink.

Noes: 4 – Representatives Stone, Hahn, Meyerhofer and Staskunas.

Passage as amended:

Ayes: 14 – Representatives Stone, Petrowski, Gunderson, Suder, Leibham, Lippert, Loeffelholz, Sherman, Meyerhofer, Plouff, Schooff, Plale, Staskunas and Steinbrink.

Noes: 1 – Representative Hahn.

### **Assembly Bill 436**

Relating to: requiring the department of transportation to provide transportation planning and assistance in reviewing the site plan of proposed school construction or enlargement and granting rule-making authority.

Assembly amendment 1 adoption:

Ayes: 15 – Representatives Stone, Petrowski, Gunderson, Hahn, Suder, Leibham, Lippert, Loeffelholz, Sherman, Meyerhofer, Plouff, Schooff, Plale, Staskunas and Steinbrink.

Noes: 0.

Passage as amended:

Ayes: 15 – Representatives Stone, Petrowski, Gunderson, Hahn, Suder, Leibham, Lippert, Loeffelholz, Sherman, Meyerhofer, Plouff, Schooff, Plale, Staskunas and Steinbrink.  
Noes: 0.

To committee on **Rules**.

*JEFF STONE*  
Chairperson  
Committee on Transportation

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## SPEAKER'S COMMUNICATIONS

September 21, 2001

John A. Scocos  
Assembly Chief Clerk  
1 East Main Street, Suite 402

Dear Mr. Scocos:

On September 17, 2001, **Assembly Bill 491** relating to creating definitions for common and contract carriers for sales tax and use tax purposes, was referred to the Assembly Committee on Transportation. Pursuant to Assembly Rule **42 (3)(c)**, I hereby withdraw **Assembly Bill 491** from the Assembly Committee on Transportation and re-refer that bill to the Assembly Committee on Ways and Means.

Representative Stone has been notified of this re-referral and approves.

Sincerely,  
*SCOTT R. JENSEN*  
Assembly Speaker

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## REFERRAL OF AGENCY REPORTS

State of Wisconsin  
Investment Board  
Madison

September 13, 2001

To the Honorable, the Assembly:

Pursuant to s. **1.11 (2)(j)**, Stats., the State of Wisconsin Investment Board is pleased to report, that during fiscal year 2001, it did not consider any proposals for major actions in Wisconsin that could significantly affect the quality of the human environment. Accordingly, the agency was not required to prepare any environmental assessments or impact statements under s. **1.11**, Stats.

Please contact Ken Johnson at 267-0221 or Sandy Drew at 261-0182 if you have any questions concerning this report.

Sincerely,  
*PATRICIA LIPTON*  
Executive Director

Referred to committee on **Natural Resources**.

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State of Wisconsin  
Department of Health and Family Services  
Madison

September 17, 2001

To the Honorable, the Assembly:

Pursuant to Section **46.014 (4)** of the Wis. Stats., the Department of Health and Family Services is required to submit an annual report to the Legislature concerning the activities of the community action agencies under s. **46.30**, and their effectiveness in promoting social and economic opportunities for low-income persons.

The attached report describes the use of the Community Services Block Grant funding, and the services and activities of the community action agencies and limited purpose agencies carried out to reduce poverty, revitalize low-income communities, and empower low-income individuals and families to become fully self-sufficient.

If you have any questions or need additional information, please contact Moira Lafayette, CSBG Coordinator at 267-5149.

Sincerely,  
*PHYLLIS J. DUBE*  
Secretary

Referred to committee on **Children and Families**.

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State of Wisconsin  
Department of Administration  
Department of Natural Resources  
Madison

September 21, 2001

To the Honorable, the Assembly:

Attached to this letter is the Environmental Improvement Fund Biennial Finance Plan for the 2001-2003 biennium.

The Environmental Improvement Fund program legislation (s. **281.59(3)**, Wis. Stats.) requires the Department of Natural Resources and the Department of Administration to submit the final version of the Biennial Finance Plan to the Legislature and the State Building Commission following enactment of the biennial budget. The purpose of the plan is to provide information on loan, loan subsidy, and bonding levels for program operations in the 2001-2003 biennium.

Also attached is the Environmental Improvement Fund Biennial Report for the 1999-2001 biennium. The report

provides information on the activities and operations of the program during the previous biennium. This report is submitted in accordance with s. 281.59(3)(j), Wis. Stats.

If you have any questions regarding the Biennial Finance Plan or the Biennial Report, please contact Kathryn A. Curtner at 266-0860 or Frank Hoadley at 266-2305.

Sincerely,  
*KATHRYN A. CURTNER, DIRECTOR*  
Bureau of Community Financial Assistance  
Department of Natural Resources  
*FRANK R. HOADLEY*  
Capitol Finance Director  
Department of Administration

Referred to committee on **Natural Resources**.

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State of Wisconsin  
Department of Health and Family Services  
Madison

September 21, 2001

To the Honorable, the Legislature:

I am pleased to provide you with an electronic copy of the Executive Summary from the 2000 Annual Report for Integrated Services Projects (ISP), from the Children Come First Advisory Committee. The Executive Summary provides some data and information about Integrated Services Projects throughout Wisconsin that work with children with severe emotional disturbance (SED). The goals of these projects are to keep children at home in communities, in school and out of trouble.

The Department of Health and Family Services (DHFS), Bureau of Community Mental Health (BCMH) provides funding, clinical oversight, contract monitoring and evaluation for the ISPs. In calendar year 2000, approximately 1,100 children with SED were served in 29 counties of Wisconsin.

The complete, 47 page Annual Report includes additional data and an appendix that lists ISP locations, contact people

and phone numbers. It can be accessed on the DHFS website at [www.dhfs.state.wi.us/mh\\_bcmh](http://www.dhfs.state.wi.us/mh_bcmh) click on this address and then click on "2000 ISP Annual Report." If you would like a paper copy please contact Amy Weinberger at 608-266-9316, or via e-mail at [weinbal@dhfs.state.wi.us](mailto:weinbal@dhfs.state.wi.us)

Please share this report with other people who have an interest in improving children's mental health in Wisconsin.

Sincerely,  
*PHYLLIS J. DUBE*  
Secretary

Referred to committee on **Children and Families**.

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## AGENCY REPORTS

State of Wisconsin  
Department of Public Instruction  
Madison

August 2001

To the Honorable, the Legislature:

The Department of Public Instruction is submitting the 2000 Annual Report on the Status of Bilingual-Bicultural Education programs as required under s. 115.96, Wisconsin Statutes. The enclosed report provides data from the 38 state-aided bilingual-bicultural/ESL education programs for the 2000 fiscal year (July 1, 1999 through June 30, 2000).

This annual report includes details on the state's administration and funding of bilingual education in Wisconsin and factors contributing to program expansion; the continuously lower annual reimbursement rates for school districts; the number of pupils from minority languages served; the locations of the state-aided programs during the 2000 fiscal year; and staff-related data.

If you have any questions on any aspect of this report, please contact Barbara A. Bitters, Director, Equity Mission, at [barbara.bitters@dpi.state.wi.us](mailto:barbara.bitters@dpi.state.wi.us) or 267-2276.

Sincerely,  
*ELIZABETH BURMASTER*  
State Superintendent