



# STATE OF WISCONSIN Assembly Journal

## Ninety-Fifth Regular Session

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MONDAY, February 25, 2002

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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 551** offered by Representative Gunderson.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 599** offered by Representatives M. Lehman and Wood.

Assembly amendment 1 to Assembly amendment 4 to **Assembly Bill 675** offered by committee on **Criminal Justice**.

Assembly amendment 1 to **Assembly Bill 719** offered by committee on **Criminal Justice**.

Assembly substitute amendment 1 to **Assembly Bill 722** offered by committee on **Government Operations**.

Assembly amendment 1 to **Assembly Bill 748** offered by Representative Coggs.

Assembly substitute amendment 1 to **Assembly Bill 748** offered by Representative Coggs.

Assembly amendment 1 to **Assembly Bill 843** offered by committee on **Campaigns and Elections**.

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### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 01-087**

Relating to flammable and combustible liquids.  
Submitted by Department of Commerce.  
Report received from Agency, February 18, 2002.  
To committee on **Labor and Workforce Development**.  
Referred on February 25, 2002.

#### **Assembly Clearinghouse Rule 01-090**

Relating to soil and water resource management.  
Submitted by Department of Agriculture, Trade and Consumer Protection.  
Report received from Agency, February 20, 2002.  
To committee on **Agriculture**.  
Referred on February 25, 2002.

#### **Assembly Clearinghouse Rule 01-092**

Relating to the number of required semester credits in land surveying for an applicant applying with a bachelor's degree in civil engineering.

Submitted by Department of Regulation and Licensing.  
Report received from Agency, February 20, 2002.

To committee on **Small Business and Consumer Affairs**.

Referred on February 25, 2002.

#### **Assembly Clearinghouse Rule 01-110**

Relating to historic buildings.

Submitted by Department of Commerce.

Report received from Agency, February 22, 2002.

To committee on **Housing**.

Referred on February 25, 2002.

#### **Assembly Clearinghouse Rule 01-138**

Relating to child support incentive payments.

Submitted by Department of Workforce Development.

Report received from Agency, February 19, 2002.

To committee on **Children and Families**.

Referred on February 25, 2002.

#### **Assembly Clearinghouse Rule 02-005**

Relating to the issuance of driver's licenses and identification cards.

Submitted by Department of Transportation.

Report received from Agency, February 20, 2002.

To committee on **Transportation**.

Referred on February 25, 2002.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 97**

Relating to: commending the Wisconsin 4-H youth development program.

By Representatives Loeffelholz, Townsend, Albers, Rhoades, Suder, Boyle, Huebsch, Gronemus, M. Lehman, Ladwig, Powers, Ainsworth, Kestell, Starzyk, Musser, Hines, Krawczyk, Ryba, Gard, Hahn, Owens, J. Lehman, Sykora, Miller, Lassa, Plouff, Olsen, Jeskewitz, Ward, Petrowski, Berceau, Nass, Bies, Freese, Pettis, Gunderson, Johnsrud, Leibham, McCormick, Huber, Ott, D. Meyer, Friske, J. Fitzgerald, Grothman and Vrakas; cosponsored by Senators

Roessler, S. Fitzgerald, Moen, Rosenzweig, Plache, Wirch, Huelsman, Hansen, Harsdorf, Welch, Schultz and Kanavas.  
To committee on **Rules**.

**Assembly Bill 848**

Relating to: release of information regarding a veteran and providing a penalty.

By Representatives Musser and Ryba.  
To committee on **Veterans and Military Affairs**.

**Assembly Bill 849**

Relating to: authorizing a declaration of and actions under a state of emergency related to public health, requiring the exercise of rule-making authority, making an appropriation, and providing a penalty.

By Representatives Underheim, Huber and Miller; cosponsored by Senators Moen and Rosenzweig.  
To committee on **Public Health**.

**Assembly Bill 850**

Relating to: authorizing a declaration of and actions under a state of emergency related to public health, requiring the exercise of rule-making authority, making appropriations, and providing a penalty.

By Representatives Urban, Wasserman and Freese; cosponsored by Senator Robson.  
To committee on **Public Health**.

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**COMMITTEE REPORTS**

The committee on **Campaigns and Elections** reports and recommends:

**Assembly Bill 826**

Relating to: various changes in election administration laws.

Assembly amendment 1 adoption:  
Ayes: 5 – Representatives Freese, Ladwig, Stone, J. Fitzgerald and Pocan.  
Noes: 1 – Representative Travis.

Assembly amendment 2 adoption:  
Ayes: 5 – Representatives Freese, Ladwig, Stone, J. Fitzgerald and Pocan.  
Noes: 1 – Representative Travis.

Passage as amended:  
Ayes: 6 – Representatives Freese, Ladwig, Stone, J. Fitzgerald, Travis and Pocan.  
Noes: 0.

To committee on **Rules**.

**Assembly Bill 843**

Relating to: campaign financing, the procedure for enforcement of the election laws, nonrefundable income tax credits for certain donations to the Wisconsin election campaign fund, candidate time on public broadcasting television stations and public access channels, official action in return for providing or withholding political contributions,

services, or other things of value, providing exemptions from certain emergency rule procedures, granting rule-making authority, and providing penalties.

Assembly amendment 1 adoption:  
Ayes: 6 – Representatives Freese, Ladwig, Stone, J. Fitzgerald, Travis and Pocan.  
Noes: 0.

Passage as amended:  
Ayes: 4 – Representatives Freese, Ladwig, Stone and J. Fitzgerald.  
Noes: 2 – Representatives Travis and Pocan.

To **calendar**.

*STEPHEN FREESE*  
Chairperson  
Committee on Campaigns and Elections

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

**Assembly Bill 569**

Relating to: creating a plea and verdict of guilty but mentally ill in certain criminal cases.

Passage:  
Ayes: 12 – Representatives Suder, Gundrum, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens, Staskunas, Wood, Sherman and Boyle.  
Noes: 2 – Representatives Young and Colon.

To committee on **Rules**.

**Assembly Bill 640**

Relating to: fleeing to this state to avoid prosecution for a serious sex offense in another jurisdiction, committing a serious sex offense in this state after fleeing prosecution in another jurisdiction, and providing penalties.

Passage:  
Ayes: 8 – Representatives Suder, Gundrum, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz and Owens.  
Noes: 6 – Representatives Staskunas, Wood, Young, Colon, Sherman and Boyle.

To committee on **Rules**.

**Assembly Bill 661**

Relating to: possession with intent to use or use of drug paraphernalia and providing a penalty.

Assembly amendment 1 adoption:  
Ayes: 14 – Representatives Suder, Gundrum, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens, Staskunas, Wood, Young, Colon, Sherman and Boyle.  
Noes: 0.

Passage as amended:  
Ayes: 11 – Representatives Suder, Gundrum, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens, Staskunas, Wood and Colon.  
Noes: 3 – Representatives Young, Sherman and Boyle.

To committee on **Rules**.

**Assembly Bill 673**

Relating to: threats to release or disseminate harmful chemical, biological, or radioactive substances and providing a penalty.

Assembly amendment 1 adoption:

Ayes: 14 – Representatives Suder, Gundrum, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens, Staskunas, Wood, Young, Colon, Sherman and Boyle.  
Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Suder, Gundrum, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens, Staskunas, Wood, Young, Colon, Sherman and Boyle.  
Noes: 0.

To committee on **Rules**.

**Assembly Bill 713**

Relating to: time limits for the prosecution of 2nd-degree intentional homicide and 2nd-degree reckless homicide.

Passage:

Ayes: 12 – Representatives Suder, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens, Staskunas, Wood, Young, Sherman and Boyle.  
Noes: 2 – Representatives Gundrum and Colon.

To committee on **Rules**.

**Assembly Bill 719**

Relating to: using a computer to facilitate having sexual contact or sexual intercourse with a person believed to be a child and providing a penalty.

Assembly amendment 1 adoption:

Ayes: 14 – Representatives Suder, Gundrum, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens, Staskunas, Wood, Young, Colon, Sherman and Boyle.  
Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Suder, Gundrum, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens, Staskunas, Wood, Young, Colon, Sherman and Boyle.  
Noes: 0.

To committee on **Rules**.

*SCOTT SUDER*  
Chairperson  
Committee on Criminal Justice

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

**Senate Bill 179**

Relating to: requiring crossing gates on school buses, granting rule-making authority, and providing a penalty.

Assembly amendment 1 adoption:

Ayes: 12 – Representatives Olsen, Nass, Hundertmark, Kestell, Loeffelholz, Rhoades, Townsend, Hines, J. Lehman, Sherman, Williams and Riley.

Noes: 0.

Concurrence as amended:

Ayes: 12 – Representatives Olsen, Nass, Hundertmark, Kestell, Loeffelholz, Rhoades, Townsend, Hines, J. Lehman, Sherman, Williams and Riley.

Noes: 0.

To committee on **Rules**.

*LUTHER OLSEN*  
Chairperson  
Committee on Education

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The committee on **Education Reform** reports and recommends:

**Assembly Bill 582**

Relating to: the requirement to offer the pledge of allegiance or the national anthem in school.

Assembly substitute amendment 1 adoption:

Ayes: 11 – Representatives Nass, Olsen, Grothman, Gundrum, Stone, Underheim, McCormick, Williams, Cullen, Sinicki and J. Lehman.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Nass, Olsen, Grothman, Gundrum, Stone, McCormick, Cullen, Sinicki and J. Lehman.  
Noes: 2 – Representatives Underheim and Williams.

To committee on **Rules**.

**Assembly Bill 739**

Relating to: prohibiting school personnel from recommending the use of psychotropic medications to pupils and prohibiting a county department of human services or social services from determining that child abuse or neglect has occurred, a juvenile court from ordering a child to be taken into custody or finding that a child is in need of protection or services, and a law enforcement officer from taking a child into custody based solely on the fact that the child's parent, guardian, or legal custodian refuses to administer or consent to the administration of psychotropic medication for the child.

Passage:

Ayes: 9 – Representatives Nass, Olsen, Grothman, Gundrum, Stone, Underheim, McCormick, Williams and Sinicki.

Noes: 2 – Representatives Cullen and J. Lehman.

To committee on **Rules**.

*STEPHEN NASS*  
Chairperson  
Committee on Education Reform

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The committee on **Government Operations** reports and recommends:

**Assembly Bill 460**

Relating to: executive salary group assignments for certain state employees.

Passage:

Ayes: 4 – Representatives Wieckert, Loeffelholz, Starzyk and Steinbrink.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 480**

Relating to: the names of state buildings, structures, facilities, and properties.

Assembly amendment 1 adoption:

Ayes: 4 – Representatives Wieckert, Loeffelholz, Starzyk and Steinbrink.

Noes: 0.

Passage as amended:

Ayes: 4 – Representatives Wieckert, Loeffelholz, Starzyk and Steinbrink.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 780**

Relating to: the regulation of certain sources of ionizing radiation (suggested as remedial legislation by the department of health and family services).

Passage:

Ayes: 4 – Representatives Wieckert, Loeffelholz, Starzyk and Steinbrink.

Noes: 0.

To committee on **Rules**.

*STEVE WIECKERT*  
Chairperson  
Committee on Government Operations

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

**Assembly Bill 694**

Relating to: the disclosure of information about licensed nurses to the coordinated licensure information system.

Passage:

Ayes: 14 – Representatives Underheim, Johnsrud, Krawczyk, Olsen, Seratti, Walker, Wieckert, Wasserman, Carpenter, La Fave, Miller, Schooff, Colon and Shilling.

Noes: 0.

To committee on **Rules**.

**Senate Bill 356**

Relating to: the disclosure of information about licensed nurses to the coordinated licensure information system.

Concurrence:

Ayes: 14 – Representatives Underheim, Johnsrud, Krawczyk, Olsen, Seratti, Walker, Wieckert, Wasserman, Carpenter, La Fave, Miller, Schooff, Colon and Shilling.

Noes: 0.

To committee on **Rules**.

*GREGG UNDERHEIM*  
Chairperson  
Committee on Health

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

**Assembly Bill 620**

Relating to: a mandatory minimum sentence for a juvenile who is convicted of throwing a bodily substance at or toward a person while placed in a secured correctional facility, a secure detention facility, a secured child caring institution, or a secured group home and providing a penalty.

Assembly amendment 1 adoption:

Ayes: 7 – Representatives Gundrum, McCormick, Grothman, Montgomery, Starzyk, Colon and Staskunas.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Gundrum, McCormick, Grothman, Montgomery, Starzyk, Colon and Staskunas.

Noes: 0.

To committee on **Rules**.

*MARK GUNDRUM*  
Chairperson  
Committee on Judiciary

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**MESSAGE FROM THE SENATE**

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

**Senate Bill 17**

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**ACTION ON THE SENATE MESSAGE**

**Senate Bill 17**

Relating to: the priority of a wage claim lien.

By Senators Robson, Moen, Erpenbach, Wirch, Plache, Moore, Decker, Hansen and Risser; cosponsored by Representatives Riley, Schooff, Carpenter, Richards, Berceau, Gronemus, Ryba, Sinicki, Bock, Coggs, Olsen, Williams, Miller, Powers, Sykora, Pettis, Staskunas, Turner, Nass, Cullen, Wood, Black, Balow, Young, Pohan, Musser, F. Lasee, J. Lehman, Plouff, Kreuser and Meyerhofer.

To committee on **Financial Institutions**.

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**AGENCY REPORTS**

State of Wisconsin  
Legislative Audit Bureau  
Madison

February 21, 2002

To the Honorable, the Legislature:

We have completed a review of the activities of the Technology for Educational Achievement in Wisconsin (TEACH) Board, as requested by the Joint Legislative Audit Committee. In fiscal year (FY) 2000-01, the TEACH Board spent \$61.3 million, including \$44.4 million in general purpose revenue, on programs to invest in educational technology equipment and to train teachers and others in the use of educational technology.

The TEACH Board is following its statutory mandate to support the development of educational technology in Wisconsin. TEACH Board programs are strongly supported by K-12 school districts and other educational agencies, and the TEACH Board has provided a significant amount of funding since its creation in the 1997-1999 biennial budget. Despite TEACH Board efforts to increase reporting, limited information is available on how funds have been used and on program effectiveness. We have included a number of questions the Legislature may wish to address as it considers reporting requirements for K-12 school districts, the effect of new technology on TEACH Board programs, and the level of support to be provided for the programs in the future.

We appreciate the cooperation and courtesy extended to us by TEACH Board management and staff. The response of the TEACH Board's Executive Director is Appendix 4.

Respectfully submitted,  
*JANICE MUELLER*  
State Auditor