



# STATE OF WISCONSIN Assembly Journal

## Ninety-Seventh Regular Session

FRIDAY, August 19, 2005

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

### AMENDMENTS OFFERED

Assembly amendment 2 to **Assembly Bill 21** offered by Representative Towns.

### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 05-029**

Relating to the return or exchange of health items.  
Submitted by Department of Regulation and Licensing.  
Report received from Agency, August 10, 2005.  
To committee on **Health**.  
Referred on August 18, 2005.

#### **Assembly Clearinghouse Rule 05-041**

Relating to expiration of a temporary credential issued by the social worker section.  
Submitted by Department of Regulation and Licensing.  
Report received from Agency, August 9, 2005.  
To committee on **Health**.  
Referred on August 18, 2005.

#### **Assembly Clearinghouse Rule 05-043**

Relating to recordkeeping by marriage and family therapists, professional counselors and social workers.  
Submitted by Department of Regulation and Licensing.  
Report received from Agency, August 16, 2005.  
To committee on **Health**.  
Referred on August 18, 2005.

#### **Assembly Clearinghouse Rule 05-063**

Relating to use value assessment of agricultural land.  
Submitted by Department of Revenue.  
Report received from Agency, August 11, 2005.  
To committee on **Agriculture**.  
Referred on August 18, 2005.

#### **Assembly Clearinghouse Rule 05-065**

Relating to prohibited bases for discriminating in the extension of consumer credit.  
Submitted by Department of Financial Institutions.  
Report received from Agency, August 11, 2005.

To committee on **Financial Institutions**.  
Referred on August 18, 2005.

#### **Assembly Clearinghouse Rule 05-070**

Relating to the joint effort marketing program.  
Submitted by Department of Tourism.  
Report received from Agency, August 15, 2005.  
To committee on **Tourism**.  
Referred on August 18, 2005.

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Bill 616**

Relating to: the use of wine in a religious service in a prison, jail, or house of correction.

By Representatives Strachota, Gundrum, Bies, Davis, Gronemus, Gunderson, Hahn, Hines, Jensen, Jeskewitz, Krawczyk, Pridemore, Pettis, Van Roy and Vos; cosponsored by Senators Grothman, Leibham and Olsen.

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

#### **Assembly Bill 617**

Relating to: coverage of certain health care costs in cancer clinical trials.

By Representatives Gunderson, Davis, Wasserman, Albers, Ballweg, Benedict, Berceau, Bies, Boyle, Fields, Gronemus, Hahn, Hines, Kaufert, Krawczyk, Kreibich, Kreuser, Lehman, Lothian, Molepske, Montgomery, Musser, Nelson, Ott, Pettis, Sheridan, Steinbrink, Townsend, Turner, Van Akkeren, Van Roy, Vos and Vruwink; cosponsored by Senators Stepp, Roessler, Brown, Darling, Erpenbach, Hansen, Kanavas, A. Lasee, Lassa, Olsen, Risser, Wirch and Zien.

To committee on **Insurance**.

#### **Assembly Bill 618**

Relating to: child safety restraint systems, safety belt use requirements in motor vehicles, and providing a penalty.

By Representatives Petrowski, Suder, Wasserman, Ainsworth, Bies, Jensen, Kreibich, Lehman, McCormick, Molepske, Musser, Nass, Ott, Pope-Roberts, Shilling, Sinicki, Stone and Van Roy; cosponsored by Senators Roessler, Robson, Risser, Brown, A. Lasee, Lassa, Olsen and Wirch.

To committee on **Highway Safety**.

**Assembly Bill 619**

Relating to: retail sales of wine by the bottle in restaurants for consumption on and off the premises.

By Representatives Pridemore, Van Roy, Ziegelbauer, Bies, Gronemus, Gunderson, Gundrum, Jensen, Krawczyk, Loeffelholz, Lothian, McCormick, Molepske, Musser, Nerison, Owens, Pocan, Underheim and Vos; cosponsored by Senator A. Lasee.

To committee on **Small Business**.

**Assembly Bill 620**

Relating to: requiring notice to persons affected by zoning actions and comprehensive plans that change the allowable use of their property.

By Representatives Albers, Lothian, Ainsworth, Owens and Bies.

To committee on **Property Rights and Land Management**.

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**COMMITTEE REPORTS**

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

**Assembly Bill 114**

Relating to: allowing school boards and charter schools to establish single-sex schools and courses.

Passage:

Ayes: 7 – Representatives Vukmir, Nass, Towns, Wood, Nischke, Pridemore and A. Williams.

Noes: 2 – Representatives Sinicki and Lehman.

To committee on **Rules**.

*LEAH VUKMIR*  
Chairperson  
Committee on Education Reform

The committee on **Property Rights and Land Management** reports and recommends:

**Assembly Bill 558**

Relating to: limiting the reasons for which a local government may withhold approval of a permit.

Passage:

Ayes: 4 – Representatives Albers, Nass, Musser and Wood.

Noes: 1 – Representative Hebl.

To committee on **Rules**.

*SHERYL ALBERS*  
Chairperson  
Committee on Property Rights and Land Management

**EXECUTIVE COMMUNICATIONS**

State of Wisconsin  
Office of the Governor  
Madison

August 17, 2005

To the Honorable Members of the Assembly:

The following bills, originating in the Assembly, has been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
<b>Assembly Bill 18</b> . . . . .	38 . . . . .	August 17, 2005
<b>Assembly Bill 46</b> . . . . .	39 . . . . .	August 17, 2005
<b>Assembly Bill 79</b> . . . . .	40 . . . . .	August 17, 2005
<b>Assembly Bill 107</b> . . . . .	41 . . . . .	August 17, 2005
<b>Assembly Bill 261</b> . . . . .	42 . . . . .	August 17, 2005

Respectfully submitted,  
*JIM DOYLE*  
Governor

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**COMMUNICATIONS**

State of Wisconsin  
Office of the Secretary of State  
Madison

To Whom It May Concern:

Acts, Joint Resolutions and Resolutions deposited in this office have been numbered and published as follows:

<u>Bill Number</u>	<u>Act Number</u>	<u>Publication Date</u>
<b>Assembly Bill 18</b> . . . . .	38 . . . . .	August 31, 2005
<b>Assembly Bill 46</b> . . . . .	39 . . . . .	August 31, 2005
<b>Assembly Bill 79</b> . . . . .	40 . . . . .	August 31, 2005
<b>Assembly Bill 107</b> . . . . .	41 . . . . .	August 31, 2005
<b>Assembly Bill 261</b> . . . . .	42 . . . . .	August 31, 2005

Sincerely,  
*DOUGLAS LA FOLLETTE*  
Secretary of State

August 18, 2005

Patrick Fuller  
Assembly Chief Clerk

Dear Clerk Fuller:

Please add my name as a co-sponsor to 2005 Assembly Bill 81, which relates to creditable military service under the Wisconsin Retirement System.

Thank you for your consideration of my request.

If you have any questions regarding this request, please feel free to contact my office.

Sincerely,  
*JEFF FITZGERALD*  
State Representative  
39th Assembly District

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August 17, 2005

Patrick Fuller  
Assembly Chief Clerk

Dear Chief Clerk Fuller:

I would like to request a change in my vote of June 23, 2005, concerning tabling of Amendment 1 of Assembly Bill 499. I wish to request the change from “No” to “Yes” on tabling Amendment 1 of Assembly Bill 499.

Thank you for your assistance in this matter. Please contact me if you have any questions.

Sincerely,  
*TERRI MCCORMICK*  
State Representative  
56th Assembly District

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## REFERENCE BUREAU CORRECTIONS

### Assembly Bill 280

1. Page 3, line 6: delete “discharge” and substitute “discharge,”.

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## REFERRAL OF AGENCY REPORTS

State of Wisconsin  
Office of State Employment Relations  
Madison

June 2005

To the Honorable, the Legislature:

I am pleased to present the 26th Affirmative Action Report for Wisconsin state government. Its purpose is to provide an overview of the state’s workforce, reflect the progress made in the past year, and identify priority issues for the future.

Agencies continued to reduce their permanent classified workforce in fiscal year 2004, with minimal impact on the number and percentage of racial/ethnic minorities, women, and persons with disabilities in the permanent classified workforce. The state Division of Affirmative Action undertook many initiatives which ensured the continued representation of targeted group members in the state workforce.

The Office of State Employment Relations will continue to review the status of affirmative action in the State of

Wisconsin and will assist agencies in the development of programs to accomplish their AA/EEO goals.

Sincerely,  
*KAREN TIMBERLAKE*  
Director

Referred to committee on **Labor**.

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## AGENCY REPORTS

State of Wisconsin  
Legislative Audit Bureau  
Madison

August 19, 2005

To the Honorable, the Assembly:

We have completed a review of the worker’s compensation benefits paid to state employees from fiscal year (FY) 1999-2000 through FY 2003-04. During that five-year period, benefit payments for physical and mental injuries that resulted from accidents or illnesses sustained during the course of employment totaled \$59.2 million. The worker’s compensation program is managed by the Department of Administration and funded through premiums that are paid by state agencies, based primarily on their claims experience.

Although the number of paid claims declined by more than 16.0 percent during our review period, benefit payments increased 30.0 percent, from \$10.0 million in FY 1999-2000 to \$13.0 million in FY 2003-04. The average cost per paid claim increased 43.0 percent from its low of \$2,005 in FY 2000-01 to \$2,867 in FY 2003-04. Costs per claim increased primarily because of rising health care costs, which include hospital and physical therapy charges and prescription drugs. Three agencies—the University of Wisconsin System, the Department of Health and Family Services, and the Department of Corrections—accounted for 72.4 percent of FY 2003-04 payments.

The types and severity of on-the-job injuries sustained by state employees varied substantially, from twisted ankles caused from falls to life-threatening injuries sustained in automobile accidents. The most costly injury category was lifting, moving, or restraining a load, which led to strained or pulled muscles. Benefit payments related to these injuries increased from \$1.2 million in FY 1999-2000 to \$3.5 million in FY 2003-04.

We appreciate the courtesy and cooperation extended to us by Department of Administration staff in conducting this review.

Sincerely,  
*JANICE MUELLER*  
State Auditor