



STATE OF WISCONSIN Assembly Journal

Ninety-Ninth Regular Session

TUESDAY, September 8, 2009

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 115** offered by Representative Soletski.

Assembly amendment 1 to **Assembly Bill 322** offered by Representative Vos.

Assembly substitute amendment 1 to **Assembly Bill 333** offered by Representative Parisi.

Assembly amendment 2 to **Assembly Bill 387** offered by Representative Hebl.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 09-049

Relating to the transportation facilities economic assistance and development program, and the transportation infrastructure loan program.

Submitted by Department of Transportation.

Report received from Agency, September 1, 2009.

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

Referred on September 8, 2009.

COMMITTEE REPORTS

The committee on **Children and Families** reports and recommends:

Assembly Bill 214

Relating to: posttermination of parental rights contact between a child and a birth relative of the child and disclosure of the report of an investigation of the home of a proposed adoptive parent on the request of the proposed adoptive parent.

Assembly Substitute Amendment 1 adoption:

Ayes: 7 – Representatives Grigsby, Pope–Roberts, Sinicki, Berceau, Kestell, Pridemore and Spanbauer.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Grigsby, Pope–Roberts, Sinicki, Berceau, Kestell, Pridemore and Spanbauer.

Noes: 0.

To committee on **Rules**.

Assembly Bill 296

Relating to: children and their families who are involved in two or more systems of care and making an appropriation.

Assembly Amendment 1 adoption:

Ayes: 7 – Representatives Grigsby, Pope–Roberts, Sinicki, Berceau, Kestell, Pridemore and Spanbauer.

Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 7 – Representatives Grigsby, Pope–Roberts, Sinicki, Berceau, Kestell, Pridemore and Spanbauer.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Grigsby, Pope–Roberts, Sinicki, Berceau, Kestell, Pridemore and Spanbauer.

Noes: 0.

To joint committee on **Finance**.

Assembly Bill 297

Relating to: child abuse and neglect prevention grants.

Assembly Substitute Amendment 1 adoption:

Ayes: 7 – Representatives Grigsby, Pope–Roberts, Sinicki, Berceau, Kestell, Pridemore and Spanbauer.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Grigsby, Pope–Roberts, Sinicki, Berceau, Kestell, Pridemore and Spanbauer.

Noes: 0.

To committee on **Rules**.

Assembly Bill 298

Relating to: requiring notice to relatives when a child is taken into custody and disclosure of information to relatives for the purpose of facilitating a relationship or placement.

Assembly Substitute Amendment 1 adoption:

Ayes: 7 – Representatives Grigsby, Pope–Roberts, Sinicki, Berceau, Kestell, Pridemore and Spanbauer.
Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Grigsby, Pope–Roberts, Sinicki, Berceau, Kestell, Pridemore and Spanbauer.
Noes: 0.

To committee on **Rules**.

TAMARA GRIGSBY
Chairperson
Committee on Children and Families

The committee on **Natural Resources** reports and recommends:

Assembly Bill 138

Relating to: the appointment and term of service of the secretary of natural resources and vacancies on the Natural Resources Board.

Passage:

Ayes: 10 – Representatives Black, Danou, Molepske Jr., Hraychuck, Hebl, Mason, Milroy, Clark, Mursau and Nerison.

Noes: 4 – Representatives J. Ott, Gunderson, Huebsch and LeMahieu.

To committee on **Rules**.

SPENCER BLACK
Chairperson
Committee on Natural Resources

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

Assembly Bill 186

Relating to: salvinorin A and providing a penalty.

Passage:

Ayes: 7 – Representatives Benedict, Pasch, Dexter, Bernard Schaber, Strachota, Vukmir and Newcomer.
Noes: 0.

To committee on **Rules**.

Assembly Bill 227

Relating to: directing the Pharmacy Examining Board to create a program to monitor the dispensing of prescription drugs and requiring the exercise of rule–making authority.

Assembly Substitute Amendment 1 adoption:

Ayes: 7 – Representatives Benedict, Pasch, Dexter, Bernard Schaber, Strachota, Vukmir and Newcomer.
Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Benedict, Pasch, Dexter, Bernard Schaber, Strachota, Vukmir and Newcomer.
Noes: 0.

To committee on **Rules**.

Assembly Bill 267

Relating to: licenses and limited X–ray machine operator permits to engage in the practice of radiography, creating a radiography examining board, granting rule–making authority, and requiring the exercise of rule–making authority.

Passage:

Ayes: 7 – Representatives Benedict, Pasch, Dexter, Bernard Schaber, Strachota, Vukmir and Newcomer.
Noes: 0.

To joint committee on **Finance**.

Assembly Bill 272

Relating to: donating drugs and dispensing donated drugs.

Passage:

Ayes: 7 – Representatives Benedict, Pasch, Dexter, Bernard Schaber, Strachota, Vukmir and Newcomer.
Noes: 0.

To committee on **Rules**.

Assembly Bill 273

Relating to: podiatrist–patient privilege, immunity exemption for podiatrists providing emergency care at athletic events, allowing podiatrists to determine an illness or injury and complete forms for the purpose of granting assistance to needy veterans, allowing podiatrists to determine disability for the purpose of issuing certain hunting permits, cooperatives organized to provide sickness care, the Podiatrists Affiliated Credentialing Board, allowing podiatrists to certify driver school instructors’ physical fitness, allowing Medical Assistance recipients to freely choose among podiatrists, and giving equal weight to certifications of disability by podiatrists for insurance purposes.

Passage:

Ayes: 7 – Representatives Benedict, Pasch, Dexter, Bernard Schaber, Strachota, Vukmir and Newcomer.
Noes: 0.

To committee on **Rules**.

CHUCK BENEDICT
Chairperson
Committee on Public Health

The committee on **Urban and Local Affairs** reports and recommends:

Assembly Bill 136

Relating to: partially exempting an assessor and an assessor’s staff from liability for trespassing, creating immunity from civil liability, and changing the notice

requirements related to the revaluation of property by an assessor.

Assembly Substitute Amendment 2 adoption:

Ayes: 7 – Representatives Berceau, Van Akkeren, Hintz, Parisi, LeMahieu, Gottlieb and Spanbauer.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Berceau, Van Akkeren, Hintz, Parisi, LeMahieu, Gottlieb and Spanbauer.

Noes: 0.

To committee on **Rules**.

Assembly Bill 159

Relating to: the charge-back of refunded or rescinded taxes and of personal property taxes and sharing certain collected taxes.

Assembly Substitute Amendment 1 adoption:

Ayes: 7 – Representatives Berceau, Van Akkeren, Hintz, Parisi, LeMahieu, Gottlieb and Spanbauer.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Berceau, Van Akkeren, Hintz, Parisi, LeMahieu, Gottlieb and Spanbauer.

Noes: 0.

To joint committee on **Finance**.

TERESE BERCEAU
Chairperson
Committee on Urban and Local Affairs

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Health Services
Madison

September 1, 2009

To the Honorable, the Legislature:

Section 227.485 (9) of the Wis. Stats. requires the Department to submit a report concerning decisions and resulting payments of attorney fees and related legal costs. Attorney fees and other legal costs are to be paid whenever the opposing party to an agency's Chapter 227 hearing prevails and it is determined the agency's position was not substantially justified. As indicated in the attached chart, two payments totaling \$7,679.14 were made during SFY 2009.

In addition, under 814.245 (10) of the Wis. Stats., the Department is required to report any awards granted to the Department regarding frivolous motions brought against this Department. In SFY 2009, no motions of opposing parties

were found to be frivolous. Consequently, the Department has no awards to report.

Sincerely,
KAREN E. TIMBERLAKE
Secretary

Referred to committee on **Health and Healthcare Reform**.

State of Wisconsin
Public Service Commission
Madison

September 2, 2009

To the Honorable, the Legislature:

Enclosed is a copy of the annual report the Public Service Commission (Commission) shall submit to the legislature as provided for in Wis. Stat. 1.11 (2)(j). It reports on the number and type of proposed actions requiring the preparation of an environmental assessment or an environmental impact statement by the Commission between July 1, 2008 and June 30, 2009.

If you have any questions about this report, please contact our Environmental Analysis and Review Coordinator, Kathleen Zuelsdorff, at (608) 266-2730.

Sincerely,
ERIC CALLISTO
Chairperson

Referred to committee on **Natural Resources**.

State of Wisconsin
Department of Health Services
Madison

September 4, 2009

To the Honorable, the Legislature:

Section 55.14 (11) of the Wis. Stats. requires the Department of Health Services to submit a report concerning any orders for the involuntary administration of psychotropic medications to individuals who are receiving protective services. Counties and their contract agencies are required to submit copies of these orders to the Department. Sections 51.14 (3) and (8) establish the criteria for issuance of court orders. Six counties (Dodge, Oneida, Pierce, Rock, Washburn and Richland) provided copies of protective placement court orders for psychotropic medications in the last year.

Sincerely,
KAREN E. TIMBERLAKE
Secretary

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