



STATE OF WISCONSIN Assembly Journal

Ninety-Ninth Regular Session

2:00 P.M.

TUESDAY, March 2, 2010

The Assembly met in the Assembly Chamber located in the State Capitol.

Representative Pope-Roberts in the chair.

The Assembly dispensed with the call of the roll.

AMENDMENTS OFFERED

Assembly amendment 1 to Assembly amendment 1 to **Assembly Bill 624** offered by Representative Hixson.

Assembly amendment 2 to **Assembly Bill 671** offered by Representative Nygren.

Assembly amendment 3 to **Assembly Bill 671** offered by Representatives Shilling and Nygren.

Assembly amendment 1 to **Assembly Bill 675** offered by Representative Roys.

Assembly substitute amendment 1 to **Assembly Bill 680** offered by Representative Hraychuck.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 680** offered by Representative Hraychuck.

Assembly amendment 1 to **Assembly Bill 691** offered by Representative Dexter.

Assembly amendment 1 to **Assembly Bill 726** offered by Representative Fields.

Assembly amendment 1 to **Assembly Bill 749** offered by Representative Clark.

Assembly amendment 2 to **Assembly Bill 749** offered by Representative Clark.

Assembly substitute amendment 1 to **Assembly Bill 755** offered by Representative Mason.

Assembly amendment 1 to **Assembly Bill 766** offered by Representative Steinbrink.

Assembly substitute amendment 1 to **Assembly Resolution 14** offered by Representative Wood.

Assembly amendment 2 to **Senate Bill 383** offered by Representative Kessler.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 09-088

Relating to ambient air quality standards for ozone and lead and new reporting requirements for lead compounds.

Submitted by Department of Natural Resources.

Report received from Agency, February 25, 2010.

To committee on **Natural Resources**.

Referred on March 2, 2010.

Assembly Clearinghouse Rule 09-113

Relating to electronic recording and release of liens by non-individual creditors.

Submitted by Department of Transportation.

Report received from Agency, February 25, 2010.

To committee on **Transportation**.

Referred on March 2, 2010.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 113

Relating to: proclaiming March 2010 as Professional Social Work Month.

By Representative Grigsby; cosponsored by Senator Cogs.

To committee on **Rules**.

Assembly Joint Resolution 114

Relating to: the retirement of Don Dyke, Chief of Legal Services, Legislative Council Staff, following a long and distinguished career in nonpartisan service to the Wisconsin legislature.

By Representatives Hebl, Staskunas, Turner and Gundrum; cosponsored by Senator Risser.

To committee on **Rules**.

Assembly Bill 784

Relating to: reporting the results of a religious organization's investigation of sexual contact with a child and providing a penalty.

By Representatives Krusick, Rhoades, Parisi, Berceau, Black, Murtha and Zigmunt; cosponsored by Senator A. Lasee.

To committee on **Children and Families**.

Assembly Bill 785

Relating to: an integrated crime alert network and making an appropriation.

By Representatives Hraychuck, Bies, Jorgensen, Turner, Staskunas, Petrowski, Townsend and Honadel; cosponsored by Senators Plale, Taylor, Lassa, Carpenter, Lehman, Lazich, Cowles, Hansen, Sullivan and Olsen.

To committee on **Criminal Justice**.

Assembly Bill 786

Relating to: payment by the Department of Transportation of the costs of relocating utilities beneath or adjacent to a highway in the village of Sauk City.

By Representatives Hilgenberg and Clark; cosponsored by Senators Schultz and A. Lasee.

To committee on **Transportation**.

Assembly Bill 787

Relating to: the term of office of the commissioner of insurance.

By Representatives Barca, Pasch, Zigmunt, Turner, Hraychuck, A. Williams and Sinicki; cosponsored by Senators Vinehout and Lehman.

To committee on **Insurance**.

Assembly Bill 788

Relating to: creating a sunset provision for the county tax levy rate limit.

By Representatives Hintz, Shilling, Berceau, Turner, Zigmunt and Ziegelbauer; cosponsored by Senator Miller.

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

Assembly Bill 789

Relating to: insurance coverage of the services of behavior analysts for autism treatment.

By Representatives Hintz, Gottlieb, Hixson, Turner, Brooks, Molepske Jr., Hilgenberg, Kaufert and Grigsby; cosponsored by Senators Wirch and Olsen.

To committee on **Insurance**.

Assembly Bill 790

Relating to: exemption from execution for payments made to certain family farm businesses.

By Representatives Vruwink, A. Ott, Clark, Suder, Spanbauer, Tauchen, Townsend and Vos; cosponsored by Senators Harsdorf and Vinehout.

To committee on **Agriculture**.

Assembly Bill 791

Relating to: the creation of a La Crosse County regional transit authority.

By Representative Shilling.

To committee on **Transportation**.

Assembly Bill 792

Relating to: state contractual services and false claims submitted to state and local governments, requiring the exercise of rule-making authority, and providing penalties.

By Representatives Jorgensen, Barca, Mason, Roys, Vruwink, Berceau, Cullen, Hilgenberg, Hixson, Milroy, Molepske Jr., Pasch, Pocan, Pope-Roberts, Sinicki, Smith, Turner, Zepnick and Grigsby; cosponsored by Senators Lassa, Carpenter, Coggs, Darling, Hansen, Holperin, Kreitlow, Lehman, Risser, Taylor, Vinehout, Wirch and Ellis.

To committee on **Labor**.

Assembly Bill 793

Relating to: animals taken into custody.

By Representatives Pocan, Berceau, Black, Brooks, Hebl, Pasch and Pope-Roberts; cosponsored by Senators Risser, Carpenter, Erpenbach and Miller.

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

Assembly Bill 794

Relating to: nonrefundable individual and corporate income and franchise tax credits for purchasing a thermal biomass heating system and fuel for such a system, property tax exemptions for thermal biomass heating systems and facilities used to store fuel for such systems, and a sales and use tax exemption for purchasing a thermal biomass heating system.

By Representatives Friske, Molepske Jr., Mursau, Meyer, M. Williams, Brooks, Hraychuck, Kestell, A. Ott, Suder, Tauchen, Townsend and Turner; cosponsored by Senators Kreitlow and Taylor.

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

Assembly Bill 795

Relating to: membership of boards of commissioners established for public inland lake protection and rehabilitation districts.

By Representatives Kleefisch, A. Ott, Ballweg and Brooks.

To committee on **Natural Resources**.

Assembly Bill 796

Relating to: the rail passenger service assistance and promotion program.

By Representatives Mursau, Vos, Montgomery, Nygren, Roth, Brooks, LeMahieu, Davis, Murtha, Lothian, Ripp, Petersen, A. Williams, A. Ott, Kaufert, Nass, Gunderson, Bies, Suder, Knodl and Townsend; cosponsored by Senators Cowles, Hopper, Kedzie, Harsdorf, Schultz and Olsen.

To committee on **Transportation**.

Assembly Bill 797

Relating to: apprentice contracts, the appointment and composition of the Wisconsin Apprenticeship Council, requiring the exercise of rule-making authority, and providing a penalty.

By Representatives Toles and Sinicki; cosponsored by Senator Coggs, by request of Department of Workforce Development.

To committee on **Workforce Development**.

COMMITTEE REPORTS

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

Assembly Bill 563

Relating to: eliminating obsolete provisions related to the use value assessment of agricultural land (suggested as remedial legislation by the Department of Revenue).

Passage:

Ayes: 11 – Representatives Vruwink, Radcliffe, Garthwaite, Jorgensen, Molepske Jr., Danou, A. Ott, Nerison, Murtha, Tauchen and Brooks.

Noes: 0.

To committee on **Rules**.

Assembly Bill 717

Relating to: the agricultural producer security program, providing an exemption from emergency rule procedures, and granting rule-making authority.

Passage:

Ayes: 11 – Representatives Vruwink, Radcliffe, Garthwaite, Jorgensen, Molepske Jr., Danou, A. Ott, Nerison, Murtha, Tauchen and Brooks.

Noes: 0.

To committee on **Rules**.

Assembly Bill 746

Relating to: promoting the use of locally grown food in school meals and snacks and granting rule-making authority.

Assembly Amendment 1 adoption:

Ayes: 11 – Representatives Vruwink, Radcliffe, Garthwaite, Jorgensen, Molepske Jr., Danou, A. Ott, Nerison, Murtha, Tauchen and Brooks.

Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 11 – Representatives Vruwink, Radcliffe, Garthwaite, Jorgensen, Molepske Jr., Danou, A. Ott, Nerison, Murtha, Tauchen and Brooks.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Vruwink, Radcliffe, Garthwaite, Jorgensen, Molepske Jr., Danou, A. Ott, Nerison, Murtha, Tauchen and Brooks.

Noes: 0.

To joint committee on **Finance**.

Assembly Bill 756

Relating to: the dairy and livestock investment tax credits.

Assembly Amendment 1 adoption:

Ayes: 11 – Representatives Vruwink, Radcliffe, Garthwaite, Jorgensen, Molepske Jr., Danou, A. Ott, Nerison, Murtha, Tauchen and Brooks.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Vruwink, Radcliffe, Garthwaite, Jorgensen, Molepske Jr., Danou, A. Ott, Nerison, Murtha, Tauchen and Brooks.

Noes: 0.

To joint committee on **Finance**.

Assembly Bill 757

Relating to: a food processing plant and food warehouse investment tax credit, requiring the exercise of rule-making authority, and making an appropriation.

Passage:

Ayes: 11 – Representatives Vruwink, Radcliffe, Garthwaite, Jorgensen, Molepske Jr., Danou, A. Ott, Nerison, Murtha, Tauchen and Brooks.

Noes: 0.

To joint committee on **Finance**.

AMY SUE VRUWINK
Chairperson
Committee on Agriculture

The committee on **Colleges and Universities** reports and recommends:

Assembly Bill 698

Relating to: an addition to the 2009–11 Authorized State Building Program.

Passage:

Ayes: 8 – Representatives Hixson, Smith, Black, Cullen, Soletski, Hintz, Berceau and Townsend.

Noes: 4 – Representatives Nass, Rhoades, Gottlieb and Ballweg.

To committee on **Rules**.

KIM HIXSON
Chairperson
Committee on Colleges and Universities

The committee on **Consumer Protection** reports and recommends:

Assembly Bill 529

Relating to: violations of the Wisconsin Uniform Securities Law and providing a penalty.

Passage:

Ayes: 8 – Representatives Hintz, Soletski, Hixson, Pope–Roberts, Roys, Lothian, Spanbauer and Meyer.

Noes: 1 – Representative Kleefisch.

To committee on **Rules**.

Senate Bill 218

Relating to: penalties and private actions for violations of restrictions on telephone solicitations.

Assembly Amendment 1 adoption:

Ayes: 7 – Representatives Hintz, Soletski, Hixson, Pope–Roberts, Roys, Lothian and Spanbauer.

Noes: 2 – Representatives Kleefisch and Meyer.

Concurrence as amended:

Ayes: 7 – Representatives Hintz, Soletski, Hixson,
Pope–Roberts, Roys, Lothian and Spanbauer.
Noes: 2 – Representatives Kleefisch and Meyer.

To committee on **Rules**.

GORDON HINTZ
Chairperson
Committee on Consumer Protection

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

Assembly Bill 713

Relating to: mutual assistance between tribal and county or municipal law enforcement agencies.

Passage:

Ayes: 11 – Representatives Turner, Kessler, Staskunas,
Hraychuck, Soletski, Pasch, Kleefisch, Friske, Kramer,
Brooks and Ripp.
Noes: 0.

To committee on **Rules**.

ROBERT TURNER
Chairperson
Committee on Criminal Justice

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

Assembly Bill 715

Relating to: certain areas of land subject to managed forest land orders that were part of parcels of land that exceeded 1,000 acres in size.

Assembly Amendment 2 adoption:

Ayes: 4 – Representatives Clark, Sherman, Milroy and Mursau.
Noes: 1 – Representative Friske.

Passage as amended:

Ayes: 4 – Representatives Clark, Sherman, Milroy and Mursau.
Noes: 1 – Representative Friske.

To joint committee on **Finance**.

Assembly Bill 754

Relating to: an income and franchise tax credit for lumber manufacturing facility investments and making an appropriation.

Assembly Amendment 1 adoption:

Ayes: 5 – Representatives Clark, Sherman, Milroy, Friske and Mursau.
Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Clark, Sherman, Milroy, Friske and Mursau.
Noes: 0.

To joint committee on **Finance**.

FRED CLARK
Chairperson
Committee on Forestry

The committee on **Jobs, the Economy and Small Business** reports and recommends:

Assembly Bill 707

Relating to: self–service storage facility notices and procedures.

Passage:

Ayes: 13 – Representatives Molepske Jr., Bernard Schaber, Fields, Hintz, Barca, Krusick, Benedict, Toles, Zipperer, Friske, Van Roy, M. Williams and Strachota.
Noes: 0.

To committee on **Rules**.

Assembly Bill 709

Relating to: requiring access to toilet facilities in a retail establishment, immunity from civil liability related to use of the toilet facilities, and providing penalties.

Passage:

Ayes: 13 – Representatives Molepske Jr., Bernard Schaber, Fields, Hintz, Barca, Krusick, Benedict, Toles, Zipperer, Friske, Van Roy, M. Williams and Strachota.
Noes: 0.

To committee on **Rules**.

Assembly Bill 716

Relating to: professional employer organizations.

Passage:

Ayes: 13 – Representatives Molepske Jr., Bernard Schaber, Fields, Hintz, Barca, Krusick, Benedict, Toles, Zipperer, Friske, Van Roy, M. Williams and Strachota.
Noes: 0.

To committee on **Rules**.

Assembly Bill 767

Relating to: changes to the membership of the Small Business Regulatory Review Board, notification to the Small Business Regulatory Review Board of bills with an economic impact on small businesses, and the role of the Office of the Small Business Advocate in the Department of Commerce.

Passage:

Ayes: 10 – Representatives Molepske Jr., Hintz, Barca, Krusick, Benedict, Toles, Zipperer, Van Roy, M. Williams and Strachota.
Noes: 0.

To committee on **Rules**.

Senate Bill 190

Relating to: renewals and extensions of business contracts.

Assembly Amendment 1 adoption:

Ayes: 12 – Representatives Molepske Jr., Bernard Schaber, Fields, Hintz, Barca, Krusick, Benedict, Toles, Zipperer, Friske, M. Williams and Strachota.

Noes: 0.

Concurrence as amended:

Ayes: 11 – Representatives Molepske Jr., Bernard Schaber, Fields, Hintz, Barca, Krusick, Benedict, Toles, Friske, M. Williams and Strachota.

Noes: 1 – Representative Zipperer.

To committee on **Rules**.

LOUIS MOLEPSKE JR
Chairperson
Committee on Jobs, the Economy and
Small Business

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

Assembly Bill 546

Relating to: requiring governmental bodies of certain political subdivisions to post meeting notices and minutes on their Web sites.

Assembly Substitute Amendment 1 adoption:

Ayes: 8 – Representatives Berceau, Ziegelbauer, Hintz, Parisi, Roys, LeMahieu, Gottlieb and Spanbauer.

Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Berceau, Hintz, Parisi, Roys and Spanbauer.

Noes: 3 – Representatives Ziegelbauer, LeMahieu and Gottlieb.

To committee on **Rules**.

Assembly Bill 561

Relating to: eliminating the notary requirement for assessor certification renewal (suggested as remedial legislation by the Department of Revenue).

Passage:

Ayes: 8 – Representatives Berceau, Ziegelbauer, Hintz, Parisi, Roys, LeMahieu, Gottlieb and Spanbauer.

Noes: 0.

To committee on **Rules**.

Assembly Bill 621

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

Passage:

Ayes: 8 – Representatives Berceau, Ziegelbauer, Hintz, Parisi, Roys, LeMahieu, Gottlieb and Spanbauer.

Noes: 0.

To committee on **Rules**.

TERESE BERCEAU
Chairperson
Committee on Urban and Local Affairs

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

Senate Bill 44
Senate Bill 431
Senate Bill 458
Senate Bill 517

Concurred in:

Assembly Bill 128
Assembly Bill 213
Assembly Bill 230
Assembly Bill 485
Assembly Bill 574
Assembly Bill 579
Assembly Bill 614

REFERENCE BUREAU CORRECTIONS

Assembly Bill 553

1. Page 5, line 22: after "audiologist." insert "or".
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CHIEF CLERK REPORTS

The Chief Clerk records:

Assembly Bill 2
Assembly Bill 166
Assembly Bill 186
Assembly Bill 411
Assembly Bill 419
Assembly Bill 592

Presented to the Governor on Tuesday, March 2.

PATRICK E. FULLER
Assembly Chief Clerk

COMMUNICATIONS

March 1, 2010

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53703

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Bill 781, relating to remission of fees for veterans and their dependents enrolled in the University of Wisconsin System or in a technical college.

Sincerely,
LOUIS MOLEPSKE, JR.
State Representative
71st Assembly District

March 2, 2010

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53703

Dear Chief Clerk Fuller:

Please add me as a co-author to 2009 Assembly Bill 303, relating to: special distinguishing registration plates expressing support for the family members of law enforcement officers who have died in the line of duty.

Sincerely,
BOB ZIEGELBAUER
State Representative
25th Assembly District

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Public Instruction
Madison

February 26, 2010

To the Honorable, the Legislature:

The annual report on the status of the Preschool-to-Grade-Five (P-5) Program has been submitted to the Joint Committee on Finance and is submitted to you for referral to the appropriate standing committees pursuant to s. [115.45 \(6\)\(b\)](#) and [\(c\)](#), Wis. Stats.

All P-5 school district evaluation reports for 2008-2009 are contained herein, reporting on the academic progress for all schools funded by the P-5 program. If you have any questions, please contact my office or Kevin Ingram, Director, Wisconsin Educational Opportunity Programs and Office of Urban Education at (414) 227-4413 or kevin.ingram@dpi.wi.gov.

Sincerely,
TONY EVERS, PHD
State Superintendent

Referred to committee on **Education**.

ADJOURNMENT

Representative Seidel moved that the Assembly stand adjourned until 10:00 A.M. on Thursday, March 4.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

2:01 P.M.