



STATE OF WISCONSIN Assembly Journal

Ninety-Ninth Regular Session

THURSDAY, March 11, 2010

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

AMENDMENTS OFFERED

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 546** offered by Representative Roys.

Assembly amendment 1 to **Assembly Bill 553** offered by Representative Seidel.

Assembly amendment 1 to Assembly amendment 1 to **Assembly Bill 675** offered by committee on **Health and Healthcare Reform**.

Assembly amendment 2 to **Assembly Bill 701** offered by Representative Cullen.

Assembly amendment 1 to **Assembly Bill 780** offered by committee on **Children and Families**.

Assembly amendment 2 to **Assembly Bill 812** offered by Representative Black.

Assembly amendment 1 to **Senate Bill 163** offered by Representative Molepske, Jr.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 09–116

Relating to fees for plan review and inspection of public swimming pools and water attractions and affecting small business.

Submitted by Department of Commerce.

Report received from Agency, February 24, 2010.

To committee on **Public Health**.

Referred on March 11, 2010.

Assembly Clearinghouse Rule 09–118

Relating to the financial records matching program.

Submitted by Department of Revenue.

Report received from Agency, March 5, 2010.

To committee on **Financial Institutions**.

Referred on March 10, 2010.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 118

Relating to: proclaiming May 14, 15, and 16, 2010, Syttende Mai Weekend.

By Representatives Nerison, Hebl, Tauchen, Roys, Pope–Roberts, Gunderson, Berceau, Townsend, Turner and Jorgensen; cosponsored by Senators Kapanke, Miller, Vinehout, Schultz, Lehman, Plale, Olsen, Taylor, Wirsch, Grothman, Risser and Cowles.

To committee on **Rules**.

Assembly Bill 829

Relating to: applicability of the prevailing wage law to publicly funded private construction projects and to regional transit authorities, the threshold for applicability of that law to a project of public works, the submission to the Department of Workforce Development of payroll records of persons performing work that is subject to that law, the inspection of those records, and the remedies for a violation of that law.

By Representatives M. Williams, Nass, Nygren, Suder, Kestell, Mursau, Meyer, Gottlieb, Davis, Zipperer, Pridemore, Kerkman, Spanbauer, Tauchen, Lothian, A. Ott, Montgomery, Kleefisch, Knodl, LeMahieu, Huebsch, Van Roy, Honadel, Ripp, Roth, Brooks, Murtha, Bies, Gunderson, J. Ott, Vos, Rhoades, Petersen, Strachota, Ballweg, Petrowski, Nerison, Townsend, Newcomer, Friske, Kramer, Gundrum, Vukmir, J. Fitzgerald and Ziegelbauer; cosponsored by Senators Darling, Kedzie, Grothman, Cowles, Schultz, Olsen, Lazich, A. Lasee, Kapanke, Hopper, Leibham, S. Fitzgerald and Kanavas.

To committee on **Workforce Development**.

Assembly Bill 830

Relating to: the collection of an administrative fee by the county sheriff.

By Representatives Garthwaite, Jorgensen, Berceau, Brooks, Grigsby and Pope–Roberts; cosponsored by Senators Taylor and Schultz.

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

Assembly Bill 831

Relating to: prohibiting discrimination against an employee who declines to attend an employer–sponsored meeting or to participate in any communication with the employer or with an agent, representative, or designee of the

employer, the primary purpose of which is to communicate the opinion of the employer about religious or political matters.

By Representatives Van Akkeren, Sinicki, Milroy, Berceau, Black, Pope–Roberts, Pasch, Young, Pocan, Turner and Grigsby; cosponsored by Senators Coggs, Hansen, Lassa, Kreitlow, Wirch and Taylor.

To committee on **Labor**.

Assembly Bill 832

Relating to: maximum amount of funeral and burial expenses under the funeral, burial, and cemetery expenses program.

By Representatives Turner, Barca, Bies, Hubler, Kerkman, Montgomery, Nygren, Sinicki, Soletski, A. Williams, Young and Molepske Jr.; cosponsored by Senators Lehman, Hansen, Kedzie, Lassa, Miller, Taylor and Wirch.

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

Assembly Bill 833

Relating to: additional municipal aid payments based on the amount of all municipal aid payments compared to total general fund expenditures and on regional factors and making an appropriation.

By Representatives Smith, Turner, Zigmunt, Jorgensen, Sinicki, Zepnick, Steinbrink, Hraychuck and Vruwink; cosponsored by Senators Plale, Taylor, Lehman, Coggs, Hansen and A. Lasee.

To joint committee on **Finance**.

Assembly Bill 834

Relating to: comprehensive planning.

By Representatives Hubler and Brooks; cosponsored by Senators Kreitlow and Harsdorf.

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

Assembly Bill 835

Relating to: adding a member to the council on veterans programs.

By Representatives Dexter, Suder, Hebl, Berceau, Mason and Petersen; cosponsored by Senators Kreitlow, Taylor and Carpenter.

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

Assembly Bill 836

Relating to: requiring sellers of residential real property and landlords of residential rental property to disclose that methamphetamine has been manufactured on the property.

By Representatives Richards and Berceau; cosponsored by Senators Taylor, Lehman and Coggs.

To committee on **Housing**.

Assembly Bill 837

Relating to: age restrictions, headgear requirements, and safety certificate requirements regarding the operation of an all–terrain vehicle.

By Representatives Vruwink and Suder; cosponsored by Senators Plale, Holperin, Taylor, Hansen and Grothman.

To committee on **Tourism, Recreation and State Properties**.

Assembly Bill 838

Relating to: creating a refundable individual income tax credit for property taxes paid on a principal dwelling that is destroyed by a natural or man–made disaster and making an appropriation.

By Representatives Davis, Kerkman, Nerison, Bies, Brooks, Gunderson, Knodl, Lothian, Spanbauer, Townsend and Vos; cosponsored by Senators Schultz and Olsen.

To joint committee on **Finance**.

Assembly Bill 839

Relating to: the statute of limitations for sexual contact with a child and limits on recovery against the state and local political subdivisions.

By Representative Staskunas.

To committee on **Criminal Justice**.

Assembly Bill 840

Relating to: the school district revenue limit adjustment for declining enrollment.

By Representatives Hraychuck, Danou, Pope–Roberts, Clark, Zigmunt, Hubler, Pasch, Hilgenberg, Molepske Jr. and Staskunas; cosponsored by Senators Vinehout, Holperin, Kreitlow and Schultz.

To committee on **Education**.

Assembly Bill 841

Relating to: intoxicated operation of all–terrain vehicles, snowmobiles, motorboats, and motor vehicles, the calculation of the amount of moneys to be expended from the snowmobile account in the conservation fund for certain activities relating to snowmobile trails and routes, and providing penalties.

By Representatives Molepske Jr., Milroy, Turner, Hubler, Zigmunt, Staskunas and Clark; cosponsored by Senator Taylor.

To committee on **Public Safety**.

Assembly Bill 842

Relating to: requiring bittering agents in certain engine coolants and antifreeze and providing a penalty.

By Representatives Sinicki, Benedict, Berceau, Fields, Mason, Milroy, Pope–Roberts and Zepnick; cosponsored by Senators Plale, Miller, Risser, Carpenter, Lassa and Schultz.

To committee on **Consumer Protection**.

Assembly Bill 843

Relating to: energy conservation standards for the construction of certain buildings, energy and environmental design standards for state buildings, structures, and facilities, energy and environmental design standards for school district facilities and other local government buildings, leasing of state buildings, structures, and facilities, standards for the construction and use of graywater systems, granting rule–making authority, and making an appropriation.

By Representatives Molepske Jr., Mason, Pasch, Roys, Pope–Roberts, Milroy, Sinicki and Berceau; cosponsored by Senators Risser and Schultz.

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

COMMITTEE REPORTS

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

Assembly Bill 238

Relating to: determining eligibility of certain persons for Medical Assistance without consideration of a spouse's income or assets.

Assembly Amendment 1 adoption:

Ayes: 8 – Representatives Grigsby, Seidel, Pope–Roberts, Sinicki, Berceau, Kestell, Pridemore and Spanbauer.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Grigsby, Seidel, Pope–Roberts, Sinicki, Berceau, Kestell, Pridemore and Spanbauer.

Noes: 0.

To joint committee on **Finance**.

Assembly Bill 780

Relating to: elimination of surplus retention limitations for residential care centers for children and youth, group homes, and child welfare agencies that provide rate–based services for the Department of Children and Families or a county department of human services or social services; determination of the rates charged by those providers; establishment of a performance–based contracting system for those providers; and requiring the exercise of rule–making authority.

Assembly Amendment 1 adoption:

Ayes: 8 – Representatives Grigsby, Seidel, Pope–Roberts, Sinicki, Berceau, Kestell, Pridemore and Spanbauer.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Grigsby, Seidel, Pope–Roberts, Sinicki, Berceau, Kestell, Pridemore and Spanbauer.

Noes: 0.

To joint committee on **Finance**.

TAMARA GRIGSBY

Chairperson

Committee on Children and Families

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

Assembly Bill 671

Relating to: licensing anesthesiologist assistants and creating the Council on Anesthesiologist Assistants and granting rule–making authority.

Assembly Amendment 1 adoption:

Ayes: 12 – Representatives Richards, Roys, Benedict, Shilling, Seidel, Pasch, Bernard Schaber, Vukmir, Rhoades, Stone, Strachota and Nygren.

Noes: 0.

Assembly Amendment 3 adoption:

Ayes: 12 – Representatives Richards, Roys, Benedict, Shilling, Seidel, Pasch, Bernard Schaber, Vukmir, Rhoades, Stone, Strachota and Nygren.

Noes: 0.

Passage as amended:

Ayes: 12 – Representatives Richards, Roys, Benedict, Shilling, Seidel, Pasch, Bernard Schaber, Vukmir, Rhoades, Stone, Strachota and Nygren.

Noes: 0.

To committee on **Rules**.

Assembly Bill 675

Relating to: hospital staff privileges for and written agreements required for nurse–midwives and allowing nurse–midwives to elect to be covered under the injured patients and families compensation fund.

Assembly Amendment 1 to Assembly Amendment 1 adoption:

Ayes: 10 – Representatives Richards, Roys, Benedict, Shilling, Seidel, Pasch, Bernard Schaber, Rhoades, Stone and Strachota.

Noes: 2 – Representatives Vukmir and Nygren.

Assembly Amendment 1 adoption:

Ayes: 10 – Representatives Richards, Roys, Benedict, Shilling, Seidel, Pasch, Bernard Schaber, Rhoades, Stone and Strachota.

Noes: 2 – Representatives Vukmir and Nygren.

Passage as amended:

Ayes: 9 – Representatives Richards, Roys, Shilling, Seidel, Pasch, Bernard Schaber, Rhoades, Stone and Strachota.

Noes: 3 – Representatives Benedict, Vukmir and Nygren.

To committee on **Rules**.

JON RICHARDS

Chairperson

Committee on Health and Healthcare Reform

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

Assembly Bill 224

Relating to: the reimbursement rate for private attorneys appointed by the State Public Defender.

Without recommendation (Assembly Rule 19).

Ayes: 4 – Representatives Hebl, Kessler, Cullen and Turner.

Noes: 4 – Representatives Gundrum, Kerkman, Kramer and Zipperer.

To joint committee on **Finance**.

Assembly Bill 810

Relating to: creating a privilege for communications to veteran mentors.

Passage:

Ayes: 8 – Representatives Hebl, Kessler, Cullen, Turner, Gundrum, Kerkman, Kramer and Zipperer.

Noes: 0.

To committee on **Rules**.

Senate Bill 492

Relating to: restoration to competency of a defendant (suggested as remedial legislation by the Department of Health Services).

Concurrence:

Ayes: 8 – Representatives Hebl, Kessler, Cullen, Turner, Gundrum, Kerkman, Kramer and Zipperer.

Noes: 0.

To committee on **Rules**.

GARY HEBL
Chairperson
Committee on Judiciary and Ethics

ACTION ON THE SENATE MESSAGE

Senate Bill 483

Relating to: prohibiting health insurance policies and self-insured health plans from excluding coverage for injuries based on the use of alcohol or controlled substances.

By Senators Jauch, Sullivan, Carpenter, Erpenbach, Taylor and Schultz; cosponsored by Representatives Pasch, Grigsby, Roys, Zepnick, Berceau, Dexter, Young and Hubler.

To committee on **Health and Healthcare Reform**.

REFERENCE BUREAU CORRECTIONS

Assembly Bill 810

1. Page 2, line 18: delete “is program” and substitute “is a program”.

CHIEF CLERK REPORTS

The Chief Clerk records:

- Assembly Bill 159**
- Assembly Bill 213**
- Assembly Bill 230**
- Assembly Bill 415**
- Assembly Bill 471**
- Assembly Bill 485**
- Assembly Bill 562**
- Assembly Bill 568**
- Assembly Bill 569**
- Assembly Bill 570**
- Assembly Bill 571**
- Assembly Bill 572**

- Assembly Bill 573**
- Assembly Bill 575**
- Assembly Bill 579**
- Assembly Bill 591**

Presented to the Governor on Thursday, March 11.

PATRICK E. FULLER
Assembly Chief Clerk

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

March 11, 2010

To the Honorable Members of the Assembly:

The following bills, originating in the Assembly, have 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>
Assembly Bill 57	148	March 10, 2010
Assembly Bill 275	149	March 10, 2010
Assembly Bill 261	150	March 10, 2010
Assembly Bill 375	152	March 10, 2010
Assembly Bill 128	154	March 10, 2010
Assembly Bill 455	156	March 10, 2010
Assembly Bill 574	157	March 10, 2010

Respectfully submitted,
JIM DOYLE
Governor

SPEAKER’S COMMUNICATIONS

March 11, 2010

Mr. Patrick Fuller
Chief Clerk, Wisconsin State Assembly
Room 401, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53703

Dear Chief Clerk Fuller:

Pursuant to Assembly Rule 42 (3)(c), I am withdrawing **Assembly Bill 737** from the Assembly Committee on Fish and Wildlife and re-referring it to the Assembly Committee on Public Safety.

I have the consent of Representative Ann Hraychuck, chair of the Assembly Committee on Fish and Wildlife, to take this action.

Thank you for your immediate attention to this referral.

Sincerely,
MICHAEL J. SHERIDAN
Assembly Speaker

March 11, 2010

Mr. Patrick Fuller
Chief Clerk, Wisconsin State Assembly
Room 401, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53703

Dear Chief Clerk Fuller:

Pursuant to Assembly Rule 42 (3)(c), I am withdrawing **Senate Bill 146** from the Assembly Committee on Education and re-referring it to the Assembly Committee on Rules.

I have the consent of Representative Sondy Pope-Roberts, chair of the Assembly Committee on Education, to take this action.

Thank you for your immediate attention to this referral.

Sincerely,
MICHAEL J. SHERIDAN
Assembly Speaker

COMMUNICATIONS

March 11, 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 to the following bills:

- Assembly Bill 201
- Assembly Bill 806
- Assembly Bill 807

Sincerely,
JOAN BALLWEG
State Representative
41st Assembly District

March 11, 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-sponsor to the following bill:

Senate Bill 222

Sincerely,
SCOTT SUDER
State Representative
69th Assembly District

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>
Assembly Bill 614	146	March 23, 2010
Assembly Bill 165	147	March 23, 2010

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Office of Justice Assistance
Madison

March 11, 2010

To the Honorable, the Legislature:

The Office of Justice Assistance is pleased to submit the annual Wisconsin Justice Information Sharing (WIJS) program's report, as required by 13.172 (2), Wis. Stats. This report highlights the WIJS program's accomplishments and opportunities for future innovations that will increase and improve justice information sharing among Wisconsin justice professionals.

Sincerely,
DAVE STEINGRABER
Executive Director

Referred to committee on **Judiciary and Ethics**.