



STATE OF WISCONSIN Assembly Journal

Ninety-Fifth Regular Session

10:51 A.M.

THURSDAY, May 3, 2001

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

Speaker Pro Tempore Freese in the chair.

The prayer was offered by Representative Owens.

Representative Wasserman led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Johnsrud, Kaufert, Kedzie, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Powers, Reynolds, Rhoades, Richards, Riley, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Vrakas, Wade, Walker, Ward, Wasserman, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 94.

Absent with leave – Representatives Jeskewitz, Ladwig, F. Lasee, Ryba and Urban – 5.

Vacancies – None.

LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for today's session for Representatives Jeskewitz, Ladwig, F. Lasee and Urban. Granted.

Representative Bock asked unanimous consent for a leave of absence for today's session for Representative Ryba. Granted.

AMENDMENTS OFFERED

Assembly amendment 1 to **Senate Bill 61** offered by Representative Musser.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 368

Relating to: the authority of cities, villages, towns, and counties to regulate amateur radio antennas and antenna support structures.

By Representatives Wade, Albers, Kestell, Kreuser, Loeffelholz, Nass, Olsen, Plouff, Schneider, Seratti, Starzyk and Townsend; cosponsored by Senators Risser, Schultz, Grobschmidt and Cowles.

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

Assembly Bill 369

Relating to: creating an individual income tax subtract modification for certain amounts of federal adjusted gross income.

By Representatives Wasserman, Gundrum, Berceau, Gronemus, La Fave, Lassa, Musser, Ryba, Shilling, Sykora and Morris–Tatum.

To joint survey committee on **Tax Exemptions**.

Assembly Bill 370

Relating to: interest imposed on the payment of estimated taxes.

By Representatives M. Lehman, Wade, Ladwig, Staskunas, Grothman, Miller, Musser, Ainsworth, J. Lehman, Sykora, F. Lasee, Albers, Nass, Rhoades, Owens, Kestell, Pettis, Townsend, Seratti, Hahn and Petrowski; cosponsored by Senators Roessler, Robson, Darling and Rosenzweig.

To committee on **Ways and Means**.

Assembly Bill 371

Relating to: appointment of students to the board of regents of the University of Wisconsin System.

By Representatives Kreibich, Lassa, Townsend, Rhoades, J. Lehman, Berceau, Balow, La Fave, Plale, Ryba, Sykora, Freese, Krawczyk, Boyle, Gronemus, Shilling, Plouff, Cullen, Miller, Pocan, Bock and Olsen; cosponsored by

Senators Grobschmidt, M. Meyer, Burke, Darling, Hansen, Schultz, Cowles, Harsdorf and Roessler.

To committee on **Colleges and Universities**.

Assembly Bill 372

Relating to: the publication of notices relating to the creation of tax incremental financing districts.

By Representative Berceau; cosponsored by Senator Risser.

To committee on **Ways and Means**.

Assembly Bill 373

Relating to: notice regarding ineligibility to vote.

By Representatives Freese, Albers, Duff, Gunderson, Hahn, Krawczyk, La Fave, J. Lehman, M. Lehman, Lippert, McCormick, Musser, Nass, Ott, Owens, Petrowski, Pettis, Ryba, Seratti, Skindrud, Starzyk, Stone, Suder, Sykora, Townsend, Wade and Wood; cosponsored by Senators Grobschmidt, Darling, Huelsman, Roessler, Rosenzweig and Schultz.

To committee on **Campaigns and Elections**.

Assembly Bill 374

Relating to: vehicles transporting human organs or medical personnel for human organ harvesting or transplantation purposes.

By Representatives Stone, Jeskewitz, Albers, Black, Bock, Duff, Freese, Gunderson, Hahn, Huebsch, Hundertmark, Kestell, Krawczyk, Ladwig, Musser, Ott, Petrowski, Pettis, Plouff, Starzyk, Staskunas, Suder, Sykora, Townsend, Turner, Urban, Walker, Ryba, Skindrud and D. Meyer; cosponsored by Senators Robson, Farrow, Breske, Cowles, Darling, Erpenbach, Grobschmidt, Huelsman, Roessler, Rosenzweig, Schultz and Zien.

To committee on **Highway Safety**.

COMMITTEE REPORTS

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

Assembly Bill 118

Relating to: a sales tax and a use tax exemption for items used for conservation or restoration related to agricultural land.

Passage:

Ayes: 15 – Representatives Ott, Hahn, Ainsworth, Wade, Petrowski, Suder, Kestell, Loeffelholz, Bies, Plouff, Reynolds, Steinbrink, Gronemus, Lassa and Schneider.

Noes: 0.

Assembly Bill 121

Relating to: a sales tax and use tax exemption on tangible personal property used in the business of farming.

Assembly amendment 1 to Assembly substitute amendment 1 adoption:

Ayes: 15 – Representatives Ott, Hahn, Ainsworth, Wade, Petrowski, Suder, Kestell, Loeffelholz, Bies, Plouff, Reynolds, Steinbrink, Gronemus, Lassa and Schneider.

Noes: 0.

Assembly substitute amendment 1 adoption:

Ayes: 15 – Representatives Ott, Hahn, Ainsworth, Wade, Petrowski, Suder, Kestell, Loeffelholz, Bies, Plouff, Reynolds, Steinbrink, Gronemus, Lassa and Schneider.

Noes: 0.

Passage as amended:

Ayes: 15 – Representatives Ott, Hahn, Ainsworth, Wade, Petrowski, Suder, Kestell, Loeffelholz, Bies, Plouff, Reynolds, Steinbrink, Gronemus, Lassa and Schneider.

Noes: 0.

Assembly Bill 237

Relating to: payments to ethanol producers and making an appropriation.

Assembly amendment 1 adoption:

Ayes: 8 – Representatives Ott, Ainsworth, Suder, Kestell, Loeffelholz, Plouff, Reynolds and Steinbrink.

Noes: 7 – Representatives Hahn, Wade, Petrowski, Bies, Gronemus, Lassa and Schneider.

Passage as amended:

Ayes: 15 – Representatives Ott, Hahn, Ainsworth, Wade, Petrowski, Suder, Kestell, Loeffelholz, Bies, Plouff, Reynolds, Steinbrink, Gronemus, Lassa and Schneider.

Noes: 0.

To joint committee on **Finance**.

ALVIN OTT

Chairperson

Committee on Agriculture

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

Assembly Bill 51

Relating to: creating an individual income tax subtract modification for amounts spent on medical insurance premiums by certain individuals.

Passage:

Ayes: 16 – Representatives Underheim, Urban, Johnsrud, Krawczyk, F. Lasee, Lippert, Olsen, Seratti, Walker, Wieckert, Wasserman, Carpenter, Miller, Schooff, Colon and Shilling.

Noes: 0.

GREGG UNDERHEIM

Chairperson

Committee on Health

The committee on **State Affairs** reports and recommends:

Assembly Bill 94

Relating to: the occupational tax on intoxicating liquor and wine that is brought into this state from a foreign country.

Passage:

Ayes: 7 – Representatives Skindrud, Krawczyk, Bies, M. Lehman, Petrowski, Young and Travis.
Noes: 1 – Representative Wood.

May 2, 2001

RICK SKINDRUD
Chairperson
Committee on State Affairs

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

Assembly Bill 101

Relating to: a property tax exemption for an air carrier that operates from a hub facility, creating an airport financing committee, granting rule-making authority and making appropriations.

Passage:

Ayes: 13 – Representatives Stone, Petrowski, Ainsworth, Gunderson, Suder, Leibham, Lippert, Loeffelholz, Plouff, Hebl, Schooff, Plale and Staskunas.
Noes: 1 – Representative Sherman.

JEFF STONE
Chairperson
Committee on Transportation

SPEAKER'S APPOINTMENTS

DATE: May 2, 2001
TO: John A. Scocos
Assembly Chief Clerk
FROM: Adam Peer, Legislative Assistant
Speaker Scott R. Jensen
SUBJECT: Reappointment - Representative Huebsch to Finance

Speaker Jensen had temporarily appointed Representative Rhoades to the Joint Committee on Finance for today, May 2, 2001, to replace Representative Huebsch. Effective on Representative Huebsch's arrival to the committee's proceedings today, the Speaker reappoints Representative Huebsch to the Joint Committee on Finance. I certify that this electronic document with digital signature represents the action made by Speaker Scott R. Jensen.

If you have any questions, please feel free to contact me.

The Honorable John Scocos
Assembly Chief Clerk
John.Scocos@legis.state.wi.us

Dear Chief Clerk:

As Assembly Speaker, I have appointed Representative Spencer Coggs to the Joint Committee on Finance on the nomination of the Minority Leader to fill the vacancy created by Representative Antonio Riley. Please find a copy of the Minority Leader's letter herewith. This appointment is in accordance with Assembly Rule 3 and 9 (c) and is effective today.

If you have any questions, please contact Adam Peer in my office.

Sincerely,
SCOTT R. JENSEN
Assembly Speaker

COMMUNICATIONS

May 2, 2001

Speaker Scott Jensen
State Assembly
State Capitol, 211 West
Madison, WI 53702

Dear Speaker Jensen:

Yesterday, Representative Antonio Riley resigned from the Joint Finance Committee.

Effective today, I appoint Representative Spencer Coggs as a member of the Joint Finance Committee to replace Representative Riley.

Sincerely,
SPENCER BLACK
State Representative

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Board on Health Care Information
Madison

April 23, 2001

To the Honorable, the Legislature:

The purpose of this letter is to inform you about the Wisconsin Consumer Guide to Health Care, an Internet-based resource that enables the state's citizens to make informed choices about their health care. It fulfills the [1997 Wisconsin Act 231](#) mandate, which requires that the Department of Health and Family Services (DHFS) produce a guide to assist consumers in choosing health care providers and plans.

The Bureau of Health Information in the Department's Division of Health Care Financing developed the Guide. The Guide serves as a single online site that the public can use to access information about a broad variety of health care topics. In some cases, the Guide provides information specifically developed about health care in Wisconsin. In other cases, the Guide enables the public to quickly draw upon existing information from national sites; that is, the Guide does not duplicate the work of others.

The Guide was developed under the principle that health care information is useful to the public only if it is both easily found and understood. Numerous people provided input to the Guide's development, including members of our Board, members of the state Interagency Coordinating Council, the University of Wisconsin, DHFS staff, and focus groups representing a wide cross-section of Wisconsin's consumer population.

Consumer input had a significant role in shaping the Guide's format and content so that it meets the public's health care information needs. Upon reviewing the completed Guide, consumer focus groups commented that it was easy to understand, contained a wealth of well-organized material, provided valuable Wisconsin-specific information and, most importantly, recognized the health information.

Topics covered in the Guide include finding and choosing health care, paying for care, and dealing with health care problems. There are special sections for various groups such as seniors and parents (and parents-to-be). The Guide also includes computer links to Wisconsin-based organizations and/or databases, as well as links to key national sites. The Bureau of Health Information plans to continue to expand the site over time to include information on additional Wisconsin-specific data and organizations. A Wisconsin Physician Directory will be added in the coming months, which will help consumers identify and locate physicians in their communities by specialty, practice location, hospital and plan affiliations and educational background.

We believe that the Guide is a valuable resource for Wisconsin's citizens. Never before has access to such a comprehensive set of health information resources been available to the state. We urge that you visit the Guide yourself and also bring it to the attention of your constituents. To view the Guide, you can go through the DHFS Web site (<http://www.dhfs.state.wi.us>) or access it directly (<http://www.dhfs.state.wi.us/guide>). The Bureau of Health Information also has brochures, which are available for your distribution, describing the Guide's contents and how to access it. To obtain this brochure, please call Joan Gugel at (608) 267-7955 or send her a fax at (608) 261-6380.

Sincerely,
RONALD H. DIX, CHAIRPERSON
Board on Health Care Information

Referred to committee on **Health**.

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

April 30, 2001

To the Honorable, the Legislature:

We have completed our financial and compliance audit of the State of Wisconsin, as requested by state agencies to meet the audit requirements of the federal Single Audit Act of 1984, as amended, and the provisions of federal Office of Management and Budget Circular A-133. Our audit covered the period July 1, 1999 through June 30, 2000. In addition to satisfying federal audit requirements, the audit assists us in meeting state audit requirements under s. 13.94, Wis. Stats.

The audit procedures performed at the larger state agencies that administer federal financial assistance programs, including the University of Wisconsin System, consisted of gaining an understanding of the internal controls at the agencies, assessing the propriety of revenues and expenditures, and testing compliance with laws and regulations related to the administration of federal grant programs. For the smaller agencies and selected University of Wisconsin campuses, our audit procedures were limited to verifying information included in the federally required Schedule of Expenditures of Federal Awards and following up on prior-year audit findings. Our review focused on the 28 federal grants that either exceeded the \$16.7 million threshold used to define major grants or were below this threshold but were selected for review based on the risk-based assessment criteria established by the federal government.

The first section of our report contains the auditor's reports on compliance and internal control. Because of material noncompliance by the Department of Workforce Development related to the Vocational Rehabilitation Program, we qualify our opinion on the State's compliance with federal regulations. Next are the agency narratives that contain our comments on internal control deficiencies related to the administration of federal grants, findings of noncompliance for each agency, and the results of our follow-up to prior audit findings. A summary schedule of findings and questioned costs for the current year's audit is also provided, as well as a summary of the status of findings included in our prior audit report for the State of Wisconsin (report 00-5).

We note that, overall, state agencies have complied with federal grant requirements and have taken steps to address findings included in the prior year's single audit report. However, we do report internal control deficiencies and several areas of noncompliance, and we identify \$1,027,571 in questioned costs. While higher than in recent prior years, the amount of questioned costs represents a small portion of the \$6.3 billion in federal financial assistance to the State of Wisconsin in fiscal year 1999-2000.

Also included in this report is the Schedule of Expenditures of Federal Awards for the audited period, and related notes. Our audit opinion on the schedule is unqualified.

The federal government will resolve the findings and questioned costs included in our report. Federal agencies are

expected to contact state agencies regarding resolution. To assist federal officials in their efforts, state agency contact information is provided in appendices to this report.

In addition to the comments and recommendations included in our report, management letters will be issued to the larger state agencies addressing technical accounting and internal control issues, including those relating to the preparation of the State's financial statements.

We appreciate the courtesy and cooperation extended to us by agency staff during our audit. Agencies' comments on individual findings, along with their corrective action plans to address our concerns, are included within the agency narratives.

Respectfully submitted,
JANICE MUELLER
State Auditor

CALENDAR OF THURSDAY, MAY 3

Assembly Bill 196

Relating to: the disclosure of public library records.

The question was: Shall **Assembly Bill 196** be ordered engrossed and read a third time?

Motion carried.

Representative Duff in the chair.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 196** be given a third reading. Granted.

The question was: **Assembly Bill 196** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Bies, Colon, Cullen, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Johnsrud, Kaufert, Kedzie, Kestell, Krawczyk, Kreibich, Kreuser, Krusick, Lassa, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Powers, Rhoades, Riley, Schooff, Seratti, Sherman, Shilling, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Underheim, Vrakas, Wade, Walker, Ward, Wasserman, Wieckert, Williams, Wood, Ziegelbauer and Speaker Jensen – 77.

Noes – Representatives Berceau, Black, Bock, Boyle, Carpenter, Coggs, Krug, La Fave, J. Lehman, Miller, Pocan, Reynolds, Richards, Schneider, Sinicki, Turner and Young – 17.

Absent or not voting – Representatives Jeskewitz, Ladwig, F. Lasee, Ryba and Urban – 5.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 196** be immediately messaged to the Senate. Granted.

Assembly Bill 222

Relating to: changing the name of a minor.

Speaker Pro Tempore Freese in the chair.

Representative Turner asked unanimous consent to be made a coauthor of **Assembly Bill 222**. Granted.

The question was: Shall **Assembly Bill 222** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 222** be given a third reading. Granted.

The question was: **Assembly Bill 222** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Johnsrud, Kaufert, Kedzie, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Powers, Reynolds, Rhoades, Richards, Riley, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Vrakas, Wade, Walker, Ward, Wasserman, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 94.

Noes – None.

Absent or not voting – Representatives Jeskewitz, Ladwig, F. Lasee, Ryba and Urban – 5.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 222** be immediately messaged to the Senate. Granted.

Assembly Bill 322

Relating to: water quality certification for nonfederal wetlands, granting rule-making authority, and providing a penalty.

Representative Foti asked unanimous consent that **Assembly Bill 322** be laid on the table. Granted.

Representative Olsen asked unanimous consent to be removed as a cosponsor of **Senate Bill 154**. Granted.

ANNOUNCEMENTS

Representative Miller asked unanimous consent that the Assembly adjourn in honor of Jamie Kuhn who recently became engaged to be married. Granted.

Representative Kedzie asked unanimous consent that the Assembly adjourn in honor of his son, Ryan, who is celebrating his 14th birthday today. Granted.

Representative Plale asked unanimous consent that the Assembly adjourn in honor of his son, Joey, who celebrated his 6th birthday yesterday. Granted.

Representative Gronemus asked unanimous consent that the Assembly adjourn in honor of her grandson, Ryan William, on the occasion of his graduation from Winona State University. Granted.

Representative Bock asked unanimous consent that the Assembly adjourn in honor of the annual celebration of Cinco de Mayo. Granted.

Representative Lassa asked unanimous consent that the Assembly adjourn in honor of her husband, John Moe, on the occasion of celebrating their first wedding anniversary on May 6. Granted.

Representative Colon asked unanimous consent that the Assembly adjourn in honor of his daughter, Lily Rose, who celebrated her 2nd birthday on May 4. Granted.

REFERENCE BUREAU CORRECTIONS

Assembly Bill 320

1. Page 3, line 12: delete "Seventy five" and substitute "Seventy-five".
2. Page 6, line 13: delete "Seventy five" and substitute "Seventy-five".
3. Page 9, line 5: delete "Seventy five" and substitute "Seventy-five".

Assembly Substitute Amendment 1 to **Assembly Bill 322**

1. Page 10, line 9: after "compliance" insert "with".

Senate Bill 163

1. Page 2, line 7: delete "bases" and substitute "base".
2. Page 2, line 8: delete "districts," and substitute "district,".
3. Page 2, line 8: delete "districts in" and substitute "district in".
4. Page 2, line 10: delete "districts were" and substitute "district was".

VISITORS

During today's session, the following visitors honored the Assembly by their presence and were welcomed by the presiding officer and the members:

Government and Journalism class from Brookfield Central High School, accompanied by Matt Mineau, guests of Representative Duff.

Fourth and Eighth Grade Classes from St. Bridget's School in Fall River, guests of Representative Rhoades.

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, May 8.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

11:15 A.M.