



STATE OF WISCONSIN Assembly Journal

Ninety-Fifth Regular Session

FRIDAY, May 18, 2001

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 156** offered by Representative Wade.

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

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 403

Relating to: requirements for applying for and issuing licenses for game bird and animal farms and wildlife exhibits having bears, cougars, or wolves.

By Representatives Owens, Townsend, Ott, Wade, Vrakas, Musser, Lippert, Hahn and Krawczyk; cosponsored by Senators Roessler, Breske, Cowles and Baumgart.

To committee on **Natural Resources**.

Assembly Bill 404

Relating to: the minimum number of railroad employees required to be present in the cab of the lead control locomotive when the railroad train or locomotive is in motion.

By Representatives Hahn, Schneider, Lippert, Starzyk, Ryba, Huebsch, J. Lehman, Seratti, Kestell, Powers, Albers, Freese, Gronemus, Lassa, Pocan, Musser, Boyle, Johnsrud, Sherman, Kreibich, Petrowski, Hubler, Turner, Plouff, Wasserman, Miller, Colon, La Fave and Shilling; cosponsored by Senators Breske, Jauch, Hansen, Cowles, Burke, Erpenbach, Wirch and Grobschmidt.

To committee on **Transportation**.

Assembly Bill 405

Relating to: increasing the amount of the individual income tax subtract modification for social security benefits.

By Representatives D. Meyer, Townsend, Jensen, Ryba, Vrakas, Turner, Loeffelholz, Gronemus, Wade, Plale, Gundrum, Ziegelbauer, Suder, Huebsch, Kedzie, Jeskewitz, Freese, Pettis, Starzyk, Urban, J. Fitzgerald, Musser, Nass,

Ainsworth, Krawczyk, McCormick, F. Lasee, Skindrud, Petrowski, Owens, Rhoades, Ott, Powers, Friske, Hundertmark, Lippert, Ladwig, Bies, Hoven, Leibham, Gunderson, Sykora and Kestell; cosponsored by Senators Roessler, Harsdorf, Darling, Lazich and Rosenzweig.

To committee on **Aging and Long-Term Care**.
To joint survey committee on **Tax Exemptions**.

Assembly Bill 406

Relating to: jurisdiction to prosecute and punish a person in Wisconsin for misappropriation of personal identifying information or a personal identification document, and providing a penalty.

By Representatives Schneider, Musser, Ziegelbauer, Hahn, Gunderson, Lassa, Sinicki, Berceau, M. Lehman, Powers and La Fave; cosponsored by Senator Erpenbach.

To committee on **Judiciary**.

Assembly Bill 407

Relating to: admissibility of a digitally produced photograph, film, audio, or video.

By Representatives Schneider and Ziegelbauer.
To committee on **Judiciary**.

Assembly Bill 408

Relating to: covenants not to compete with an employer or principal after the termination of the employment or agency.

By Representatives Schneider and Sinicki.
To committee on **Labor and Workforce Development**.

Assembly Bill 409

Relating to: discharge or discrimination against an employee for disclosing the employee's compensation.

By Representatives Schneider and Sinicki.
To committee on **Labor and Workforce Development**.

Assembly Bill 410

Relating to: the disclosure of information obtained by the department of transportation from applications for drivers' licenses, permits, or identification cards to the selective service system for the purposes of registration with the selective service system.

By Representatives Schneider, Musser, Ainsworth and Townsend.

To committee on **Transportation**.

Assembly Bill 411

Relating to: creating an individual income tax exemption for military income received by certain members of the U.S.

armed forces and sunsetting the armed forces member tax credit.

By Representatives Schneider, Musser, Kreuser, Gunderson, Townsend and Petrowski; cosponsored by Senator Schultz, by request of John Ellingson.

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

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

Assembly Bill 412

Relating to: petition requirements for the creation of a town sanitary district.

By Representatives Schneider, Hahn, M. Lehman and Powers, by request of Town of Rome.

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

Assembly Bill 413

Relating to: exempting from income taxation all military income received by active duty personnel and sunsetting the armed forces member tax credit.

By Representatives Musser, Rhoades, Schneider, Hundertmark, Sykora, Ryba, Boyle, Wade, Suder, Freese, McCormick, Pettis, Lassa, Hahn, Owens, Turner, Bies, Kreibich, Nass, Jeskewitz, D. Meyer, Friske and Gunderson; cosponsored by Senators M. Meyer, Schultz, Rosenzweig and Darling.

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

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

Assembly Bill 414

Relating to: creditable military service under the Wisconsin retirement system.

By Representatives Musser, Starzyk, McCormick, Sykora, Ryba, Boyle, Townsend, Walker, Turner, Suder, J. Lehman, Gundrum, Ott, Gronemus, Freese, Balow, Pettis, Hahn, Wade, Bies, Rhoades, Kreibich, Hoven, Jeskewitz, Nass, D. Meyer, J. Fitzgerald, Gunderson and Albers; cosponsored by Senators Plache, Hansen, M. Meyer, S. Fitzgerald, Schultz, Harsdorf, Roessler, Rosenzweig and Darling.

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

To joint survey committee on **Retirement Systems**.

Assembly Bill 415

Relating to: trapping licenses issued to nonresidents.

By Representatives Powers, Gronemus, Hahn, Skindrud, Musser, Sykora and Townsend.

To committee on **Natural Resources**.

Assembly Bill 416

Relating to: prohibiting certain electronic mail solicitations and providing a penalty.

By Representatives Foti, Miller, McCormick, Turner, Lippert, Shilling, J. Fitzgerald, D. Meyer, Ainsworth, Albers, Freese, Friske, Hahn, Hoven, Krawczyk, Ladwig, Lassa, M. Lehman, Ott, Petrowski, Pettis, Plouff, Rhoades, Skindrud, Stone, Sykora, Urban, Vrakas and Wade; cosponsored by Senators Panzer, M. Meyer, S. Fitzgerald, Darling, Harsdorf, Huelsman, Hansen, Roessler and Schultz.

To committee on **Information Policy and Technology**.

COMMITTEE REPORTS

The committee on **Corrections and the Courts** reports and recommends:

Assembly Bill 212

Relating to: participation in the programming of a youth report center as a condition of a juvenile disposition, sanction, deferred prosecution agreement or consent decree.

Assembly amendment 1 adoption:

Ayes: 9 – Representatives Walker, Suder, Friske, Owens, Skindrud, Balow, Coggs, Pocan and Colon.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Walker, Suder, Friske, Owens, Skindrud, Balow, Coggs, Pocan and Colon.

Noes: 0.

To committee on **Rules**.

SCOTT WALKER

Chairperson

Committee on Corrections and the Courts

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

Assembly Bill 90

Relating to: the national teacher certification grant program.

Assembly substitute amendment 1 adoption:

Ayes: 14 – Representatives Olsen, Nass, Hahn, Hundertmark, Kestell, Loeffelholz, Rhoades, Wade, J. Lehman, Sherman, Ziegelbauer, Sinicki, Williams and Riley.

Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Olsen, Nass, Hahn, Hundertmark, Kestell, Loeffelholz, Rhoades, Wade, J. Lehman, Sherman, Ziegelbauer, Sinicki, Williams and Riley.

Noes: 0.

To committee on **Rules**.

Assembly Bill 255

Relating to: school uniforms.

Passage:

Ayes: 14 – Representatives Olsen, Nass, Hahn, Hundertmark, Kestell, Loeffelholz, Rhoades, Wade, J. Lehman, Sherman, Ziegelbauer, Sinicki, Williams and Riley.

Noes: 0.

To committee on **Rules**.

Assembly Bill 260

Relating to: eligibility criteria for and renaming the Wisconsin morning milk program.

Passage:

Ayes: 14 – Representatives Olsen, Nass, Hahn, Hundertmark, Kestell, Loeffelholz, Rhoades, Wade, J. Lehman, Sherman, Ziegelbauer, Sinicki, Williams and Riley.
Noes: 0.

To committee on **Rules**.

Senate Joint Resolution 31

Relating to: urging schools to improve the personal money management skills of high school students.

Concurrence:

Ayes: 13 – Representatives Olsen, Nass, Hahn, Hundertmark, Kestell, Loeffelholz, Wade, J. Lehman, Sherman, Ziegelbauer, Sinicki, Williams and Riley.
Noes: 1 – Representative Rhoades.

To committee on **Rules**.

LUTHER OLSEN
Chairperson
Committee on Education

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

Adoption of Report:

Ayes: 8 – Representatives Hahn, Kedzie and Hebl; Senators Decker, Breske and Ellis; Mr. Alan Lee, Department of Justice and Mr. Paul Vrakas.
Noes: 1 – Secretary Richard Chandler.

To joint committee on **Finance**.

Assembly Bill 121

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

Adoption of Report:

Ayes: 9 – Representatives Hahn, Kedzie and Hebl; Senators Decker, Breske and Ellis; Secretary Richard Chandler, Mr. Alan Lee, Department of Justice and Mr. Paul Vrakas.
Noes: 0.

To joint committee on **Finance**.

EUGENE HAHN
Assembly Chairperson
Joint survey committee on Tax Exemptions

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

Assembly Bill 214

Relating to: allowing cities, villages, and towns to authorize municipal fire, emergency medical technician, or first responder departments to deposit, disburse, and expend certain funds.

Passage:

Ayes: 6 – Representatives Gunderson, Starzyk, D. Meyer, Musser, Wasserman and Berceau.
Noes: 0.

To committee on **Rules**.

Assembly Bill 286

Relating to: the method of compensating town elective officers, compatible offices and positions for city, village, and town elective officeholders, the spending limit for construction and repair of town highways and bridges, and the disposition of town property.

Passage:

Ayes: 6 – Representatives Gunderson, Starzyk, D. Meyer, Musser, Wasserman and Berceau.
Noes: 0.

To committee on **Rules**.

SCOTT GUNDERSON
Chairperson
Committee on Urban and Local Affairs

The committee on **Veterans and Military Affairs** reports and recommends:

Assembly Bill 389

Relating to: exempting from income taxation all military pension payments.

Passage:

Ayes: 8 – Representatives Musser, Hundertmark, Petrowski, Sykora, Ryba, Boyle, Hubler and Schneider.
Noes: 0.

TERRY MUSSER
Chairperson
Committee on Veterans and Military Affairs

REFERENCE BUREAU CORRECTIONS

Senate Amendment 1 to **Senate Bill 110**

In engrossing, the following correction was made:

1. Page 2, line 1: delete “English” and substitute “English.”.

SPEAKER’S APPOINTMENTS

DATE: May 18, 2001
TO: John A. Scocos
Assembly Chief Clerk

FROM: Adam Peer, Legislative Assistant
Office of Assembly Speaker Scott Jensen

SUBJECT: Committee Appointments

The Speaker, on the nomination of the Minority, has made the following changes in appointments in accordance with Assembly Rule 3 and 9(c) and the statutes effective on the dates shown:

Leadership Committee Replacements due to Minority Leadership Election Effective May 1, 2001:

Representative Black replaces Representative Krug on the Assembly committees on Rules, Joint Legislative Council, the Joint and Assembly committees on Organization, Employment Relations, and on the State Disability Board.

Representative Black's appointment to Joint Legislative Council as Minority Leader creates a vacancy reserved for the minority.

Representative Kreuser replaces Representative Black on the Assembly committees on Rules, the Joint and Assembly committees on Organization.

Member Replacement Effective May 2, 2001:

Representative Coggs to replace Representative Riley on the Joint and Assembly committees on Finance. (See previous transmission dated May 2, 2001 from Speaker Jensen)

Member Replacements Effective May 15, 2001:

Representative Riley to replace Representative Reynolds on the Assembly committee on Education.

Representative Meyerhofer replaces Representative Black's vacated seat on Joint Legislative Council.

Member Replacements, Removals, and Change in Ranking Minority Member effective May 16, 2001:

Representative Schneider to replace Representative Kreuser on the Assembly committee on Veteran and Military Affairs.

Representative Steinbrink to replace Representative Hebl on the Assembly committee on Transportation

Representative Morris-Tatum to replace Representative Coggs on the Assembly committee on Census and Redistricting.

Representative Krug to replace Representative Kreuser on the Assembly committee on Financial Institutions.

Representative Krug to replace Representative Plouff on the Assembly committee on Insurance.

Representative Riley to replace Representative Ziegelbauer on the Assembly committee on Energy & Utilities.

Representative Hebl to replace Representative Kreuser on the Joint committee for the Review of Administrative Rules.

Representative Gronemus to replace Representative Kreuser on the Joint and Assembly committees on Audit.

Representative Plouff to replace Representative Kreuser on the Joint and Assembly committees on Information Policy.

Representative Schneider to replace Representative Hebl on the State Capitol and Executive Residence Board.

Representative Coggs is removed from the Assembly committee on Children and Families and the Assembly committee on Public Health.

Representative Gronemus to replace Representative Plouff as the ranking minority member of the committee on Agriculture.

Representative Williams to replace Representative Coggs as the ranking minority member of the committee on Census and Redistricting.

I certify that this electronic document with digital signature represents the action made by Speaker Scott R. Jensen. A copy of the Minority Leader's correspondence on this matter attached. Please publish in the journal a new roster of the assembly and joint committees disclosing ratios, chairs, vice-chairs, and ranking minority members that reflect these changes. Please inform the committee chairs and clerks of these changes. If you have any questions, please feel free to contact me.

COMMITTEE APPOINTMENTS

Each committee is followed by the number of Republicans and Democrats serving on the committee, meeting day and meeting week. The ranking minority party member of each committee is designated by an asterisk.

Agriculture (9, 7) Thursday (Even)

Ott, Alvin (Chair)
Hahn, Eugene (Vice-chair)
Ainsworth, John
Bies, Garey
Kestell, Steve
Loeffelholz, Gabe
Petrowski, Jerry
Suder, Scott
Wade, Joan
Gronemus, Barbara *
Plouff, Joe
Hubler, Mary
Lassa, Julie
Reynolds, Marty
Schneider, Marlin
Steinbrink, John

Assembly Organization (5, 3)

Jensen, Scott (Chair)
Foti, Steven (Vice-chair)

Freese, Stephen
Ladwig, Bonnie
Vrakas, Dan
Black, Spencer *
Kreuser, James
Bock, Peter

Census and Redistricting (5, 3) Tuesday (Odd)

Ladwig, Bonnie (Chair)
Leibham, Joseph (Vice-chair)
Freese, Stephen
Suder, Scott
Walker, Scott
Williams, Polly *
Huber, Greg
Morris-Tatum, Johnnie

Children and Families (5, 3) Thursday (Even)

Kestell, Steve (Chair)
Lippert, MaryAnn (Vice-chair)
Bies, Garey
Grothman, Glenn
Jeskewitz, Suzanne
Miller, Mark *
Sinicki, Christine
Vacant Democratic Seat

Education (9, 6) Tuesday (Odd)

Olsen, Luther (Chair)
Nass, Stephen (Vice-chair)
Hahn, Eugene
Hundertmark, Jean
Kestell, Steve
Loeffelholz, Gabe
Rhoades, Kitty
Townsend, John
Wade, Joan
Lehman, John *
Sherman, Gary
Sinicki, Christine
Williams, Polly
Ziegelbauer, Bob
Riley, Antonio

Energy and Utilities (6, 4) Tuesday (Even)

Hoven, Tim (Chair)
Friske, Donald (Vice-chair)
Leibham, Joseph
Ott, Alvin
Powers, Michael
Vrakas, Dan
Meyerhofer, Lee *
Plale, Jeff
Schooff, Dan
Riley, Antonio

Financial Institutions (9, 7) Thursday (Even)

Jeskewitz, Sue (Chair)
Montgomery, Phil (Vice-chair)
Fitzgerald, Jeff
Hoven, Tim
Kedzie, Neal
Kreibich, Rob
Rhoades, Kitty

Starzyk, Samantha
Walker, Scott
La Fave, John *
Balow, Larry
Plale, Jeff
Plouff, Joe
Richards, Jon
Shilling, Jennifer
Krug, Shirley

Insurance (7, 5) Thursday (Odd)

Montgomery, Phil (Chair)
Pettis, Mark (Vice-chair)
Hoven, Tim
Kreibich, Rob
Lasee, Frank
McCormick, Terri
Wieckert, Steve
Shilling, Jennifer *
Balow, Larry
La Fave, John
Richards, Jon
Krug, Shirley

Public Health (5, 3) Wednesday (Even)

Urban, Frank (Chair)
Lippert, MaryAnn (Vice-chair)
Freese, Stephen
Johnsrud, DuWayne
McCormick, Terri
Carpenter, Tim *
Wasserman, Sheldon
Vacant Democratic Seat

Rules (7, 5)

Foti, Steven (Chair)
Jensen, Scott (Vice-chair)
Freese, Stephen
Grothman, Glenn
Ladwig, Bonnie
Owens, Carol
Vrakas, Dan
Black, Spencer *
Kreuser, James
Bock, Peter
Travis, David
Wood, Wayne

Transportation (9, 7) Thursday (Odd)

Stone, Jeff (Chair)
Petrowski, Jerry (Vice-chair)
Ainsworth, John
Gunderson, Scott
Hahn, Eugene
Leibham, Joseph
Lippert, MaryAnn
Loeffelholz, Gabe
Suder, Scott
Sherman, Gary *
Meyerhofer, Lee
Plale, Jeff
Plouff, Joe
Schooff, Dan
Staskunas, Tony

Steinbrink, John

Veterans and Military Affairs (6, 4) Wednesday (Even)

Musser, Terry (Chair)
Hundertmark, Jean (Vice-chair)
Krawczyk, Judy
Petrowski, Jerry
Sykora, Tom
Townsend, John
Ryba, John *
Boyle, Frank
Hubler, Mary
Schneider, Marlin

Jensen, Scott
Foti, Steven
Freese, Stephen
Gard, John
Lehman, Michael
Stone, Jeff
Black, Spencer
Bock, Peter
Huber, Greg
Meyerhofer, Lee

Joint Committee for Review of Administrative Rules (3, 2)

Grothman, Glenn (Co-chair)
Seratti, Lorraine (Vice-chair)
Gunderson, Scott
Turner, Robert *
Hebl, Tom

Joint Committee on Audit (3, 2)

Leibham, Joseph (Co-chair)
Starzyk, Samantha (Vice-chair)
Gard, John
Cullen, David *
Gronemus, Barbara

Joint Committee on Employment Relations (3, 1)

Jensen, Scott (Co-chair)
Foti, Steven
Gard, John
Spencer, Black *

Joint Committee on Finance (6, 2)

Gard, John (Co-chair)
Kaufert, Dean (Vice-chair)
Albers, Sheryl
Duff, Marc
Huebsch, Mike
Ward, Dave
Huber, Greg *
Spencer, Coggs

Joint Committee on Information Policy and Technology (3, 2)

Pettis, Mark (Co-chair)
Hoven, Tim (Vice-chair)
Montgomery, Phil
Schneider, Marlin *
Plouff, Joe

Joint Committee on Legislative Organization (3, 2)

Jensen, Scott (Co-chair)
Foti, Steven
Ladwig, Bonnie
Black, Spencer *
Kreuser, James

Joint Legislative Council

Rhoades, Kitty (Co-chair)

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Administration
Madison

May 9, 2001

To the Honorable, the Legislature:

This report is transmitted as required by sec. 20.002(11)(f), Wis. Stats. (for distribution to the appropriate standing committees under sec. 13.172(3), Wis. Stats.), and confirms that the Department of Administration has found it necessary to exercise the "temporary reallocation of balances" authority provided by this section in order to meet payment responsibilities and cover resulting negative balances during the month of April 2001.

On April 2, 2001 the **Wisconsin Health Education Loan Repayment Fund** balance was -\$8 thousand. This shortfall increased to -\$13 thousand on April 11, 2001 and continued until April 12, 2001 when the balance reached \$4 thousand. This shortfall was due to the timing of revenues.

On April 2, 2001 the **Utility Public Benefits Fund** balance was -\$57 thousand. This shortfall increased to -\$61 thousand on April 4, 2001 and continued until April 5, 2001 when the balance reached \$2.41 million. This shortfall was due to the timing of revenues.

On April 2, 2001 the **Wisconsin Lottery Fund** balance was -\$674 thousand. This shortfall increased to -\$1.1 million on April 3, 2001, increased to -\$2.24 million on April 5, 2001, and continued until April 6, 2001 when the balance reached \$2.3 million. This shortfall was due to the timing of revenues.

On April 6, 2001 the **Historical Society Trust Fund** balance was -\$2 thousand. This shortfall increased to -\$38 thousand on April 20, 2001, to -\$62 thousand on April 30, 2001, and continued into the month of May. As of the date of this letter, it has been resolved.

The Wisconsin Health Education Loan Repayment Fund, Utility Public Benefits Fund, Wisconsin Lottery Fund, and Historical Society Trust Fund shortfalls were not in excess of the statutory interfund borrowing limitation and did not exceed the balances of the Funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool

and each fund's share. Therefore, the monthly calculation by the State Controller's Office will automatically reflect the use of these temporary reallocations of balance authority.

Sincerely,
GEORGE LIGHTBOURN
Secretary

Referred to committee on **Ways and Means**.

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

May 15, 2001

To the Honorable, the Legislature:

We have completed an evaluation of health care in Wisconsin's adult prisons, as requested by the Joint Legislative Audit Committee. In fiscal year (FY) 1999-2000, the Department of Corrections spent \$37.2 million and employed 232.5 full-time equivalent medical professionals and other support staff to provide health care to approximately 14,900 adult inmates.

The Department currently receives as many as 1,000 requests for health services from inmates each working day, approximately 60 percent of which are for prescription refills. Staff also responded to 8,137 emergencies during FY 1999-2000. We found that approximately 5,000 inmates, or one-third of the population, suffer from at least one chronic illness, and we conclude that improvements are needed in the management of chronic illnesses, contract oversight, and mental health services.

The Governor's 2001-2003 Biennial Budget Proposal provides an additional \$37.6 million in general purpose revenue and an additional 157.5 positions for prison health care, including \$17.3 million and 118.0 positions for new institutions and facility expansions. We reviewed this proposal and several alternatives to determine whether costs associated with additional prison health care staff could be offset through management improvements or other changes. We found limited opportunities and significant challenges for reducing health care expenditures as costs for certain medical services and pharmaceuticals, which are not subject to the Department's control, continue to increase.

We appreciate the courtesy and cooperation extended to us by Department of Corrections management and staff. The Department's response is Appendix 6.

Respectfully submitted,
JANICE MUELLER
State Auditor