



# STATE OF WISCONSIN Assembly Journal

## Ninety-Fifth Regular Session

MONDAY, October 15, 2001

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

### AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 358** offered by committee on **Environment**.

Assembly amendment 1 to **Assembly Bill 450** offered by committee on **Children and Families**.

Assembly amendment 1 to **Assembly Bill 475** offered by committee on **Small Business and Consumer Affairs**.

Assembly substitute amendment 1 to **Assembly Bill 517** offered by committee on **Natural Resources**.

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Resolution 37**

Relating to: supporting President Bush's efforts to extend unemployment insurance benefits and urging support of a universal extension of unemployment insurance benefits to cover all 50 states and all workers.

By Representatives Krug, Balow, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Hebl, Huber, Kreuser, Krusick, La Fave, J. Lehman, Meyerhofer, Miller, Morris-Tatum, Plale, Plouff, Reynolds, Richards, Ryba, Schooff, Shilling, Sinicki, Staskunas, Turner, Ziegelbauer, Jeskewitz and Sykora.

To committee on **Labor and Workforce Development**.

#### **Assembly Joint Resolution 66**

Relating to: supporting President Bush's efforts to extend unemployment insurance benefits and urging support of a universal extension of unemployment insurance benefits to cover all 50 states and all workers.

By Representatives Krug, Balow, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Hebl, Huber, Kreuser, Krusick, La Fave, J. Lehman, Meyerhofer, Miller, Morris-Tatum, Plale, Plouff, Reynolds, Richards, Ryba, Schooff, Shilling, Sinicki, Staskunas, Turner, Ziegelbauer, Jeskewitz and Sykora; cosponsored by Senators Plache,

Baumgart, Breske, Burke, Erpenbach, George, Hansen, Jauch, M. Meyer, Moore, Risser, Roessler, Wirch and Shibilski.

To committee on **Labor and Workforce Development**.

#### **Assembly Joint Resolution 67**

Relating to: memorializing Congress to pass House Resolution 97, the Notch Fairness Act of 2001.

By Representatives Petrowski, Bies, Suder, Duff, Musser, Albers, Lassa, Loeffelholz, Starzyk, Walker, Schneider, Ladwig, Owens, Krawczyk, Nass, Urban, Gundrum, Montgomery, Townsend, Pettis, M. Lehman, Rhoades, McCormick, Sykora, Ott, F. Lasee, Gunderson, Gard, Miller, D. Meyer, Lippert, Skindrud, Hundertmark and Shilling; cosponsored by Senators Cowles, Lazich, Schultz, Plache, Roessler and Harsdorf.

To committee on **Ways and Means**.

#### **Assembly Bill 565**

Relating to: elimination of legislative partisan caucus staffs.

By joint committee on Legislative Organization.

To **calendar**.

#### **Assembly Bill 566**

Relating to: a surcharge for convictions related to operating a vehicle while intoxicated.

By Representatives Staskunas, Bies, Richards, Berceau, Wasserman, Stone and Lassa; cosponsored by Senators Burke, Rosenzweig, Darling and Huelsman.

To committee on **Highway Safety**.

#### **Assembly Bill 567**

Relating to: firearm flash suppressors and providing a penalty.

By Representatives Staskunas, Ladwig, Jeskewitz, Bies, Ryba, Colon, La Fave, Boyle, Kreuser, Stone and Ott; cosponsored by Senators Burke, Roessler, Rosenzweig and Huelsman.

To committee on **Criminal Justice**.

#### **Assembly Bill 568**

Relating to: displaying the U.S. flag at the workplace.

By Representatives Schneider, Black, Hubler, Boyle, Berceau, Carpenter, Reynolds, Morris-Tatum, Plale, Steinbrink, Colon, Bock, J. Lehman, Ryba, Gronemus, Meyerhofer, Balow, Sinicki, Sherman, Richards, Krug and Musser.

To committee on **Labor and Workforce Development**.

**Assembly Bill 569**

Relating to: creating a plea and verdict of guilty but mentally ill in certain criminal cases.

By Representatives Suder, Walker, Owens, Ainsworth, J. Fitzgerald, Freese, Grothman, Gunderson, Gundrum, Huebsch, Jensen, Kreibich, Ladwig, M. Lehman, Loeffelholz, Musser, Nass, Olsen, Petrowski, Pettis, Starzyk and Sykora; cosponsored by Senators Roessler, S. Fitzgerald, Huelsman and Welch.

To committee on **Criminal Justice**.

**Assembly Bill 570**

Relating to: maintenance of grass and weeds below a specified height on department of transportation land abutting highways.

By Representatives Ward, Stone, Gronemus, Montgomery, Ladwig, Ryba, Turner, Hahn, Musser, Jeskewitz, Duff, Owens, Ainsworth, Ott and Plouff; cosponsored by Senators Grobschmidt, Cowles, Huelsman and Schultz.

To committee on **Transportation**.

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**COMMITTEE REPORTS**

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

**Assembly Bill 358**

Relating to: exceptions from the requirement to obtain a license to practice professional geology, professional hydrology, or professional soil science and granting rule-making authority.

Assembly substitute amendment 1 adoption:

Ayes: 10 – Representatives Kedzie, Johnsrud, Gunderson, Ott, Powers, Vrakas, Pocan, Bock, Miller and J. Lehman.  
Noes: 0.

Passage as amended:

Ayes: 10 – Representatives Kedzie, Johnsrud, Gunderson, Ott, Powers, Vrakas, Pocan, Bock, Miller and J. Lehman.  
Noes: 0.

To committee on **Rules**.

**Assembly Bill 365**

Relating to: the newspaper recycling fee and the recycled content of newsprint used in newspapers.

Passage:

Ayes: 6 – Representatives Kedzie, Johnsrud, Gunderson, Ott, Powers and Vrakas.  
Noes: 4 – Representatives Pocan, Bock, Miller and J. Lehman.

To committee on **Rules**.

**Assembly Clearinghouse Rule 00–164**

Relating to wetland compensatory mitigation.

Objection to NR 350.04 in its entirety:

Ayes: 6 – Representatives Kedzie, Johnsrud, Gunderson, Ott, Powers and Vrakas.

Noes: 4 – Representatives Pocan, Bock, Miller and J. Lehman.

To joint committee for **review of Administrative Rules**.

**Senate Joint Resolution 36**

Relating to: urging the U.S. and Canadian governments to prohibit diversion of Great Lakes water.

Concurrence:

Ayes: 10 – Representatives Kedzie, Johnsrud, Gunderson, Ott, Powers, Vrakas, Pocan, Bock, Miller and J. Lehman.

Noes: 0.

To committee on **Rules**.

*NEAL KEDZIE*

Chairperson

Committee on Environment

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

**Assembly Bill 300**

Relating to: the designation and duties of chief warden, deputy chief warden, internal affairs officer, and complaint officer within the department of natural resources.

Passage:

Ayes: 8 – Representatives Johnsrud, Gunderson, Kedzie, D. Meyer, Ott, Pettis, Powers and Gronemus.

Noes: 3 – Representatives J. Lehman, Steinbrink and Miller.

To committee on **Rules**.

**Assembly Bill 517**

Relating to: requiring firearms–restrictions record searches of persons being issued licenses that authorize hunting with firearms.

Assembly substitute amendment 1 adoption:

Ayes: 11 – Representatives Johnsrud, Gunderson, Kedzie, D. Meyer, Ott, Pettis, Powers, Gronemus, J. Lehman, Steinbrink and Miller.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Johnsrud, Kedzie, D. Meyer, Ott, Pettis, Powers, Gronemus, J. Lehman and Steinbrink.

Noes: 2 – Representatives Gunderson and Miller.

To committee on **Rules**.

**Assembly Bill 554**

Relating to: determining what constitutes the administration of the department of natural resources when managing the state’s fish and wildlife resources.

Passage:

Ayes: 9 – Representatives Johnsrud, Gunderson, Kedzie, D. Meyer, Ott, Pettis, Powers, Gronemus and Steinbrink.

Noes: 2 – Representatives J. Lehman and Miller.

To committee on **Rules**.

*DUWAYNE JOHNSRUD*  
Chairperson  
Committee on Natural Resources

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The joint survey committee on **Retirement Systems** reports and recommends:

**Assembly Bill 498**

Relating to: contribution rates under the Wisconsin retirement system.

Passage:

Ayes: 8 – Representatives Vrakas and Plale; Senators Wirch, Grobschmidt and Ellis; Ms. Iliff, Ms. Hamblen and Mr. Stella.

Noes: 0.

To committee on **Labor and Workforce Development**.

*DANIEL VRAKAS*  
Assembly Chairperson  
Joint survey committee on Retirement Systems

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The committee on **Small Business and Consumer Affairs** reports and recommends:

**Assembly Bill 384**

Relating to: documentation of agricultural credit transactions and granting rule-making authority.

Assembly substitute amendment 1 adoption:

Ayes: 9 – Representatives Seratti, Krawczyk, Friske, Kestell, D. Meyer, Hubler, J. Lehman, Schneider and Krusick.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Seratti, Krawczyk, Friske, Kestell, D. Meyer, Hubler, J. Lehman, Schneider and Krusick.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 475**

Relating to: extended area telephone service and granting rule-making authority.

Assembly amendment 1 adoption:

Ayes: 8 – Representatives Seratti, Friske, Kestell, D. Meyer, Hubler, J. Lehman, Schneider and Krusick.

Noes: 1 – Representative Krawczyk.

Passage as amended:

Ayes: 9 – Representatives Seratti, Krawczyk, Friske, Kestell, D. Meyer, Hubler, J. Lehman, Schneider and Krusick.

Noes: 0.

To committee on **Rules**.

*LORRAINE SERATTI*  
Chairperson  
Committee on Small Business and Consumer Affairs

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**REFERRAL OF AGENCY REPORTS**

State of Wisconsin  
Department of Natural Resources  
Madison

October 1, 2001

To the Honorable, the Assembly:

Attached is the report on the Environmental Cooperation Pilot Program as required by section 299.80 (16)(b) Wis. Stats., to be provided to the governor and the legislature. The report describes the success of the program, my recommendation on continuation of the program and the recommended changes that should be made to the program. We have used the information contained in the Legislative Audit Bureau Letter, DNR analysis of the Pilot Program and consultation with our stakeholders as the basis for the report and recommendations.

Development of these agreements has been far more difficult than was initially envisioned but the results have been more instrumental in defining meaningful change that can be replicated and delivered on an ongoing basis. WEPCO, Cook Composites and Polymers, Northern Engraving, Packaging Corporation of America, Madison Gas & Electric and International Truck and Engine have been real leaders. They have been the pioneers doing the research and development work that was necessary to get this program going. Their generosity with their resources, patience with research and development time frames, creativity with seemingly insurmountable odds, energy dedicated to stakeholder interests and dogged perseverance have defined practical systems that can deliver regulatory flexibility that most can only conceptualize.

Over the course of the last two years, we have seen a significant increase in use of environmental management systems, known principally as a concept at the start of the Environmental Cooperation Pilot Program. We have also seen a significant decreased suspicion of regulatory flexibility, interested persons groups at the corporate level and measurable environmental performance. As a result of increased acceptance and reduced suspicion, we have been able to execute agreements over the course of the last year, move the negotiations along for other agreements and more effectively engage the United States Environmental Protection Agency. We executed the first agreement in February 2001 and will sign the second agreement today. We have several other agreements that are in progress and several companies who are interested in further discussions.

Progress is being made and practical experience is being gained. This program is providing the practical experience needed to influence innovation discussions at the national level and prove the benefit of regulatory flexibility, public involvement and environmental performance measurement at

the state level. Consistent with the DNR strategic plan, I am recommending that the Environmental Cooperation Pilot Program continue as a pilot through June 30, 2006, pursued as a simple, separate piece of legislation. The staff and the Environmental Cooperation Pilot Program Advisory Group have made recommendations for program modifications. Those recommendations should be presented as separate legislation or as a part of the 2003-05 Budget, if staffing recommendations are included. The language should be based on a working group review, seeking changes that would complement Green Tier legislation should it pass or meet regulatory innovation needs in the absence of Green Tier.

The results of the program and the recommendations are described in greater detail in the attached documentation. I would be happy to meet with you to answer questions and provide additional detail on the information contained in this letter and the attached report. Thank you for the opportunity to share this information.

Sincerely,  
*DARRELL BAZZELL*  
Secretary

Referred to committee on **Natural Resources**.

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## AGENCY REPORTS

State of Wisconsin  
Department of Administration  
Madison

October 15, 2001

To the Honorable, the Legislature:

This report presents statements of fund condition and operations (budgetary basis) of the State of Wisconsin for the fiscal year ended June 30, 2001. This satisfies the requirements of sec. 16.40(3), Wisconsin Statutes. Displayed are major sources of revenues and major categories of expenditures for the General Fund and other funds compared to the prior year.

The General Fund has an undesignated balance of \$207.5 million as of the end of the fiscal year. This is \$58.4 million higher than the \$149.1 million estimate that was projected in the final Chapter 20 fund condition statement. In addition, this reflects only minor variations from the gross ending balance of \$197.8 million estimated for fiscal year 2001 by the Legislative Fiscal Bureau in its summary of [2001 Act 16](#).

General-purpose revenue taxes were \$10.063 billion compared to \$10.946 billion in the prior year, a decrease of \$883 million or 8.1 percent. This decrease is the result of reductions in income tax rates and other changes to state tax laws made in [1999 Wisconsin Act 9](#). General-purpose revenue expenditures, excluding fund transfers, were \$11.078 billion compared to \$11.270 billion in the prior year, a decrease of \$192 million or 1.7 percent. This reduction reflects the one-time sales tax rebate distributed in fiscal year 2000. If the rebate is excluded, fiscal year 2001 spending increased by \$506.9 million or 4.8 percent.

General-purpose revenue spending increases in fiscal year 2001 were largely driven by increases in three areas: School Aids increased by \$239.9 million, Corrections increased by \$94.1 million, and UW System increased by \$93.2 million.

In fiscal year 2001, the State of Wisconsin continued to devote the major share of state tax collections to assistance to local school districts, municipalities and counties. Local assistance accounted for 60.3 percent of total general purpose revenue spending. Aid payments to individuals and organizations represented 16.1 percent of total general purpose revenue expenditures. The University of Wisconsin accounted for 9.4 percent of total general purpose revenue spending and state operations spending for all other state agencies accounted for 14.2 percent of the total.

The State of Wisconsin expects to publish its comprehensive annual financial report in December of 2001. The report will be prepared under generally accepted accounting principles.

Respectfully submitted,  
*WILLIAM J. RAFTERY, CPA*  
State Controller