



# STATE OF WISCONSIN Assembly Journal

## Ninety-Fifth Regular Session

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MONDAY, February 18, 2002

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

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### AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 205** offered by Representative La Fave.

Assembly substitute amendment 1 to **Assembly Bill 264** offered by committee on **Colleges and Universities**.

Assembly substitute amendment 1 to **Assembly Bill 547** offered by Representative McCormick.

Assembly amendment 1 to **Assembly Bill 674** offered by Representative Black.

Assembly amendment 1 to **Assembly Bill 786** offered by committee on **Rural Affairs and Forestry**.

Assembly amendment 1 to **Assembly Bill 787** offered by committee on **Rural Affairs and Forestry**.

Assembly amendment 1 to **Senate Bill 179** offered by Representative Hundertmark.

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### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 01-111**

Relating to elevators and mechanical lifting devices.  
Submitted by Department of Commerce.  
Report received from Agency, February 8, 2002.  
To committee on **Labor and Workforce Development**.  
Referred on February 18, 2002.

#### **Assembly Clearinghouse Rule 01-119**

Relating to the children at risk program.  
Submitted by Department of Public Instruction.  
Report received from Agency, February 6, 2002.  
To committee on **Education**.  
Referred on February 15, 2002.

#### **Assembly Clearinghouse Rule 01-131**

Relating to the elimination of obsolete rules.  
Submitted by Department of Public Instruction.  
Report received from Agency, February 6, 2002.

To committee on **Education**.  
Referred on February 15, 2002.

#### **Assembly Clearinghouse Rule 01-132**

Relating to technical modifications to chapters PI 10, 12, and 37 pursuant to statutory changes made under **1999 Wisconsin Act 9** and **2001 Wisconsin Act 16**.

Submitted by Department of Public Instruction.  
Report received from Agency, February 6, 2002.  
To committee on **Education**.  
Referred on February 15, 2002.

#### **Assembly Clearinghouse Rule 01-135**

Relating to heating, ventilating and air conditioning and to the Wisconsin changes, additions, substitutions or omissions to the International Mechanical Code (IMC).

Submitted by Department of Commerce.  
Report received from Agency, February 7, 2002.  
To committee on **Labor and Workforce Development**.  
Referred on February 18, 2002.

#### **Assembly Clearinghouse Rule 01-150**

Relating to blasting in communities.  
Submitted by Department of Commerce.  
Report received from Agency, February 7, 2002.  
To committee on **Labor and Workforce Development**.  
Referred on February 18, 2002.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Resolution 52**

Relating to: requesting the U.S. Congress not to attempt to repeal or rescind any of the tax relief legislation passed by the U.S. Congress in May 2001.

By Representatives F. Lasee, Walker, Duff, Suder, Pettis, Hines, Ryba, Owens, J. Fitzgerald, Sykora, Hahn, Jeskewitz, Grothman, Nass, Bies and Leibham.

To committee on **Rules**.

#### **Assembly Resolution 53**

Relating to: commending and congratulating the cities of Madison and Milwaukee for reaching the status of union cities.

By Representatives Pocan, Sinicki, Berceau, Black, Bock, Carpenter, Coggs, Colon, J. Lehman, Lassa, Miller, Richards, Sherman, Turner, Travis, Ryba and Young.

To committee on **Rules**.

### **Assembly Joint Resolution 95**

Relating to: urging Congress to establish September 11 as National Fire Fighters/Police Officers Day.

By Representatives Schneider, Boyle, Lassa, Kestell, Suder, Musser, Hahn, Shilling, Coggs, Gronemus, Albers, Berceau, Montgomery, Miller, Krawczyk, Travis, Urban, Turner, Bock, Sykora, J. Lehman, McCormick, Freese, Owens, Kreuser and Gunderson; cosponsored by Senators Panzer, Schultz, Burke, Hansen, Darling and Plache.

To committee on **Rules**.

### **Assembly Bill 816**

Relating to: creating a procedure for cities and villages to annex town peninsulas.

By Representatives Berceau, Urban, Huber, Shilling, Ryba, Richards, Pocan and Miller; cosponsored by Senator Risser.

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

### **Assembly Bill 817**

Relating to: grants for new foreign language programs, granting rule-making authority, and making an appropriation.

By Representatives Turner, Kreuser, Krusick, Sinicki and Berceau; cosponsored by Senators Grobschmidt, Burke, Plache and Risser.

To committee on **Education**.

### **Assembly Bill 818**

Relating to: prohibited actions by telecommunications providers, administration and enforcement of the federal communications commission unauthorized carrier charge rules and remedies, and requiring the exercise of rule-making authority.

By Representatives Richards, Bock, J. Lehman, Kreuser, Sinicki, Lassa, Miller, Turner, Berceau and Ryba; cosponsored by Senators Jauch, Schultz, Harsdorf and Huelsman.

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

### **Assembly Bill 819**

Relating to: references to the Internal Revenue Code for income and franchise tax purposes.

By Representatives M. Lehman, Ainsworth, Albers, Berceau, Duff, Gard, Gronemus, Grothman, Hahn, Hundertmark, Kaufert, Kestell, Krug, Ladwig, Lippert, Loeffelholz, Miller, Musser, Nass, Olsen, Owens, Rhoades, Ryba, Seratti, Starzyk, Stone, Sykora, Townsend, Urban, Vrakas, Walker, Ziegelbauer and Petrowski; cosponsored by Senators Roessler, Huelsman, Harsdorf, Darling, A. Lasee and Lazich, by request of Department of Revenue.

To committee on **Ways and Means**.

### **Assembly Bill 820**

Relating to: parental liability for acts of their minor child, recovery of damages for certain criminal actions, increasing the jurisdictional amount in small claims court, garnishment, attorney fees, exemption from execution of accounts, civil actions by collection agencies, earnings garnishment, retail theft, recovery in actions involving worthless checks, and revocation of fish and game approvals for which payment is made by worthless checks.

By Representatives Montgomery, Lassa, Rhoades, Ryba, Olsen, Musser, Ladwig, J. Fitzgerald, Gunderson, F. Lasee, Hahn, Hoven, Urban, Turner, Sykora, Vrakas, M. Lehman, Wieckert, Ainsworth, McCormick, Krawczyk, Petrowski, Owens, Suder, Kestell, Bies, Nass, Stone, Seratti, Ott, Skindrud, Gard, Townsend, Huebsch and Albers; cosponsored by Senators Hansen, Huelsman, Plache, Darling, Erpenbach, Shibilski, Breske, Schultz, Roessler and Cowles, by request of Midwest Equipment Dealers Association, Midwest Hardware Dealers Association, National Federation of Independent Businesses, Tavern League of Wisconsin, Wisconsin Alliance of Hearing Professionals, Wisconsin Association of Convenience Stores, Wisconsin Automobile and Truck Dealers Association, Wisconsin Automotive Parts Association, Wisconsin Automotive After Market Trade Association, Wisconsin Civil Recovery Council, Wisconsin Collectors Association, Wisconsin Grocers Association, Wisconsin Fitness and Health Alliance, Wisconsin Independent Businesses Inc., Wisconsin Jewelers Association, Wisconsin Merchants Federation, Wisconsin Motorcycle Dealers Association, Wisconsin Restaurant Association and Wisconsin Retail Lumber Association.

To committee on **Small Business and Consumer Affairs**.

### **Assembly Bill 821**

Relating to: prescription drug prices, granting rule-making authority, and providing a penalty.

By Representatives Krusick, Carpenter, Coggs, Jeskewitz, La Fave, J. Lehman, M. Lehman, Meyerhofer, Miller, Morris-Tatum, Musser, Plale, Powers, Ryba, Seratti, Sherman, Sinicki, Staskunas, Steinbrink, Stone, Travis, Urban, Wasserman and Williams; cosponsored by Senators Grobschmidt, Burke and Hansen, by request of Coalition of Wisconsin Aging Groups, Wisconsin Citizen Action and Allied Council of Senior Citizens of Wisconsin.

To committee on **Health**.

### **Assembly Bill 822**

Relating to: the use of bicycle helmets and providing a penalty.

By Representative Urban; cosponsored by Senator Risser.

To committee on **Public Health**.

### **Assembly Bill 823**

Relating to: notaries public who are not attorneys and providing penalties.

By Representatives Colon, Bock, Krawczyk, Pocan, Lassa, Sherman, Gunderson, Turner, Musser, Coggs, Ryba, Albers, Young, Wasserman, J. Lehman, Carpenter, Schooff, Huebsch and Townsend; cosponsored by Senators Burke,

Hansen, Darling, Moore, Wirch, Roessler, Rosenzweig, Erpenbach and Plache.

To committee on **Judiciary**.

**Assembly Bill 824**

Relating to: changing the name of the public service commission to the utility service commission.

By Representatives Boyle, Reynolds, Suder, Schneider, Sherman and Berceau.

To committee on **Energy and Utilities**.

**Assembly Bill 825**

Relating to: defining emergency medical technician for purposes of the volunteer fire fighter and emergency medical technician service award program.

By Representatives Grothman, Seratti, Gunderson, Turner and Hebl; cosponsored by Senators Robson, Grobschmidt, Hansen and Welch.

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

**Assembly Bill 826**

Relating to: various changes in election administration laws.

By committee on Campaigns and Elections, by request of State Elections Board.

To committee on **Campaigns and Elections**.

**Assembly Bill 827**

Relating to: transfers of ownership of vehicles.

By Representatives Stone, Pettis, Ainsworth, Jeskewitz, Kaufert, Musser, Powers, Ryba, Sykora, Townsend and Turner; cosponsored by Senators Huelsman and Rosenzweig.

To committee on **Transportation**.

**Assembly Bill 828**

Relating to: operating an untitled, unregistered, or improperly registered vehicle and providing a penalty.

By Representatives Stone, Carpenter, Leibham and Townsend; cosponsored by Senators Darling and Rosenzweig.

To committee on **Transportation**.

**Assembly Bill 829**

Relating to: regulating athlete agents, granting rule-making authority, making an appropriation, and providing penalties.

By Representatives Wieckert, Jeskewitz, Musser, Krawczyk, Olsen, Owens, Hahn, Shilling, Pettis and Albers; cosponsored by Senators Grobschmidt, Huelsman and Risser.

To committee on **Government Operations**.

**Assembly Bill 830**

Relating to: the installation of traffic control signals on highways and granting rule-making authority.

By Representatives Huebsch, Ainsworth, Jeskewitz, Kaufert, Krawczyk, Rhoades, Shilling, Stone, Townsend and Albers; cosponsored by Senators Burke, Darling and Harsdorf.

To committee on **Transportation**.

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**COMMITTEE REPORTS**

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

**Assembly Clearinghouse Rule 01-094**

Relating to the minimum number of hours to be required in a social worker training certificate internship.

Objection:

Ayes: 14 – Representatives Underheim, Urban, Johnsrud, F. Lasee, Lippert, Walker, Wieckert, Wasserman, Carpenter, La Fave, Miller, Schooff, Colon and Shilling.

Noes: 0.

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

*GREGG UNDERHEIM*

Chairperson

Committee on Health

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

**Assembly Bill 751**

Relating to: eliminating the petroleum storage environmental cleanup council (suggested as remedial legislation by the department of commerce).

Passage:

Ayes: 13 – Representatives Johnsrud, Gunderson, Kedzie, Krawczyk, D. Meyer, Ott, Pettis, Powers, Gronemus, J. Lehman, Steinbrink, Miller and Reynolds.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 758**

Relating to: bear hunting by certain minors.

Passage:

Ayes: 12 – Representatives Johnsrud, Gunderson, Kedzie, Krawczyk, D. Meyer, Ott, Pettis, Powers, Gronemus, J. Lehman, Steinbrink and Reynolds.

Noes: 1 – Representative Miller.

To committee on **Rules**.

*DUWAYNE JOHNSRUD*

Chairperson

Committee on Natural Resources

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

**Assembly Bill 786**

Relating to: to the effective period of comprehensive county forest land use plans.

Assembly amendment 1 adoption:

Ayes: 8 – Representatives Ainsworth, Friske, Freese, Loeffelholz, Sykora, Gronemus, Hubler and Schneider.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Ainsworth, Friske, Freese, Loeffelholz, Sykora, Gronemus, Hubler and Schneider.  
Noes: 0.

To committee on **Rules**.

**Assembly Bill 787**

Relating to: the advertising of a sale of timber that has an estimated value of \$3,000 or more and that comes from state, county, or community forests.

Assembly amendment 1 adoption:

Ayes: 8 – Representatives Ainsworth, Friske, Freese, Loeffelholz, Sykora, Gronemus, Hubler and Schneider.  
Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Ainsworth, Friske, Freese, Loeffelholz, Sykora, Gronemus, Hubler and Schneider.  
Noes: 0.

To committee on **Rules**.

**Assembly Bill 790**

Relating to: funding related to forestry for the department of natural resources and making appropriations.

Passage:

Ayes: 7 – Representatives Ainsworth, Friske, Freese, Loeffelholz, Sykora, Hubler and Schneider.  
Noes: 1 – Representative Gronemus.

To joint committee on **Finance**.

*JOHN AINSWORTH*  
Chairperson  
Committee on Rural Affairs and Forestry

**ENROLLED JOINT RESOLUTIONS**

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

- Assembly Joint Resolution 42**
- Assembly Joint Resolution 46**
- Assembly Joint Resolution 72**
- Assembly Joint Resolution 77**
- Assembly Joint Resolution 79**
- Assembly Joint Resolution 82**
- Assembly Joint Resolution 83**
- Assembly Joint Resolution 86**
- Assembly Joint Resolution 89**
- Assembly Joint Resolution 93**

*JOHN A. SCOCOS*  
Assembly Chief Clerk

**SPEAKER'S COMMUNICATIONS**

February 18, 2002

Representative Hahn, Co-Chairperson  
Joint Survey Committee on Tax Exemptions  
State Capitol, Room 15 West

Senator Decker, Co-Chairperson  
Joint Survey Committee on Tax Exemptions  
State Capitol, Room 323 South

Dear Representative Hahn and Senator Decker:

Pursuant to Assembly Rule 42(1)(am) and section 13.52(6), Wisconsin Statutes, the co-chairpersons of the Joint Survey Committee on Tax Exemptions shall prepare and submit a report in writing setting forth an opinion on the desirability of **Assembly Bill 819**, relating to references to the Internal Revenue Code for income and franchise tax purposes, as a matter of public policy.

Sincerely,  
*SCOTT R. JENSEN*  
Assembly Speaker

**COMMUNICATIONS**

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>
<b>Assembly Bill 742</b> . . . . .	43 . . . . .	February 15, 2002

Sincerely,  
*DOUGLAS LA FOLLETTE*  
Secretary of State

State of Wisconsin  
Joint Legislative Council  
Madison

February 11, 2002

Mr. John Scocos  
Assembly Chief Clerk  
1 East Main Street, Suite 402  
Madison, WI 53703

Dear John:

I am pleased to transmit to you the following report to the 2001 Legislature on legislation introduced by the Joint Legislative Council:

RL 2001-14 Legislation Recommended by the  
Special Committee on State-Tribal  
Relations  
(2001 Assembly Joint Resolutions 90  
and 91)  
(2001 Assembly Bills 771, 772 and 773

Assembly Bill 695 – “Aye”  
Assembly Bill 725 – “Aye”  
Assembly Bill 769 – “Aye”  
Assembly Bill 689 – “Aye”  
Senate Bill 38 – “Aye”  
Senate Bill 116 – “Aye”

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available in the Legislative Council Staff offices, One East Main, Suite 401, or from our web page at [www.legis.state.wi.us/lc/reports\\_by\\_topic.htm](http://www.legis.state.wi.us/lc/reports_by_topic.htm).

Sincerely,  
*MARK D. GUNDRUM*  
State Representative  
84th Assembly District

Sincerely,  
*TERRY C. ANDERSON*  
Director

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## REFERRAL OF AGENCY REPORTS

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February 12, 2002

State of Wisconsin  
Wisconsin Works State Employment Team  
Madison

December 2001

Mr. John Scocos  
Assembly Chief Clerk  
402 Main Street  
Madison, WI 53708

**RE: Session on February 5 and 7**

Dear John:

As I trust you are aware, I was not able to attend Session on February 5th and 7th. Pursuant to my Army Reserves duties, I received orders on January 31 to attend a Law of War Seminar at the Judge Advocate General School in Virginia during the first week of February.

If I had been available to attend Session on these dates, I would have voted “aye” on the following bills:

**Tuesday, February 5**

Assembly Resolution 31 – “Aye”  
Assembly Resolution 47 – “Aye”  
Assembly Joint Resolution 80 – “Aye”  
Assembly Joint Resolution 89 – “Aye”  
Senate Joint Resolution 37 – “Aye”  
Assembly Bill 552 – “Aye”  
Assembly Bill 578 – “Aye”  
Assembly Bill 608 – “Aye”  
Assembly Bill 613 – “Aye”  
Assembly Bill 635 – “Aye”  
Assembly Bill 686 – “Aye”  
Assembly Bill 704 – “Aye”  
Assembly Bill 743 – “Aye”  
Assembly Bill 212 – “Aye”

**Thursday, February 7**

Assembly Bill 217 – “Aye”  
Assembly Bill 224 – “Aye”  
Assembly Bill 357 – “Aye”  
Assembly Bill 376 – “Aye”  
Assembly Bill 600 – “Aye”  
Assembly Bill 650 – “Aye”  
Assembly Bill 676 – “Aye”

To the Honorable, the Legislature:

The attached FY 2000 and FY 2001 Wisconsin Works State Employment Team (W-2 SET) report provides information on W-2 SET involvement in facilitating employment and retention of W-2 and Food Stamp job-seekers with dependent children in State of Wisconsin jobs.

The report shows successes in hiring, retention, and training of job-seekers from the W-2 and Food Stamp programs. These successes would not have been possible without the partnerships that have been created and maintained among the W-2 SET, W-2 and Job Center agencies, state agencies, and community based organizations. When considering that both W-2 and Food Stamp participation has significantly declined in Wisconsin over the past three years, these accomplishments have an even greater meaning.

State agencies and campuses reported making a total of 124 permanent hires in FY2000 and 206 in FY 2001. This is a 66% increase! In addition, they reported employing 46 limited term employment (LTE) and project hires in FY 2000 and 81 in FY 2001 for a 76% increase! State agencies reported a total of 24 job-seekers in Community Service Jobs (CSJ) each year.

To support the hiring efforts of state agencies, the State Employment Specialists (SES) provided one-on-one assistance in job counseling, retention, resume writing, test preparation, and interviewing skills to 45 job-seekers in FY2000 and 46 in FY 2001. Of these individuals, 13 were hired into permanent state jobs in FY 2000 and 21 in FY 2001 for a 62% increase.

For more information or to discuss mutual plans for recruiting and retaining customers in civil service employment, please contact Michelle Belitz at 608-261-9435, FAX 608-267-3240, TDD 866-275-1165 or by e-mail at [Belitmi@dwd.state.wi.us](mailto:Belitmi@dwd.state.wi.us); or Kathryn Moore at

608-266-9472, FAX 608-267-1000, TDD 608-267-1004 or by e-mail at [Kathryn.Moore@der.state.wi.us](mailto:Kathryn.Moore@der.state.wi.us).

Sincerely,  
*MICHELLE BELITZ*  
State Employment Specialist, Leadworker  
*KATHRYN MOORE*  
Executive Human Resource Specialist,  
Senior

Referred to committee on **Children and Families**.

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State of Wisconsin  
Department of Health and Family Services  
Madison

January 30, 2002

To the Honorable, the Assembly:

Pursuant to s. 46.76 (4), the Department of Health and Family Services is required to develop an annual plan that documents areas of hunger and populations experiencing hunger within this state and to recommend strategies for state and federal policy changes to address hunger in these areas. The statute requires that this plan be submitted annually to the Governor, Superintendent of Public Instruction, and the appropriate standing committees under s. 13.172 (3).

The enclosed 2001 Annual Report on Hunger and Food Insecurity in Wisconsin is being submitted to you in accordance with this requirement. Please contact my office if you have any questions.

Sincerely,  
*PHYLLIS DUBE*  
Secretary

Referred to committee on **Children and Families**.

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State of Wisconsin  
Technical College System Board  
Madison

February 12, 2002

To the Honorable, the Legislature:

This letter is to certify that all Wisconsin Technical Colleges have provided sexual assault and harassment orientation,

materials and information as required under state statute 38.12 (11) for the 2001-2002 school year.

Individual college assurances of compliance along with sample information and materials provided to students are on file in our office at this time. If you have any questions or need additional information, please contact Keith Krinke, System Equal Opportunity Officer, of my staff at 266-1844.

Sincerely,  
*RICHARD CARPENTER*  
President/State Director

Referred to committee on **Colleges and Universities**.

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## REFERENCE BUREAU CORRECTIONS

### Assembly Joint Resolution 79

1. Page 2, line 11: delete "and, be it" and substitute "now, therefore, be it".
2. Page 2, line 12: delete "further".
3. Page 2, line 13: delete "*assembly assembly senate*" and substitute "*assembly, the senate*".

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### Assembly Joint Resolution 83

1. Page 1, line 7: delete "assembly" and substitute "assembly,".
2. Page 2, line 2: delete "later he" and substitute "he later".
3. Page 3, line 11: delete "from" and substitute "from the".

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### Assembly Bill 687

1. Page 1, line 5: delete "Wisconsin System-Extension" and substitute "Wisconsin-Extension".
2. Page 7, line 5: after "least" insert "as".
3. Page 7, line 15: delete "Wisconsin".
4. Page 7, line 16: delete "System-Extension" and substitute "Wisconsin-Extension".