



# STATE OF WISCONSIN Assembly Journal

## Ninety-Sixth Regular Session

THURSDAY, February 13, 2003

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

### AMENDMENTS OFFERED

Assembly amendment 2 to **Assembly Bill 9** offered by Representative Seratti.

Assembly substitute amendment 1 to **Assembly Bill 42** offered by Representatives Pettis and Musser.

### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 02-115**

Relating to electric safety—revision of Volume 1 of the Wisconsin state electrical code.

Submitted by Public Service Commission.

Report received from Agency, February 7, 2003.

To committee on **Energy and Utilities**.

Referred on February 13, 2003.

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Bill 46**

Relating to: creating an Office of Public Intervenor in the Department of Justice.

By Representatives Black, Boyle, Sherman, Berceau, Cullen, Sinicki, Miller, Young, Turner, Huber, Balow, Pope-Roberts, Plouff, Krug, Lassa, Travis, Richards, Pocan, Coggs, Shilling and J. Lehman; cosponsored by Senators Wirth, Carpenter, Risser, Decker, Hansen, Chvala, Erpenbach and M. Meyer.

To committee on **Natural Resources**.

#### **Assembly Bill 47**

Relating to: authorization for electors to vote in the primary of more than one political party.

By Representatives Ziegelbauer, Gunderson, Hubler, Jeskewitz, Kerkman, Lassa, Musser, Staskunas, Underheim,

Van Roy, A. Williams and J. Wood; cosponsored by Senators Risser, Breske, Hansen and Schultz.

To committee on **Campaigns and Elections**.

#### **Assembly Bill 48**

Relating to: mailing property tax bills.

By Representatives Ladwig, Gronemus, Ainsworth, Albers, Hines, Jeskewitz, Kreibich, Montgomery, Owens, Seratti and Van Roy; cosponsored by Senators Leibham and Stepp.

To committee on **Ways and Means**.

#### **Assembly Bill 49**

Relating to: burglary and providing a penalty.

By Representatives Ladwig, Gunderson, J. Lehman, Turner, Bies, Gielow, Gronemus, Hines, Huesch, Krawczyk, Lassa, McCormick, Owens, Pettis, Stone, Suder, Townsend, Vrakas, J. Wood and Ziegelbauer; cosponsored by Senators Stepp and Roessler.

To committee on **Criminal Justice**.

#### **Assembly Bill 50**

Relating to: sheriff's fees established by the county.

By Representatives Ladwig, Kerkman, Gunderson, Bies, Freese, Hahn, Jeskewitz, M. Lehman, Owens, Seratti and Townsend; cosponsored by Senators Stepp, Kanavas and Wirth.

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

#### **Assembly Bill 51**

Relating to: sexual activity involving jail, prison, or community corrections staff or contractors and jail inmates or persons in the custody or under the supervision of the Department of Corrections and providing a penalty.

By Representatives Ladwig, Townsend, Wasserman, Ainsworth, Albers, Balow, Bies, Cullen, J. Fitzgerald, Freese, Gielow, Gundrum, Hahn, Hines, Hundertmark, Jeskewitz, Kestell, Krawczyk, Lassa, J. Lehman, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Montgomery, Nass, Nischke, Ott, Owens, Petrowski, Plale, Plouff, Pocan, Pope-Roberts, Seratti, Shilling, Stone, Suder, Towns, Van Roy, Vrakas, J. Wood, A. Williams and Gottlieb; cosponsored by Senators S. Fitzgerald, Roessler, Brown, Kanavas, Kedzie, Lazich, Leibham, Reynolds, Risser, Robson and Zien.

To committee on **Corrections and the Courts**.

#### **Assembly Bill 52**

Relating to: changing the name of a minor.

By Representatives Foti, Van Roy, Lassa, Montgomery, Olsen, M. Lehman, Hahn, Stone, Ward, Jeskewitz, Ladwig,

Hines, Owens, Musser, Ainsworth, Hundertmark, Gunderson, Ott, Kreibich, Huebsch, Townsend and Colon; cosponsored by Senators Wirch, Roessler and Risser.

To committee on **Children and Families**.

**Assembly Bill 53**

Relating to: prisoner reimbursement to a municipality.

By Representatives Gottlieb, Foti, Ainsworth, Bies, J. Fitzgerald, Gielow, Grothman, Gunderson, Gundrum, Hahn, Huebsch, Hundertmark, Jensen, Jeskewitz, Ladwig, Lassa, LeMahieu, M. Lehman, McCormick, Musser, Nass, Ott, Petrowski, Seratti, Stone, Suder, Townsend and Vrakas; cosponsored by Senators S. Fitzgerald, Welch, Kanavas, Kedzie, Lazich, Leibham, Roessler and Stepp.

To committee on **Corrections and the Courts**.

**Assembly Bill 54**

Relating to: the sale of tax delinquent real property.

By Representatives Gunderson, J. Lehman, Kaufert, Hundertmark, Ainsworth, Albers, Bies, J. Fitzgerald, Friske, Gronemus, Grothman, Gundrum, Hahn, Hines, Huber, Jeskewitz, Kerkman, Kestell, Ladwig, Lassa, LeMahieu, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Seratti, Stone, Townsend, Van Roy, Vrakas and Ziegelbauer; cosponsored by Senators Reynolds and Roessler.

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

**Assembly Bill 55**

Relating to: the authority of a drainage board to maintain drains, assessments levied by drainage boards, and the dissemination of comprehensive plans.

By Representatives Hahn, Gunderson, Ott, Ainsworth, Owens, Hines and Albers.

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

**Assembly Bill 56**

Relating to: the employment of a legislative council staff attorney who is fluent in speaking, reading, and writing the Spanish language.

By Representatives Turner, Young, Coggs, Berceau, Underheim and Colon; cosponsored by Senators Carpenter and Welch.

To committee on **Government Operations and Spending Limitations**.

**Assembly Bill 57**

Relating to: construction of a cogeneration facility at the University of Wisconsin–Madison campus and making an appropriation.

By Representative Black; cosponsored by Senator Risser.

To committee on **Energy and Utilities**.

**Assembly Bill 58**

Relating to: operating a motor vehicle while using a cellular or other mobile telephone and providing a penalty.

By Representatives Owens, Ainsworth and Hines.

To committee on **Highway Safety**.

**Assembly Bill 59**

Relating to: name changes and names used by sex offenders and providing a penalty.

By Representatives Gundrum, Gronemus, Ziegelbauer, Gunderson, Ladwig, Grothman, Gielow, Albers, Krawczyk, Stone, Hines, Musser, Staskunas, Olsen, Plouff, Townsend, Nischke, Lassa, Wasserman, Huebsch, Pettis, J. Fitzgerald, Suder, Jeskewitz, Van Roy, Freese, Vrakas and Coggs; cosponsored by Senators Darling, Harsdorf, Reynolds, Lazich, Kedzie, Stepp, Roessler, Kanavas, Hansen and Leibham.

To committee on **Judiciary**.

**Assembly Bill 60**

Relating to: failing to register as a sex offender and providing a penalty.

By Representatives Gundrum, Gronemus, Ziegelbauer, Ladwig, Grothman, Gielow, Stone, Hines, Musser, Nischke, McCormick, Wasserman, Krawczyk, Bies, J. Fitzgerald, Freese, Suder and Turner; cosponsored by Senators Reynolds, Darling, Lazich, Roessler, A. Lasee, Stepp, Kanavas and Leibham.

To committee on **Judiciary**.

**Assembly Bill 61**

Relating to: creating a wireless 911 fund; imposing a surcharge on wireless telephone customers; making grants for wireless 911 emergency telephone service; providing an exemption from emergency rule procedures; granting rule-making authority; and making appropriations.

By Representatives Montgomery, Jensen, M. Lehman, Pettis, Van Roy, Weber, Turner, J. Fitzgerald, Vrakas and Nischke; cosponsored by Senators Leibham, S. Fitzgerald and Breske.

To committee on **Energy and Utilities**.

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**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 1**
- Assembly Joint Resolution 2**
- Assembly Joint Resolution 3**
- Assembly Joint Resolution 7**
- Assembly Joint Resolution 8**

*PATRICK E. FULLER*  
Assembly Chief Clerk

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**EXECUTIVE COMMUNICATIONS**

February 10, 2003

Representative John Gard  
Assembly Speaker  
211 West, State Capitol  
Madison, WI 53702

Dear Speaker Gard:

In accordance with State Statutes 16.45, I respectfully request a joint session of the legislature on February 18, 2003, at 7:00

P.M. The purpose of this session will be to deliver the budget address for the 2003-2005 biennial budget.

State of Wisconsin  
Department of Health and Family Services  
Madison

Thank you for your attention to this matter.

February 7, 2003

Sincerely,  
*JIM DOYLE*  
Governor

To the Honorable, the Assembly:

In [1997 Act 27](#), the 97-99 Biennial Budget, the Legislature established requirements in state law intended to strengthen protections for children and vulnerable adults in organized care settings. The provisions require, among other things, that designated caregivers conduct background checks on all new and existing staff and bar them from employing anyone who has committed certain crimes or acts. DHFS and (for certain child care providers) counties and local school boards must perform checks on a provider before issuing a license or other credential. Individuals, who have committed prohibited crimes or acts may apply to the Department, counties, or school boards for a waiver of the employment or licensing bans upon evidence of rehabilitation.

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## REFERRAL OF AGENCY REPORTS

State of Wisconsin  
Department of Transportation  
Madison

February 5, 2003

To the Honorable, the Assembly:

I am pleased to be able to present to you, for distribution to the Wisconsin Assembly, the annual evaluation report on the Pretrial Intoxicated Driver Intervention Grant Program. The program, created by section 86.53 Wis. Stats., was established by the legislature in 1997 with the requirement that the Department study its impact and report on its findings every even-numbered year.

Sections [48.685\(5g\)](#) and [50.065\(5g\)](#) of the Wisconsin Statutes direct the Department to submit an annual report to the legislature that specifies the number of persons who have sought waivers of employment or licensing bans by requesting to demonstrate that they have been rehabilitated. The report must also specify the number of requests that were approved and the reasons for the success or failure of the requests. Attached is the report for 2002.

Questions about this report should be referred to Linda Dawson, Deputy Chief Legal Counsel, at 608-266-0355.

The Pretrial Intoxicated Driver Intervention Grant Program is intended for offenders who are arrested for their second or subsequent OWI (Operating While Intoxicated) offense. Offender participation may be voluntary or court order. It is an intervention model designed to get offenders into counseling, treatment and supervision as soon as possible after the arrest. The program is individual to each community.

Thank you for distributing this report to members of the Assembly.

Sincerely,  
*HELENE NELSON*  
Secretary

Referred to committee on **Health**.

As you will see in the report, no community that has begun a program has dropped it. Offenders who successfully completed the program were less likely than non-participants to be re-arrested for subsequent OWI violations. Those who were re-arrested went significantly longer between arrests than non-participants. Currently there are four counties on a waiting list for funding to begin programs.

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## AGENCY REPORTS

State of Wisconsin  
Department of Administration  
Madison

February 10, 2003

I commend those people who have dedicated themselves to making this innovative program a success. There are no "silver bullets" in eradicating intoxicated driving, but I feel this effort is a vital piece in the total transportation safety effort.

To the Honorable, the Legislature:

I have enclosed a copy of the State of Wisconsin's Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2002. This Fiscal Year 2002 CAFR represents the first year in which the State is required to implement the provisions of the Governmental Accounting Standards Board (GASB) Statement No. 34, *Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments*. The Financial Section of this CAFR consists of four parts: (1) management's discussion and analysis, (2) basic financial statements, (3) additional required supplementary information, and (4) optional other supplementary information.

Sincerely,  
*FRANK J. BUSALACCHI*  
Secretary

Referred to committee on **Highway Safety**.

Within the basic financial statements this CAFR contains the government-wide financial statements that provide a broad view of the State's operations, and the fund financial statements that focus on individual parts of the State government, reporting the State's operations in more detail than the government-wide statements. These financial statements also include notes that explain some of the information in the financial statements and provide more detail.

I am pleased to report that the Government Finance Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the State of Wisconsin for its fiscal year 2001 CAFR. The GFOA's Certificate is a prestigious national award recognizing conformance with the highest standards for state and local government financial reports. The State of Wisconsin is again applying for the Certificate, and the 2002 CAFR has been submitted to the GFOA.

A copy of the CAFR is also available on the State of Wisconsin, Department of Administration homepage on the World Wide Web: <http://www.doa.state.wi.us/debf>.

If you have specific questions or comments regarding the CAFR's contents, please contact me at (608) 266-3628.

Sincerely,  
*WILLIAM J. RAFTERY, CPA*  
State Controller

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State of Wisconsin  
Legislative Audit Bureau  
Madison

February 12, 2003

To the Honorable, the Legislature:

We have completed a financial audit of WHA Radio, as requested by the University of Wisconsin-Extension to fulfill the audit requirements of the Corporation for Public Broadcasting. The Corporation requires audited financial statements of public broadcasting entities to determine future funding levels.

WHA Radio is licensed to the Board of Regents of the University of Wisconsin System and is operated by the University of Wisconsin-Extension. WHA Radio received \$8.8 million in revenues during fiscal year 2001-02, including state support, member contributions, funding from the Corporation for Public Broadcasting, and various other grants.

Our audit report contains the financial statements and related notes for fiscal years 2001-02 and 2000-01. We were able to

issue an unqualified independent auditor's report on these statements. A new financial reporting model was implemented for fiscal year 2001-02 that changed the presentation of the financial statements. An important feature of the new model is Management's Discussion and Analysis, which is prepared by management of WHA Radio and provides an overview of the financial statements and an analysis of financial results.

We appreciate the courtesy and cooperation extended to us by University of Wisconsin-Extension staff during the audit.

Respectfully submitted,  
*JANICE MUELLER*  
State Auditor

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State of Wisconsin  
Legislative Audit Bureau  
Madison

February 12, 2003

To the Honorable, the Legislature:

We have completed a financial audit of WHA Television, as requested by the University of Wisconsin-Extension to fulfill the audit requirements of the Corporation for Public Broadcasting. The Corporation requires audited financial statements of public broadcasting entities to determine future funding levels.

WHA Television is licensed to the Board of Regents of the University of Wisconsin System and is operated by the University of Wisconsin-Extension. WHA Television received \$16.2 million in revenues during fiscal year 2001-02, including state support, member contributions, funding from the Corporation for Public Broadcasting, and various other grants.

Our audit report contains the financial statements and related notes for the period July 1, 2001 through June 30, 2002. We were able to issue an unqualified independent auditor's report on these statements. A new financial reporting model was implemented for fiscal year 2001-02 that changed the presentation of the financial statements. An important feature of the new model is Management's Discussion and Analysis, which is prepared by management of WHA Television and provides an overview of the financial statements and an analysis of financial results.

We appreciate the courtesy and cooperation extended to us by University of Wisconsin-Extension staff during the audit.

Respectfully submitted,  
*JANICE MUELLER*  
State Auditor