



STATE OF WISCONSIN Assembly Journal

Ninety-Sixth Regular Session

TUESDAY, April 15, 2003

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

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 84** offered by committee on **Colleges and Universities**.

Assembly substitute amendment 1 to **Assembly Bill 109** offered by committee on **Natural Resources**.

Assembly amendment 1 to **Assembly Bill 140** offered by Representative Lassa.

Assembly amendment 1 to **Assembly Bill 206** offered by Representative Suder.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 260

Relating to: extending the Milwaukee Parental Choice Program to all private schools in Milwaukee County.

By Representatives Jensen, Ziegelbauer, Vukmir, Towns, Townsend, Gielow, Ladwig, Krawczyk, Jeskewitz, Gundrum, LeMahieu, Vrakas, McCormick and Stone; cosponsored by Senators Darling, Welch, Lazich, Stepp and Kanavas.

To committee on **Education Reform**.

Assembly Bill 261

Relating to: charter schools located in a 1st class city school district.

By Representatives Jensen, Ziegelbauer, Vukmir, Grothman, Nischke, Towns, Krawczyk, Nass, LeMahieu, McCormick, Owens, J. Wood and Gielow; cosponsored by Senators Darling, Welch, Kanavas, Roessler and Lazich.

To committee on **Education Reform**.

Assembly Bill 262

Relating to: authorizing cities and towns, and expanding the authority of villages, to create combined protective services departments.

By Representatives Ziegelbauer, Musser, Berceau, Bies, Gottlieb, Hundertmark, Jeskewitz, F. Lasee, M. Lehman,

Loeffelholz, Miller, Nass, Ott and Petrowski; cosponsored by Senators Leibham, Cowles, Harsdorf, Jauch and Risser.

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

Assembly Bill 263

Relating to: changing the bonding requirements for city, village, and county officers.

By Representatives Stone, Musser, Ainsworth, Ladwig, Grothman, Hines, Bies, Gunderson, Olsen, Hahn and Hundertmark; cosponsored by Senator Brown.

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

Assembly Bill 264

Relating to: the parking of vehicles on highways in 1st class cities.

By Representative Richards; cosponsored by Senator Darling.

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

Assembly Bill 265

Relating to: causing substantial bodily harm to another person and providing a penalty.

By Representatives Suder, Shilling, Albers, Balow, Berceau, Boyle, Coggs, Cullen, Gottlieb, Hahn, Hines, Hundertmark, Kaufert, Krawczyk, Kreibich, Kreuser, Ladwig, Lassa, J. Lehman, Loeffelholz, McCormick, Montgomery, Morris, Musser, Nischke, Owens, Pettis, Plouff, Pocan, Richards, Schooff, Stone, Turner, Van Roy, Wasserman, Weber and Zepnick; cosponsored by Senators Stepp, Brown, Darling, Lazich, Robson, Roessler and Wirsch.

To committee on **Criminal Justice**.

Assembly Bill 266

Relating to: school and school district performance reports.

By Representatives Petrowski, J. Lehman, Bies, Grothman, M. Lehman, Musser, Hines, Miller, Pettis, Sherman, Ott, LeMahieu, Hahn, M. Williams, Plouff, Friske, Albers, Huber, Stone, Towns, Jeskewitz and J. Fitzgerald; cosponsored by Senators Harsdorf, Schultz, Roessler, Decker and Leibham.

To committee on **Education Reform**.

Assembly Bill 267

Relating to: administrative rule making regarding small businesses, data used by administrative agencies in preparing proposed rules, increasing attorney fees, creating an Internet site for proposed rules, and creating a Small Business Regulatory Review Board.

By Representatives McCormick, Albers, Balow, Bies, J. Fitzgerald, Friske, Gunderson, Hahn, Hines, Hundertmark,

Krawczyk, Kreibich, Ladwig, Lassa, Musser, Nischke, Olsen, Ott, Pettis, Plale, Powers, Schooff, Seratti, Staskunas, Stone, Suder, Underheim, Van Roy, Vrakas, Wieckert, J. Wood and Ziegelbauer; cosponsored by Senators Brown, S. Fitzgerald, Kanavas, Lazich, Leibham, Reynolds, Roessler, Schultz, Stepp and Welch.

To committee on **Small Business**.

Assembly Bill 268

Relating to: designating and marking a portion of STH 19 as the Georgia O’Keefe Memorial Highway.

By Representatives Hahn, Hebl, Turner, Miller, Townsend, Van Roy, Gielow, Hines, Bies and Berceau; cosponsored by Senators Chvala, Wirch and M. Meyer.

To committee on **Transportation**.

Assembly Bill 269

Relating to: leave from employment for an employee who is a crime victim to attend certain proceedings relating to the crime and to receive counseling for the psychological effects of the crime.

By Representatives Krug, Richards, Sherman, Kreuser, Hubler, Turner, Schooff, Coggs, Travis, Black, Albers, Balow, Berceau, Boyle, Colon, Cullen, Gronemus, Hebl, Lassa, J. Lehman, Miller, Morris, Plale, Plouff, Pocan, Pope–Roberts, Schneider, Shilling, Sinicki, Staskunas, Steinbrink, Van Akkeren, Vruwink, Wasserman, A. Williams, Young and Zepnick; cosponsored by Senators Erpenbach, M. Meyer, Moore, Decker, Hansen, Chvala, Breske, Carpenter, Risser and Wirch, by request of Attorney General Peggy A. Lautenschlager.

To committee on **Labor**.

COMMITTEE REPORTS

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

Assembly Bill 27

Relating to: the issuance of wild turkey hunting licenses to qualified resident landowners.

Passage:

Ayes: 10 – Representatives Johnsrud, Gunderson, Ott, Pettis, Bies, Krawczyk, M. Williams, Black, Steinbrink and Miller.

Noes: 0.

To committee on **Rules**.

Assembly Bill 109

Relating to: the use by the Department of Natural Resources of seized, confiscated, or unclaimed property for educational hunting, fishing, trapping, and other conservation activities; hunting of antlerless deer by holders of certificates of accomplishment issued under the hunter education program and the bow hunter education program; certificates of hunter safety issued by provinces and other countries; possession of firearms and hunting with firearms by persons under 16 years of age; issuance of resident small game

hunting licenses to certain nonresidents under 16 years of age; use of firearms in schools under the hunter education program; use of certain types of arrow tips on crossbows; proceeds received by the Department of Natural Resources for skins of fur-bearing animals that are prepared as part of the course of instruction under the trapper education program; granting rule-making authority; and making an appropriation.

Assembly Substitute Amendment 1 adoption:

Ayes: 10 – Representatives Johnsrud, Gunderson, Ott, Pettis, Bies, Krawczyk, M. Williams, Black, Steinbrink and Miller.

Noes: 0.

Passage as amended:

Ayes: 10 – Representatives Johnsrud, Gunderson, Ott, Pettis, Bies, Krawczyk, M. Williams, Black, Steinbrink and Miller.

Noes: 0.

To committee on **Rules**.

DUWAYNE JOHNSRUD
Chairperson
Committee on Natural Resources

The committee on **Ways and Means** reports and recommends:

Assembly Bill 24

Relating to: the sale of tangible personal property that is delivered in this state.

Assembly Amendment 1 adoption:

Ayes: 12 – Representatives M. Lehman, J. Wood, Nass, Hahn, Jeskewitz, Kerkman, Lothian, W. Wood, Berceau, Ziegelbauer, Morris and Hebl.

Noes: 0.

Passage as amended:

Ayes: 12 – Representatives M. Lehman, J. Wood, Nass, Hahn, Jeskewitz, Kerkman, Lothian, W. Wood, Berceau, Ziegelbauer, Morris and Hebl.

Noes: 0.

To committee on **Rules**.

Assembly Bill 28

Relating to: the amount of the exemption from income tax withholding requirements for employees of a county fair association.

Passage:

Ayes: 12 – Representatives M. Lehman, J. Wood, Nass, Hahn, Jeskewitz, Kerkman, Lothian, W. Wood, Berceau, Ziegelbauer, Morris and Hebl.

Noes: 0.

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

MICHAEL LEHMAN
Chairperson
Committee on Ways and Means

REFERENCE BUREAU CORRECTIONS

Assembly Bill 259

1. Page 2, line 2: delete "pars. (b) and".

***NOTE: This is not current law.

SPEAKER'S APPOINTMENTS

April 9, 2003

Mr. Patrick Fuller
Chief Clerk
Wisconsin Assembly
Room 208, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53708

Dear Patrick:

Pursuant to Wisconsin Statute Section [15.465 \(2\)](#), Representative John Ainsworth, as chairman of the Assembly Committee on Transportation, is a member of the Rustic Roads Board.

Sincerely,
JOHN G. GARD
Assembly Speaker

April 9, 2003

Mr. Patrick Fuller
Chief Clerk
Wisconsin Assembly
Room 208, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53708

Dear Patrick:

Pursuant to Wisconsin Statute Section [15.70](#), I have appointed Representative Stephen Freese to the Board of Curators for the State Historical Society.

Sincerely,
JOHN G. GARD
Assembly Speaker

April 9, 2003

Mr. Patrick Fuller
Chief Clerk
Wisconsin Assembly
Room 208, Risser Justice Center
17 West Main Street

Madison, Wisconsin 53708

Dear Patrick:

Pursuant to Wisconsin Statute Section [15.915 \(6\)\(b\)](#), I have appointed Representative DuWayne Johnsrud to the Environmental Education Board.

Sincerely,
JOHN G. GARD
Assembly Speaker

April 9, 2003

Mr. Patrick Fuller
Chief Clerk
Wisconsin Assembly
Room 208, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53708

Dear Patrick:

Pursuant to Wisconsin Statute Section [14.90 \(1\)\(b\)](#), I have appointed Representative Rob Kreibich to the Midwestern Higher Education Commission.

Sincerely,
JOHN G. GARD
Assembly Speaker

April 9, 2003

Mr. Patrick Fuller
Chief Clerk
Wisconsin Assembly
Room 208, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53708

Dear Patrick:

Pursuant to Wisconsin Statute Section [15.227 \(8\)](#), I have appointed Representative John Townsend to the Council on Migrant Labor.

Sincerely,
JOHN G. GARD
Assembly Speaker

April 9, 2003

Mr. Patrick Fuller
Chief Clerk
Wisconsin Assembly
Room 208, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53708

Dear Patrick:

Pursuant to Wisconsin Statute Section 14.017 (2), I have appointed Representative John Townsend to the Council on Alcohol and Other Drug Abuse.

Sincerely,
JOHN G. GARD
Assembly Speaker

April 9, 2003

Mr. Patrick Fuller
Chief Clerk
Wisconsin Assembly
Room 208, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53708

Dear Patrick:

Pursuant to Wisconsin Statute Section 13.48 (2), I have appointed Representatives Daniel Vrakas and Jeff Fitzgerald to the Building Commission.

Sincerely,
JOHN G. GARD
Assembly Speaker

April 9, 2003

Mr. Patrick Fuller
Chief Clerk
Wisconsin Assembly
Room 208, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53708

Dear Patrick:

Pursuant to Wisconsin Statute Section 234.02 (1), I have designated Representative Steve Wieckert to the Wisconsin Housing and Economic Development Authority.

Sincerely,
JOHN G. GARD
Assembly Speaker

April 9, 2003

Mr. Patrick Fuller
Chief Clerk
Wisconsin Assembly
Room 208, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53708

Dear Patrick:

Pursuant to Wisconsin Statute Section 115.197, I have designated Lisa Stewart Boettcher to the Council on Domestic Abuse.

Sincerely,
JOHN G. GARD
Assembly Speaker

April 15, 2003

Mr. Patrick Fuller
Chief Clerk
Wisconsin Assembly
Room 208, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53708

Dear Patrick:

Pursuant to Wisconsin Statute Section 15.465 (2), I have appointed Representative Scott Suder to the Rural Economic Development Board.

Sincerely,
JOHN G. GARD
Assembly Speaker

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Administration
Madison

March 14, 2003

To the Honorable, the Legislature:

This report is transmitted as required by s. 20.002(11)(f), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. 13.172(3), Wisconsin Statutes), 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 cash balances during the month of February 2003.

On February 1, 2003, the **Wisconsin Health Education Loan Repayment Fund** cash balance closed at a negative \$5 thousand. This negative balance continued until February 10, 2003, when the fund cash balance closed at a positive \$6 thousand. On February 24, 2003, the fund cash balance again fell negative, closing at a negative \$1 thousand. The negative cash balance continued through February 28, 2003, when the cash balance closed at a negative \$3 thousand. The negative balance was due to the difference in the timing of revenues and expenditures.

On February 1, 2003, the **Tobacco Control Fund** cash balance closed at a negative \$250 thousand. This negative balance continued until February 4, 2003, when the fund cash balance closed at a positive \$7.4 million. The negative balance was due to the delay of a statutory funding transfer.

On February 1, 2003, the **University Trust – Principal Fund** cash balance closed at a negative \$181 thousand. The

negative balance continued until February 7, 2003, when the fund cash balance closed at a positive \$49 thousand. On February 14, 2003, the fund cash balance again fell negative, closing at a negative \$221 thousand. The negative cash balance continued until February 20, 2003, when the cash balance closed at a positive \$285 thousand. The negative balances were due to an error in a January wire transfer, which has since been corrected.

The Wisconsin Health Education Loan Repayment Fund, Tobacco Control Fund, and the University Trust – Principal 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, and as a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,
MARC J. MAROTTA
Secretary

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

State of Wisconsin
Medical College of Wisconsin
Milwaukee

March 25, 2003

To the Honorable, the Assembly:

Enclosed is the biennial report of the Medical College of Wisconsin, prepared according to the statutory requirement under section 13.106. This report covers the period ending June 30, 2002, and contains information in the following areas:

- * Financial status of a family practice residency sites
- * Number of family practice residents choosing to practice in medically underserved areas of the state upon graduation.
- * Number of graduates entering family practice as a career.

Please feel free to contact me at (414) 456-8544 if you have any questions or would like additional information.

Sincerely,
KATHRYN A. KUHN
Director
Planning and Government Affairs

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

State of Wisconsin
Department of Revenue
Madison

April 9, 2003

To the Honorable, the Legislature:

I am submitting the quarterly report of the Wisconsin Lottery for the quarter ending March 31, 2003. As required by § [565.37\(3\)](#), Wis. Stats., the attached materials contain unaudited Wisconsin Lottery year to date Sales and Expenditure information.

The summary information reported here is not intended to be a complete financial accounting of the Wisconsin Lottery Fund.

The Lottery Fund Balance increases throughout the fiscal year but is significantly reduced by the Property Tax Credit distribution that is made every year on the fourth Monday of March.

If you have any questions or comments regarding this report, please feel free to contact me at (608) 266-6466.

Sincerely,
MICHAEL L. MORGAN
Secretary

Referred to committee on **State Affairs.**

State of Wisconsin
Department of Health and Family Services
Madison

April 11, 2003

To the Honorable, the Legislature:

The biennial budget bill, [1983 Wisconsin Act 27](#), created s. [46.275](#), Community Integration Program (CIP) for Residents of State Centers. The intent of this program "is to relocate persons from the state centers for the developmentally disabled into appropriate community settings with the assistance of home and community-based services and with continuity of care. The intent of the program is also to minimize its impact on state employees through redeployment of employees into vacant positions." S. [46.275 \(5m\)](#) requires the Department to submit a report to the Joint Committee on Finance and to the Chief Clerk of each house of the Legislature describing the program's impact during the preceding calendar year on state employees, including the Department's efforts to redeploy employees laid off.

For the period of January 1, 2002 to December 31, 2002, we placed 17 center residents into the community. For fiscal year 2002, we reduced the centers' budget by \$1,533,000 and 31.32 FTE as a result of the CIP placements. For the period July 1, 2002 through December 31, 2002, we will make sufficient reductions in the fiscal year 2003 operating budget to reflect reductions for CIP placements. The Department was able to reduce positions and dollars for calendar year 2002 without employee layoffs. We do not anticipate layoffs in the current fiscal year 03.

Sincerely,
HELENE NELSON
Secretary

Referred to committee on **Aging and Long-Term Care.**