



# STATE OF WISCONSIN Assembly Journal

## Ninety-Sixth Regular Session

MONDAY, July 21, 2003

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

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### AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 382** offered by committee on **Transportation**.

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### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 01-075**

Relating to the requirements for an approved central fill system.

Submitted by Department of Regulation and Licensing.  
Report received from Agency, July 14, 2003.  
To committee on **Health**.  
Referred on July 21, 2003.

#### **Assembly Clearinghouse Rule 03-006**

Relating to pupil transportation.  
Submitted by Department of Public Instruction.  
Report received from Agency, July 14, 2003.  
To committee on **Education**.  
Referred on July 21, 2003.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Bill 435**

Relating to: repealing the comprehensive planning statute known as Smart Growth.

By Representatives M. Williams, Suder, Hines, Owens, J. Wood, Musser, Seratti, Petrowski, Gronemus, Ziegelbauer, Kreibich, Bies, Friske and D. Meyer; cosponsored by Senators Reynolds, Zien and A. Lasee.

To committee on **Rural Affairs**.

#### **Assembly Bill 436**

Relating to: the sale or donation of state property by the Department of Transportation.

By Representatives Ainsworth, Bies, Freese, Gottlieb, Grothman, Gunderson, Hahn, Hundertmark, Jensen, Johnsrud, Krawczyk, Ladwig, J. Lehman, M. Lehman, Loeffelholz, Lothian, Miller, Nischke, Olsen, Ott, Owens, Seratti, Stone, Townsend, J. Wood and Van Roy; cosponsored by Senators Zien, Stepp and Breske.

To committee on **Transportation**.

#### **Assembly Bill 437**

Relating to: granting towns limited authority to create tax incremental financing districts.

By Representatives Loeffelholz, Ott, Musser, Petrowski, Ainsworth, Gunderson, Hundertmark, McCormick, Bies, Owens, Ward, Hines, Pettis, J. Wood, Kestell, Kerkman, M. Williams, Towns, Hahn, Powers, Lothian, Vrakas, Johnsrud, J. Fitzgerald, Seratti, Weber, Huebsch, Ladwig, Kreibich, Gronemus, Freese, Albers, Friske, Suder and Stone; cosponsored by Senators Kedzie, Schultz, Breske, Kanavas and A. Lasee.

To committee on **Rural Development**.

#### **Assembly Bill 438**

Relating to: the sale of fireworks; fireworks permits and displays; shipping fireworks; fireworks wholesalers licenses; disposition of seized fireworks; fireworks enforcement; granting rule-making authority; making an appropriation and providing a penalty.

By Representatives Kerkman, Steinbrink, Albers, Hines, Kreuser, J. Lehman, M. Lehman, Lothian, Ott and Turner; cosponsored by Senators Brown, Risser, Roessler and Wirch.

To committee on **Criminal Justice**.

#### **Assembly Bill 439**

Relating to: the sale of fireworks from certain locations and providing a penalty.

By Representatives Kerkman, Steinbrink, Albers, Hines, Kreuser, J. Lehman, M. Lehman, Lothian, Ott and Turner; cosponsored by Senators Brown, Risser, Roessler and Wirch.

To committee on **Criminal Justice**.

#### **Assembly Bill 440**

Relating to: advertising by intoxicating liquor retailers.

By Representatives McCormick, Musser, M. Lehman, Krawczyk, Hines, Jeskewitz, Bies, Van Roy, Grothman,

Gundrum, Pettis, Staskunas, Kestell, Suder, Lothian and Freese; cosponsored by Senators Leibham, Schultz and Plale.  
To committee on **State Affairs**.

**Assembly Bill 441**

Relating to: prohibiting smoking in the vicinity of the state capitol building.

By Representatives Owens, Kreibich, Hines and Vrakas; cosponsored by Senators Roessler and Risser.

To committee on **Public Health**.

**Assembly Bill 442**

Relating to: quorum requirements for a zoning board of appeals or adjustment.

By Representatives Albers, Gronemus and Owens; cosponsored by Senators Schultz and A. Lasee.

To committee on **Property Rights and Land Management**.

**Assembly Bill 443**

Relating to: allowing counties to request that certain platted land be vacated.

By Representatives Vrakas, Nischke, Albers, Bies, Grothman, Gunderson, Hines, Jeskewitz, Kestell, Ladwig, LeMahieu, Lothian, Miller, Musser, Ott and Townsend; cosponsored by Senator Kedzie.

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

**CHIEF CLERK REPORTS**

The Chief Clerk records:

**Assembly Bill 18**

Presented to the Governor on Friday, July 18.

**Assembly Bill 4**

**Assembly Bill 41**

**Assembly Bill 123**

**Assembly Bill 288**

Presented to the Governor on Monday, July 21.

*PATRICK E. FULLER*  
Assembly Chief Clerk

**EXECUTIVE COMMUNICATIONS**

State of Wisconsin  
Office of the Governor  
Madison

July 21, 2003

To the Honorable Members of the Assembly:

The following bill, originating in the Assembly, has been approved, signed and deposited in the office of the Secretary of State:

Bill Number                      Act Number                      Date Approved  
**Assembly Bill 18** . . . . . 32 . . . . . July 21, 2003

Respectfully submitted,  
*JAMES DOYLE*  
Governor

**REFERENCE BUREAU CORRECTIONS**

**Assembly Bill 397**

1. Page 2, line 4: delete "physical" and substitute "physician".

**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:

Bill Number                      Act Number                      Publication Date  
**AB 378 (In part)** . . . . . 31 . . . . . July 29, 2003

Sincerely,  
*DOUGLAS LA FOLLETTE*  
Secretary of State

July 10, 2003

Mr. Patrick Fuller  
Assembly Chief Clerk  
Suite 208, Risser Justice Center

Dear Chief Clerk Fuller:

Due to my absence during session on June 25 and July 2, I am writing to indicate how I would have voted on the bills that were taken up before the Assembly on those dates.

June 25, 2003

Assembly Bill 204, adoption of Assembly amendment 1 – "Aye"

Assembly Bill 204, passage – "Aye"

Assembly Bill 388, adoption of Assembly amendment 1 – "Aye"

Assembly Bill 388, passage – "Aye"

Senate Bill 197, tabling of Assembly amendment 1 – "Aye"

Senate Bill 197, rejection of Assembly amendment 2 – "Aye"

Senate Bill 197, tabling of Assembly amendment 3 – "Aye"

I was paired on concurrence vote for Senate Bill 197

Senate Bill 173, concurrence – "Aye"

Senate Bill 188, concurrence – "Aye"

Senate Bill 206, concurrence – "Aye"

Senate Bill 77, tabling of Assembly substitute amendment 1 – "No"

Senate bill 77, adoption of Assembly substitute amendment

1 – “Aye”

Senate Bill 77, concurrence as amended – “Aye”

July 2, 2003

Assembly Bill 88, concurrence of Senate amendment 1 – “Aye”

Senate Bill 77, concurrence of Senate amendment 1 – “Aye”

Sincerely,  
*DANIEL P. VRAKAS*  
State Representative  
33rd Assembly District

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## AGENCY REPORTS

State of Wisconsin  
Legislative Audit Bureau  
Madison

July 15, 2003

To the Honorable, the Legislature:

As required by [1999 Wisconsin Act 9](#), the Legislative Audit Bureau contracted with The Lewin Group, Inc., in 1999 to conduct an evaluation of the Family Care pilot program. This report is the final document in a series of reports prepared under the terms of the contract.

Family Care is a restructuring of Wisconsin’s long-term care system for the elderly, the physically disabled, and the developmentally disabled. The first three Lewin reports focused on state and county level implementation of the program, including the operation of Resource Centers in nine

counties and Care Management Organizations in five of the counties with Resource Centers. The draft version of this final report, which examines the early outcomes and cost-effectiveness of the program, was released May 1, 2003. This final version also includes Lewin’s final implementation update.

As we noted when releasing the May 2003 draft, the Lewin Group did not complete this report within the time frame required by our contract. However, the report was reviewed in draft and final form by this office and the Department of Health and Family Services. This final report reflects a number of revisions Lewin made for clarity and to correct inconsistencies in the draft report but includes only one substantive change, involving a nursing home utilization comparison.

Lewin concludes that the program has substantially met the goals of increasing choice and access and improving quality through a focus on social outcomes, but that through June 2001, it had yet to demonstrate improved health quality for its participants. Lewin further states that it is too early to draw conclusions regarding the program’s long-term cost-effectiveness.

A summary of the report’s key findings is enclosed. A copy of the entire report is also available on our Web site: [www.legis.state.wi.us/lab](http://www.legis.state.wi.us/lab).

I hope you find this information useful. Please contact me if you have any questions.

Sincerely,  
*JANICE MUELLER*  
State Auditor