



STATE OF WISCONSIN Assembly Journal

Ninety-Sixth Regular Session

THURSDAY, August 7, 2003

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 127** offered by committee on **Ways and Means**.

Assembly substitute amendment 1 to **Assembly Bill 146** offered by committee on **Ways and Means**.

Assembly substitute amendment 1 to **Assembly Bill 174** offered by Representative Pettis.

Assembly amendment 1 to **Assembly Bill 250** offered by Representative Musser.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 02–152

Relating to consulting physicians and changing “athletic trainer” with “licensee.”

Submitted by Department of Regulation and Licensing.

Report received from Agency, July 31, 2003.

To committee on **Health**.

Referred on August 7, 2003.

Assembly Clearinghouse Rule 03–048

Relating to operation of the health insurance risk-sharing plan (HIRSP).

Submitted by Department of Health and Family Services.

Report received from Agency, July 31, 2003.

To committee on **Health**.

Referred on August 7, 2003.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 459

Relating to: inclusion of social security numbers and employer identification numbers in Uniform Commercial Code financing statements.

By Representatives Ladwig, Kerkman, Albers, Gronemus, Grothman, Gundrum, Hines, Huber, Hundertmark, F. Lasee, McCormick, Montgomery, Nischke, Owens, Seratti, Staskunas, Towns, Vukmir and Van Roy; cosponsored by Senators Darling, Lassa, Roessler and Schultz.

To committee on **Financial Institutions**.

Assembly Bill 460

Relating to: creating a 24-hour resident and a 24-hour nonresident fishing license.

By Representatives Olsen, Albers, Hahn, Hines, Krawczyk, Ladwig, Owens, Petrowski, Seratti, Shilling and Van Roy.

To committee on **Natural Resources**.

Assembly Bill 461

Relating to: adding payments to related entities to federal taxable income for state income tax and franchise tax purposes.

By Representatives Black, Berceau, Pocan, Miller, Hebl and Plouff; cosponsored by Senators Carpenter, Risser and Chvala.

To committee on **Ways and Means**.

Assembly Bill 462

Relating to: restrictions on the operation of motor vehicles by persons holding instruction permits or probationary licenses.

By Representatives Petrowski, Olsen, Ladwig, Hines, Jeskewitz, M. Williams, Weber, Hahn, Bies, Ott, J. Lehman, Gunderson and Van Roy; cosponsored by Senator Lassa.

To committee on **Transportation**.

Assembly Bill 463

Relating to: all-terrain vehicle racing and the operation of all-terrain vehicles by juveniles.

By Representatives Pettis, Lothian, Albers, Hines and Seratti; cosponsored by Senator Stepp.

To committee on **Tourism**.

COMMITTEE REPORTS

The committee on **Campaigns and Elections** reports and recommends:

Assembly Bill 190

Relating to: residency of certain election officials.

Passage:

Ayes: 5 – Representatives Freese, Gundrum, Grothman,
Travis and Pocan.
Noes: 0.

To committee on **Rules**.

Assembly Bill 256

Relating to: compatible offices and positions for city,
village, and town elective officeholders.

Assembly Amendment 1 to Assembly Amendment 1
adoption:

Ayes: 5 – Representatives Freese, Gundrum, Grothman,
Travis and Pocan.
Noes: 0.

Assembly Amendment 1 adoption:

Ayes: 5 – Representatives Freese, Gundrum, Grothman,
Travis and Pocan.
Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Freese, Gundrum, Grothman,
Travis and Pocan.
Noes: 0.

To committee on **Rules**.

STEPHEN FREESE
Chairperson
Committee on Campaigns and Elections

SPEAKER'S COMMUNICATIONS

August 7, 2003

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

Dear Patrick:

Pursuant to Assembly Rule [42 \(3\)\(c\)](#), I am withdrawing **Assembly Bill 462** from the Assembly Committee on Transportation and re-referring it to the Assembly Committee on Highway Safety. I have the consent of Representative Ainsworth, chairman of the Assembly Committee on Transportation, to take this action.

Please call Ellen Nowak of my office if you have any questions.

Sincerely,
JOHN G. GARD
Speaker

COMMUNICATIONS

August 7, 2003

Mr. Patrick Fuller
Assembly Chief Clerk
Room 208, Risser Justice Center
Madison, WI 53703

Dear Chief Clerk Fuller:

In regards to the Assembly Seating Chart please note that newly-elected Representative Mark Honadel will be sitting in Seat 92 with the vacant seat being seat 91.

If you have any questions, please do not hesitate to contact my office at 6-3007.

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

August 7, 2003

Mr. Patrick Fuller, Assembly Chief Clerk
2nd Floor
17 West Main Street
Madison, WI 53703

Dear Chief Clerk Fuller:

I am writing to let you know that Representative Louis Molepske of the 71st Assembly District has been assigned to seat number 58 in the Assembly Chambers.

Thank you for your assistance in this matter.

Sincerely,
ROBERT L. TURNER
Democratic Caucus Chair

GOVERNOR'S VETO MESSAGE

August 5, 2003

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 111** in its entirety. This bill would require all individuals registering to vote or registered voters attempting to cast a ballot to present a valid Wisconsin driver's license or identification card issued by the Department of Transportation (DOT), or a valid, current military identification card or be denied the right to vote.

Wisconsin has a long and proud tradition of promoting laws that provide all qualified citizens maximum access to their constitutional right to vote. As a result of our state's open election laws, including same-day registration, Wisconsin is a national leader in voter turnout. Despite these successes, we should always be seeking ways to reduce barriers to voting and make it easier for individuals to vote. Assembly Bill 111

would retreat from this heritage by making it harder for Wisconsin residents, including some of our most vulnerable citizens, to exercise their franchise.

According to the Wisconsin Department of Transportation, approximately 123,000 Wisconsin residents of voting age do not have a valid DOT-issued driver's license or photo identification card. Nearly 70 percent of these individuals, or 85,000 Wisconsin residents, are elderly voters that would be disenfranchised by AB 111. Many others are young people, often students, who have never had a driver's license or valid Wisconsin photo identification card. Furthermore, many of the individuals who would be disenfranchised by this bill live in poverty, are members of minority communities, frequently change address, or are disabled. I will not sign into law a piece of legislation that would strip the right to vote away from the elderly, minorities, students, the disabled, the transient, and the poor.

Furthermore, this legislation is unnecessary and overly burdensome. Most states are actually precluded by state statute from asking for voter identification at the polls. According to the Federal Elections Commission, thirty states do not require voters to present any kind of identification on Election Day. Only eight states mandate voter identification at the polls for all voters, and of these eight states, only South Carolina makes no provision for a voter without identification to cast a vote. Consequently, AB 111 would make Wisconsin the second state in the union to mandate a photo identification card for all voters or deny them their right to vote.

Even the federal government, when presented the opportunity, refused to implement a restrictive photo identification requirement. Congress adopted, and the President signed into law, a voter identification that is arguably more lax than Wisconsin's current voter identification standard. The Help America Vote Act of 2002 requires only absentee voters to provide identification if they register by mail and have not voted previously in a federal election in their state of residence. Under federal law, this identification is a governmental or non-governmental photo identification card or a utility bill, bank statement, paycheck, or a check or other document issued by a unit of government that shows the individual's current name and address. Wisconsin law requires all voters registering on the day of election to provide proof of residence which includes a current and complete name and residential address. Under state law, this identification includes a driver's license or photo identification card, any other official identification card issued by a governmental entity, a credit card, a library card, a residential lease, a telephone bill, or a utility bill. If a voter cannot supply acceptable proof of residence, the voter's registration form can be corroborated and signed by one other elector who resides in the same municipality. The corroborator must then provide acceptable proof of residence. Wisconsin law, therefore, is consistent and possibly more precautionary than federal law.

What is more, AB 111 would cost the state scarce resources in order to disenfranchise voters. According to the Department of Transportation, AB 111 would result in an annual revenue loss of \$726,900 to pay for the provision of the bill that would require DOT for issuing IDs at no charge. In

addition, DOT estimates that \$120,000 and 3 FTE will be needed for ongoing DMV workload increases as a result of the bill. Furthermore, because AB 111 would create a fundamental change in voting procedure, extensive outreach to voters and local election officials would be required. This activity is not funded and will require planning and coordination among state and local election officials. As a result, the Elections Board and local election officials will incur costs for poll worker training, voter education and form revision.

In conclusion, it is a primary responsibility of government to protect the right of all citizens to vote, and not make the process unduly burdensome. AB 111, which would disenfranchise thousands of our most vulnerable voters, is simply not in the best interest of the people of Wisconsin.

Respectfully submitted,
JAMES DOYLE
 Governor

REFERRAL OF AGENCY REPORTS

State of Wisconsin
 Department of Transportation
 Madison

July 28, 2003

To the Honorable, the Legislature:

Enclosed is the report required under [1997 Wisconsin Act 119](#), regarding the release of photos from the Department of Transportation driver record files to Wisconsin and adjacent state law enforcement agencies.

This report is provided annually and contains the agencies and the purpose for which copies of the photographs were provided.

If you have questions regarding the release of photographs please contact Debbie Kraemer, Supervisor in the Records and Licensing Information Section, Bureau of Driver Services, Division of Motor Vehicles by phone at (608) 264-7060, or e-mail at debbie.kraemer@dot.state.wi.us.

Sincerely,
THOMAS E. CARLSON
 Secretary

Referred to committee on **Criminal Justice**.

State of Wisconsin
 Department of Revenue
 Madison

July 31, 2003

To the Honorable, the Legislature:

This is to inform you that the Department of Revenue is continuing to work on the report for the Renew Wisconsin Performance Review Councils as required under s. [66.0316 \(7\)\(c\)](#). However, we would like to have additional time to

conduct a thoughtful and thorough review of the information submitted by the three local governments who have created councils.

The additional time will also enable the Department to develop recommendations on how to proceed with the work of the Performance Review Councils. We will plan to submit our report to you no later than Friday, October 3, 2003.

Please feel free to contact Mr. James Gultry, Administrator of the Division of State and Local Finance, at 266-0939 should you have any questions or concerns regarding this matter.

Sincerely,
MICHAEL L. MORGAN
Secretary

Referred to committee on **Government Operations and Spending Limitations**.

State of Wisconsin
Department of Administration
Madison

August 4, 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 June 2003.

On June 1, 2003, the **Recycling Fund** cash balance closed at its monthly low of a negative \$3.4 million. The negative balance continued until June 30, 2003, when the balance closed at a positive \$3.0 million. The negative balance was due to the difference in the timing of revenues and expenditures.

On June 16, 2003, the **General Fund** cash balance closed at its monthly low of a negative \$735.4 million. The negative balance continued through June 30, 2003, when the balance closed at a negative \$301.1 million. The negative balance was due to the difference in the timing of revenues and expenditures.

The Recycling Fund and the General 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**.