



STATE OF WISCONSIN Assembly Journal

Ninety-Sixth Regular Session

MONDAY, November 10, 2003

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 274** offered by Representative Freese.

Assembly amendment 1 to **Assembly Bill 286** offered by Representative J. Wood.

Assembly substitute amendment 2 to **Assembly Bill 323** offered by joint committee on **Finance**.

Assembly amendment 3 to **Assembly Bill 437** offered by joint committee on **Finance**.

Assembly amendment 1 to **Assembly Bill 626** offered by joint committee on **Finance**.

Assembly amendment 1 to **Senate Bill 170** offered by committee on **Veterans and Military Affairs**.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 03-047

Relating to elevators, escalators, and lift devices.
Submitted by Department of Commerce.
Report received from Agency, October 31, 2003.
To committee on **Labor**.
Referred on November 10, 2003.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 57

Relating to: the life of Army Private First Class Rachel Bosveld.

By Representative Owens; cosponsored by Senator Roessler.

To committee on **Rules**.

Assembly Bill 640

Relating to: allowing the use of technologies other than fingerprint cards for background checks related to teacher licensing and changing a statutory reference to reflect the name change of the Wisconsin Council of Religious and Independent Schools (suggested as remedial legislation by the Department of Public Instruction).

By Law Revision Committee.

To committee on **Education**.

Assembly Bill 641

Relating to: prosecution decisions based on certain payments by persons believed to have committed crimes or certain civil offenses and providing a penalty.

By Representatives Huber, M. Lehman, Sherman, F. Lasee, J. Lehman, Ainsworth and Hahn; cosponsored by Senator Decker.

To committee on **Judiciary**.

Assembly Bill 642

Relating to: qualified domestic relations orders.

By Representatives Hubler, Staskunas and Hahn; cosponsored by Senator Jauch.

To committee on **Family Law**.

Assembly Bill 643

Relating to: service charges of municipal storm water utilities and complaints about municipal storm water and other sewer utilities.

By Representatives Underheim and Kreibich.

To committee on **Energy and Utilities**.

Assembly Bill 644

Relating to: authorizing access by the long-term care ombudsman or his or her representative to a client or resident in a residential care apartment complex, imposing an annual assessment on occupied apartments of residential care apartment complexes, expanding rights of residents of facilities to include residents of residential care apartment complexes, requiring posting of a notice, requiring the exercise of rule-making authority, and making an appropriation.

By Representatives Krusick, Underheim, Berceau, Boyle, Gunderson, Hahn, Hines, Jeskewitz, Krawczyk, Olsen, Ott, Pope-Roberts, Shilling, Taylor, Van Roy and Zepnick; cosponsored by Senators Roessler, Carpenter and Risser.

To committee on **Aging and Long-Term Care**.

Assembly Bill 645

Relating to: days on which legislators may claim allowances and expenses.

By Representatives Balow, Ziegelbauer, Plouff and Van Akkeren; cosponsored by Senator Reynolds.

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

Assembly Bill 646

Relating to: giving false information to mandatory reporters of suspected child abuse or neglect and providing a penalty.

By Representatives Musser, F. Lasee, Townsend, Gronemus, Pettis, Gundrum, Hahn, Krawczyk, Olsen, Gunderson, Albers and Grothman; cosponsored by Senators Reynolds and Schultz.

To committee on **Children and Families**.

Assembly Bill 647

Relating to: creating an individual income tax exemption for military income received by certain members of the U.S. armed forces and sunseting the armed forces member tax credit.

By Representatives Musser, J. Fitzgerald, Boyle, Petrowski, Townsend, Pettis, Hundertmark, Nischke, Gundrum, Sinicki, J. Wood, Freese, Jensen, Nass, Towns, McCormick, Kreibich, Albers, F. Lasee, Hahn, Krawczyk, Gunderson, Owens and Bies; cosponsored by Senators Schultz, Harsdorf, Roessler, Wirch and Lassa.

To committee on **Ways and Means**.

Assembly Bill 648

Relating to: a sales and use tax exemption for nonprescription drugs.

By Representatives Black, Berceau, Nass, Plouff, Turner, Gronemus, Albers, Pope–Roberts, Ziegelbauer, Pocan and Coggs; cosponsored by Senators Carpenter, A. Lasee, Chvala and Lassa.

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

Assembly Bill 649

Relating to: covering all state employees under laws prohibiting retaliatory action by a governmental employer against employees for disclosing certain information.

By Representatives Schooff, Vruwink, Sinicki, Black, Miller, Jeskewitz, Berceau, J. Lehman, Hines, Gronemus, Taylor, Young and J. Wood; cosponsored by Senators Wirch, Decker, Roessler, M. Meyer and Risser.

To committee on **Labor**.

Assembly Bill 650

Relating to: the definition of agricultural forest land for property tax purposes.

By Representatives Kestell, Gronemus, M. Lehman, Ott, Gielow, Ward, Towns, Hines, Bies, Petrowski, Suder and Musser; cosponsored by Senators Harsdorf and Welch.

To committee on **Ways and Means**.

Assembly Bill 651

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, Olsen, Musser, Hines, LeMahieu, Hahn, Gard, Vrakas, Rhoades, Grothman, Bies, Townsend, McCormick, Hundertmark, Owens, Krawczyk, J. Fitzgerald, Kestell, Suder, Albers, Powers and Gunderson; cosponsored by Senators Stepp, Kanavas, Schultz, Lassa, Welch, Breske, Hansen, Roessler and Cowles.

To committee on **Judiciary**.

Assembly Bill 652

Relating to: lie detector tests of sexual assault victims.

By Representatives Suder, McCormick, Sinicki, Musser, Nischke, Kreibich, Owens, Van Roy, Miller and LeMahieu; cosponsored by Senators Lassa, Brown, Roessler and Kedzie.

To committee on **Criminal Justice**.

Assembly Bill 653

Relating to: making changes to the Tax Incremental Financing program, authorizing the Department of Revenue to impose a fee to determine or redetermine the tax incremental base of a tax incremental financing district, and requiring the department to prepare a tax incremental financing manual.

By Representatives M. Lehman, Wieckert, Nischke, Olsen, Boyle, Krawczyk, Kreibich, Musser, Gunderson, Van Roy, Ladwig, Townsend, Hundertmark, Lothian, Hines, Gottlieb, Underheim, Albers, Balow, Freese, Gielow, Hahn, Huber, Hebl, F. Lasee, Loeffelholz, McCormick, Jeskewitz, Ott, Petrowski, Steinbrink, Stone, Van Akkeren, Vrakas, Weber, J. Wood and Staskunas; cosponsored by Senators Stepp, Kanavas, Darling, Leibham, Jauch, A. Lasee, Wirch, Roessler, Schultz, Brown, Kedzie, Hansen, S. Fitzgerald, M. Meyer, Zien and Robson.

To committee on **Ways and Means**.

Assembly Bill 654

Relating to: making technical and policy changes in the tax incremental financing program based in part on the recommendations of the governor's December 2000 working group on tax incremental finance, authorizing certain counties to create tax incremental financing districts, and making a modification to the environmental remediation tax incremental financing program.

By Representatives M. Lehman, Wieckert, Nischke, Olsen, Boyle, Krawczyk, Kreibich, Musser, Gunderson, Van Roy, Ladwig, Townsend, Hundertmark, Lothian, Hines, Gottlieb, Underheim, Albers, Balow, Freese, Gielow, Hahn, Huber, Hebl, F. Lasee, Loeffelholz, McCormick, Jeskewitz, Ott, Petrowski, Steinbrink, Stone, Van Akkeren, Vrakas, Weber, J. Wood and Staskunas; cosponsored by Senators Stepp, Kanavas, Darling, Leibham, Jauch, A. Lasee, Wirch, Roessler, Schultz, Brown, Kedzie, Hansen, S. Fitzgerald, M. Meyer, Zien and Robson.

To committee on **Ways and Means**.

COMMITTEE REPORTS

The committee on **Energy and Utilities** reports and recommends:

Assembly Bill 632

Relating to: construction of electric generating facilities and transmission lines, and granting rule-making authority.

Assembly Amendment 1 to Assembly Substitute Amendment 1 adoption:

Ayes: 11 – Representatives Jensen, Friske, J. Fitzgerald, Gottlieb, Nischke, Honadel, Ziegelbauer, Steinbrink, Krug, Schooff and Travis.

Noes: 0.

Assembly Substitute Amendment 1 adoption:

Ayes: 11 – Representatives Jensen, Friske, J. Fitzgerald, Gottlieb, Nischke, Honadel, Ziegelbauer, Steinbrink, Krug, Schooff and Travis.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Jensen, Friske, J. Fitzgerald, Gottlieb, Nischke, Honadel, Ziegelbauer, Steinbrink, Krug, Schooff and Travis.

Noes: 0.

To **calendar**.

SCOTT JENSEN
Chairperson
Committee on Energy and Utilities

The joint committee on **Finance** reports and recommends:

Assembly Bill 323

Relating to: the Managed Forest Land Program, providing funding for grants for land acquisition for outdoor recreation, requiring the exercise of rule-making authority, and making an appropriation.

Assembly Substitute Amendment 2 adoption:

Ayes: 12 – Representatives Kaufert, Huebsch, Ward, Stone, Rhoades and D. Meyer; Senators Darling, Welch, S. Fitzgerald, Lazich, Harsdorf and Kanavas.

Noes: 4 – Representatives Coggs and Schooff; Senators Decker and Moore.

Passage as amended:

Ayes: 12 – Representatives Kaufert, Huebsch, Ward, Stone, Rhoades and D. Meyer; Senators Darling, Welch, S. Fitzgerald, Lazich, Harsdorf and Kanavas.

Noes: 4 – Representatives Coggs and Schooff; Senators Decker and Moore.

To **calendar**.

Assembly Bill 437

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

Assembly Amendment 1 adoption:

Ayes: 14 – Representatives Kaufert, Ward, Stone, Rhoades, D. Meyer, Berceau and Schooff; Senators Darling, Welch, S. Fitzgerald, Lazich, Kanavas, Decker and Moore.

Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 12 – Representatives Kaufert, Ward, Stone, Rhoades, D. Meyer, Berceau and Schooff; Senators Darling, Welch, S. Fitzgerald, Lazich and Kanavas.

Noes: 2 – Senators Decker and Moore.

Assembly Amendment 3 adoption:

Ayes: 8 – Representatives Kaufert, Ward, Stone, Rhoades and D. Meyer; Senators Darling, Lazich and Decker.

Noes: 6 – Representatives Berceau and Schooff; Senators Welch, S. Fitzgerald, Kanavas and Moore.

Passage as amended:

Ayes: 11 – Representatives Kaufert, Ward, Stone, Rhoades, D. Meyer and Schooff; Senators Darling, Welch, S. Fitzgerald, Lazich and Kanavas.

Noes: 3 – Representative Berceau; Senators Decker and Moore.

To **calendar**.

Assembly Bill 467

Relating to: the traffic violation and registration program and making an appropriation.

Passage:

Ayes: 14 – Representatives Kaufert, Ward, Stone, Rhoades, D. Meyer, Berceau and Schooff; Senators Darling, Welch, S. Fitzgerald, Lazich, Kanavas, Decker and Moore.

Noes: 0.

To **calendar**.

Assembly Bill 626

Relating to: an income tax and franchise tax credit for training apprentices.

Assembly Amendment 1 adoption:

Ayes: 13 – Representatives Kaufert, Huebsch, Ward, Stone, Rhoades, D. Meyer and Schooff; Senators Darling, Welch, S. Fitzgerald, Lazich, Harsdorf and Kanavas.

Noes: 3 – Representative Coggs; Senators Decker and Moore.

Passage as amended:

Ayes: 10 – Representatives Kaufert, Huebsch, Ward, Stone, Rhoades and D. Meyer; Senators Darling, Welch, S. Fitzgerald and Kanavas.

Noes: 6 – Representatives Coggs and Schooff; Senators Lazich, Harsdorf, Decker and Moore.

To **calendar**.

DEAN KAUFERT
Assembly Chairperson
Joint committee on Finance

The committee on **Veterans and Military Affairs** reports and recommends:

Senate Bill 170

Relating to: the Veterans Mortgage Loan Program, veterans tuition and fee reimbursement, authority for the Department of Veterans Affairs to acquire a headquarters building, departmental delivery of services to veterans, veterans personal loans, eligibility for burial at a veterans cemetery, part-time study grants for veterans, housing loans for veterans, mortgage loan repayment fund, grants to county veteran service offices, national guard tuition grants, granting rule-making authority, and making an appropriation.

Assembly Amendment 1 adoption:

Ayes: 14 – Representatives Musser, Townsend, Pettis, Hundertmark, Petrowski, Bies, Loeffelholz, Gottlieb, Sherman, Boyle, Hubler, Schneider, Sinicki and Miller.

Noes: 0.

Concurrence as amended:

Ayes: 14 – Representatives Musser, Townsend, Pettis, Hundertmark, Petrowski, Bies, Loeffelholz, Gottlieb, Sherman, Boyle, Hubler, Schneider, Sinicki and Miller.

Noes: 0.

To calendar.

TERRY MUSSER

Chairperson

Committee on Veterans and Military Affairs

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>
Assembly Bill 52	65	November 19, 2003
Assembly Bill 12	66	November 19, 2003
Assembly Bill 27	67	November 19, 2003
Assembly Bill 388	68	November 19, 2003

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

GOVERNOR’S VETO MESSAGE

November 7, 2003

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 475** in its entirety. This bill purports to ban what existing state law already clearly

prohibits: same sex-marriage. Specifically, AB 475 adds that marriage is between “one man and one woman”, even though current state statutes already define marriage as a civil contract between a “husband and wife”.

This bill is just another example of a legislature focusing its time and energy on divisive, mean-spirited bills that do nothing to grow Wisconsin’s economy, make health care more affordable and accessible, or improve our public schools. I have made it clear since the beginning of this debate that AB 475 is redundant and unnecessary. The Wisconsin Supreme Court has said unequivocally that marriage between a husband and a wife means nothing other than marriage between one man and one woman.

Attorney General Peg Lautenschlager issued an opinion calling AB 475 “legally indistinguishable from current state law”, and also said the legislation would “add nothing of substance to existing statutes”. I issued a similar opinion as Attorney General in 1997, and find nothing new in this legislation that warrants my support. It seems that nobody except members of the legislature are confused as to whether a husband is a man and a wife is a woman.

Again, I urge the legislative leadership to join me in focusing their attention on the real issues facing the citizens of Wisconsin, instead of wasting the taxpayers’ time and money on divisive, partisan fights that accomplish nothing.

Respectfully submitted,
JIM DOYLE
Governor

CHIEF CLERK REPORTS

The Chief Clerk records:

Assembly Bill 19
Assembly Bill 293

Presented to the Governor on Monday, November 10.

PATRICK E. FULLER
Assembly Chief Clerk

AGENCY REPORTS

State of Wisconsin
Housing and Economic Development Authority
Madison

October 31, 2003

To the Honorable, the Legislature:

Pursuant to Wisconsin Statute 234.931 (5), enclosed please find the following reports relating to the Wisconsin Development Reserve Fund:

- Annual Report of Guarantee Funds as of June 30, 2002.
- Annual Report of Guarantee Funds as of June 30, 2003.

Should you have any questions or comments on the reports, please feel free to call me at 266-1640.

Sincerely,
LAURA B. MORRIS
Chief Financial Officer