



STATE OF WISCONSIN Assembly Journal

Ninety-Sixth Regular Session

FRIDAY, February 27, 2004

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

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 527** offered by committee on **Urban and Local Affairs**.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 606** offered by Representative Underheim.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 792** offered by committee on **Financial Institutions**.

Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 792** offered by committee on **Financial Institutions**.

Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 792** offered by committee on **Financial Institutions**.

Assembly amendment 4 to Assembly substitute amendment 1 to **Assembly Bill 792** offered by committee on **Financial Institutions**.

Assembly amendment 5 to Assembly substitute amendment 1 to **Assembly Bill 792** offered by committee on **Financial Institutions**.

Assembly substitute amendment 1 to **Assembly Bill 868** offered by committee on **Agriculture**.

Assembly amendment 1 to **Assembly Bill 893** offered by Joint Legislative Audit Committee.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 919

Relating to: designation of state agency status for certain health care providers who provide services during a state of emergency related to public health.

By Representatives Huebsch, Hines, Weber, Freese and Van Roy; cosponsored by Senators Roessler, Kedzie and Lassa.

To committee on **Public Health**.

COMMITTEE REPORTS

The committee on **Agriculture** reports and recommends:

Assembly Bill 868

Relating to: the siting and expansion of certain livestock facilities, local zoning ordinances relating to livestock facilities, creating a Livestock Facility Siting Review Board, and granting rule-making authority.

Assembly Substitute Amendment 1 adoption:

Ayes: 15 – Representatives Ott, M. Williams, Ainsworth, Petrowski, Kestell, Suder, Hines, Loeffelholz, Towns, Gronemus, Plouff, Balow, Vruwink, Hebl and Molepske.

Noes: 0.

Passage as amended:

Ayes: 15 – Representatives Ott, M. Williams, Ainsworth, Petrowski, Kestell, Suder, Hines, Loeffelholz, Towns, Gronemus, Plouff, Balow, Vruwink, Hebl and Molepske.

Noes: 0.

To **calendar**.

ALVIN OTT

Chairperson

Committee on Agriculture

The committee on **Budget Review** reports and recommends:

Assembly Bill 359

Relating to: requirements for executive budget bill or bills.

Assembly Substitute Amendment 1 adoption:

Ayes: 7 – Representatives Kerkman, M. Lehman, Grothman, Gunderson, Weber, Steinbrink and Miller.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Kerkman, M. Lehman, Grothman, Gunderson, Weber, Steinbrink and Miller.

Noes: 0.

To committee on **Rules**.

SAMANTHA KERKMAN
Chairperson
Committee on Budget Review

The committee on **Children and Families** reports and recommends:

Assembly Bill 646

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

Passage:

Ayes: 4 – Representatives Kestell, Ladwig, Albers and Vukmir.

Noes: 3 – Representatives Sinicki, Miller and Toles.

To committee on **Rules**.

Assembly Bill 693

Relating to: qualifications for a clinical social worker license and granting rule-making authority.

Passage:

Ayes: 7 – Representatives Kestell, Ladwig, Albers, Vukmir, Sinicki, Miller and Toles.

Noes: 0.

To committee on **Rules**.

STEVE KESTELL
Chairperson
Committee on Children and Families

The committee on **Colleges and Universities** reports and recommends:

Assembly Bill 766

Relating to: authority of University of Wisconsin System police to make arrests off campus.

Assembly Amendment 1 adoption:

Ayes: 9 – Representatives Kreibich, Gottlieb, Underheim, Jeskewitz, Towns, Shilling, Pocan, Balow and Black.

Noes: 2 – Representatives Nass and Schneider.

Passage as amended:

Ayes: 10 – Representatives Kreibich, Gottlieb, Underheim, Jeskewitz, Towns, Shilling, Pocan, Balow, Black and Schneider.

Noes: 1 – Representative Nass.

To committee on **Rules**.

Assembly Bill 799

Relating to: nonresident tuition exemption for dependents of certain active members of the armed forces.

Passage:

Ayes: 11 – Representatives Kreibich, Gottlieb, Underheim, Nass, Jeskewitz, Towns, Shilling, Pocan, Balow, Black and Schneider.

Noes: 0.

To committee on **Rules**.

ROB KREIBICH
Chairperson
Committee on Colleges and Universities

The committee on **Corrections and the Courts** reports and recommends:

Assembly Bill 137

Relating to: the senior court program.

Assembly Substitute Amendment 1 adoption:

Ayes: 11 – Representatives Bies, Albers, Underheim, Owens, F. Lasee, Suder, Honadel, Pocan, Colon, Staskunas and Wasserman.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Bies, Albers, Underheim, Owens, F. Lasee, Suder, Honadel, Pocan, Colon, Staskunas and Wasserman.

Noes: 0.

To committee on **Rules**.

GAREY BIES
Chairperson
Committee on Corrections and the Courts

The committee on **Criminal Justice** reports and recommends:

Assembly Bill 797

Relating to: the regulation of pawnbrokers and secondhand article and jewelry dealers.

Assembly Amendment 1 adoption:

Ayes: 14 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Petrowski, Vukmir, Colon, Staskunas, Pocan, Taylor, Turner and Schneider.

Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 14 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Petrowski, Vukmir, Colon, Staskunas, Pocan, Taylor, Turner and Schneider.

Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Petrowski, Vukmir, Colon, Staskunas, Pocan, Taylor, Turner and Schneider.

Noes: 0.

To committee on **Rules**.

Assembly Bill 818

Relating to: the use of household products and nonprescription drugs and providing penalties.

Passage:

Ayes: 13 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Petrowski, Vukmir, Colon, Staskunas, Taylor, Turner and Schneider.

Noes: 0.

To committee on **Rules**.

SCOTT SUDER
Chairperson
Committee on Criminal Justice

The committee on **Economic Development** reports and recommends:

Assembly Bill 859

Relating to: manufacturing extension center grants and making an appropriation.

Passage:

Ayes: 9 – Representatives McCormick, Nischke, Hahn, Vukmir, Lothian, Honadel, Van Akkeren, Steinbrink and Taylor.

Noes: 0.

To joint committee on **Finance**.

TERRI MCCORMICK
Chairperson
Committee on Economic Development

The committee on **Education Reform** reports and recommends:

Assembly Bill 836

Relating to: the Milwaukee Parental Choice Program and granting rule-making authority.

Passage:

Ayes: 12 – Representatives Jensen, Vukmir, Nass, Olsen, McCormick, Towns, J. Wood, Nischke, Cullen, Sherman, Sinicki and J. Lehman.

Noes: 0.

To **calendar**.

SCOTT JENSEN
Chairperson
Committee on Education Reform

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

Assembly Bill 351

Relating to: creating an individual income tax checkoff for a breast cancer research program, creating a breast cancer research program, requiring the exercise of rule-making authority, and making appropriations.

Assembly Substitute Amendment 1 adoption:

Ayes: 15 – Representatives Kaufert, Huebsch, Ward, Stone, Rhoades, D. Meyer, Krug and Schooff; Senators S. Fitzgerald, Leibham, Lazich, Harsdorf, Roessler, Decker and Moore.

Noes: 0.

Passage as amended:

Ayes: 15 – Representatives Kaufert, Huebsch, Ward, Stone, Rhoades, D. Meyer, Krug and Schooff; Senators S. Fitzgerald, Leibham, Lazich, Harsdorf, Roessler, Decker and Moore.

Noes: 0.

To committee on **Rules**.

Assembly Bill 596

Relating to: intoxicated operation of all-terrain vehicles, registration fees for all-terrain vehicles, nonresident trail passes for all-terrain vehicles, safety training for operating all-terrain vehicles, a study concerning the recreational operation of all-terrain vehicles, noise level requirements for all-terrain vehicles, the formula used for calculating the all-terrain vehicle gas tax payment, granting rule-making authority, making appropriations, and providing penalties.

Assembly Substitute Amendment 2 adoption:

Ayes: 15 – Representatives Kaufert, Huebsch, Ward, Stone, Rhoades, D. Meyer, Krug and Schooff; Senators S. Fitzgerald, Leibham, Lazich, Harsdorf, Roessler, Decker and Moore.

Noes: 0.

Passage as amended:

Ayes: 15 – Representatives Kaufert, Huebsch, Ward, Stone, Rhoades, D. Meyer, Krug and Schooff; Senators S. Fitzgerald, Leibham, Lazich, Harsdorf, Roessler, Decker and Moore.

Noes: 0.

To committee on **Rules**.

DEAN KAUFERT
Assembly Chairperson
Joint committee on Finance

The committee on **Financial Institutions** reports and recommends:

Assembly Bill 792

Relating to: regulating certain consumer mortgage lenders, granting rule-making authority, and providing a penalty.

Assembly Amendment 5 to Assembly Substitute Amendment 1 adoption:

Ayes: 15 – Representatives Montgomery, J. Fitzgerald, Freese, Kreibich, Wieckert, Townsend, Kerkman, Towns, Nischke, Richards, Sherman, Shilling, Zepnick, Taylor and Molepske.

Noes: 0.

Assembly Substitute Amendment 1 adoption:

Ayes: 15 – Representatives Montgomery, J. Fitzgerald, Freese, Kreibich, Wieckert, Townsend, Kerkman, Towns, Nischke, Richards, Sherman, Shilling, Zepnick, Taylor and Molepske.

Noes: 0.

Passage as amended:

Ayes: 15 – Representatives Montgomery, J. Fitzgerald, Freese, Kreibich, Wieckert, Townsend, Kerkman, Towns, Nischke, Richards, Sherman, Shilling, Zepnick, Taylor and Molepske.

Noes: 0.

To calendar.

PHIL MONTGOMERY
Chairperson
Committee on Financial Institutions

The committee on **Government Operations and Spending Limitations** reports and recommends:

Assembly Bill 692

Relating to: payment of fixed annuity increases under the Wisconsin Retirement System.

Assembly Substitute Amendment 1 adoption:

Ayes: 6 – Representatives F. Lasee, Loeffelholz, Musser, Weber, Zepnick and Wasserman.

Noes: 0.

Passage as amended:

Ayes: 6 – Representatives F. Lasee, Loeffelholz, Musser, Weber, Zepnick and Wasserman.

Noes: 0.

To committee on **Rules**.

Assembly Joint Resolution 17

Relating to: the vote on bills that would increase certain tax rates (first consideration).

Assembly Substitute Amendment 1 adoption:

Ayes: 4 – Representatives F. Lasee, Loeffelholz, Musser and Weber.

Noes: 2 – Representatives Zepnick and Wasserman.

Adoption as amended:

Ayes: 5 – Representatives F. Lasee, Loeffelholz, Musser, Weber and Wasserman.

Noes: 1 – Representative Zepnick.

To committee on **Rules**.

Senate Bill 155

Relating to: use of hybrid–electric vehicles by state officers and employees and residents of this state.

Concurrence:

Ayes: 5 – Representatives F. Lasee, Loeffelholz, Musser, Weber and Wasserman.

Noes: 1 – Representative Zepnick.

To committee on **Rules**.

FRANK LASEE
Chairperson
Committee on Government Operations and Spending Limitations

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

Assembly Bill 26

Relating to: qualifications for group deer hunting.

Assembly Substitute Amendment 2 adoption:

Ayes: 11 – Representatives Johnsrud, Gunderson, Ott, Pettis, Bies, Krawczyk, M. Williams, Black, Gronemus, Steinbrink and Miller.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Johnsrud, Gunderson, Ott, Pettis, Bies, Krawczyk, M. Williams, Black, Gronemus, Steinbrink and Miller.

Noes: 0.

To committee on **Rules**.

DUWAYNE JOHNSRUD
Chairperson
Committee on Natural Resources

The committee on **Transportation** reports and recommends:

Assembly Bill 802

Relating to: the display of POW/MIA flags at certain Department of Transportation rest areas.

Assembly Amendment 1 adoption:

Ayes: 16 – Representatives Ainsworth, Petrowski, Ott, Hahn, Suder, Friske, McCormick, Gottlieb, Van Roy, Honadel, Steinbrink, Sherman, Vruwink, Staskunas, Gronemus and Hebl.

Noes: 0.

Passage as amended:

Ayes: 16 – Representatives Ainsworth, Petrowski, Ott, Hahn, Suder, Friske, McCormick, Gottlieb, Van Roy, Honadel, Steinbrink, Sherman, Vruwink, Staskunas, Gronemus and Hebl.

Noes: 0.

To committee on **Rules**.

Assembly Bill 846

Relating to: traffic regulations and traffic control devices at railroad crossings, making appropriations, and providing a penalty.

Passage:

Ayes: 16 – Representatives Ainsworth, Petrowski, Ott, Hahn, Suder, Friske, McCormick, Gottlieb, Van Roy, Honadel, Steinbrink, Sherman, Vruwink, Staskunas, Gronemus and Hebl.

Noes: 0.

To committee on **Rules**.

Senate Bill 40

Relating to: designating and marking a portion of USH 14 as the Ronald Reagan Highway.

Concurrence:

Ayes: 15 – Representatives Ainsworth, Petrowski, Ott, Hahn, Suder, Friske, McCormick, Gottlieb, Van Roy, Honadel, Steinbrink, Sherman, Vruwink, Staskunas and Gronemus.

Noes: 1 – Representative Hebl.

To committee on **Rules**.

JOHN AINSWORTH

Chairperson

Committee on Transportation

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

Assembly Bill 801

Relating to: requiring that the secretary, deputy secretary, executive assistant, and chief legal counsel of the Department of Veterans Affairs be veterans.

Assembly Amendment 1 adoption:

Ayes: 13 – Representatives Musser, Townsend, Pettis, Hundertmark, Petrowski, Bies, Loeffelholz, Gottlieb, Boyle, Hubler, Schneider, Sinicki and Miller.

Noes: 0.

Passage as amended:

Ayes: 13 – Representatives Musser, Townsend, Pettis, Hundertmark, Petrowski, Bies, Loeffelholz, Gottlieb, Boyle, Hubler, Schneider, Sinicki and Miller.

Noes: 0.

To committee on **Rules**.

Assembly Bill 869

Relating to: exemption from nonresident tuition at the University of Wisconsin System for certain veterans.

Assembly Amendment 1 adoption:

Ayes: 13 – Representatives Musser, Townsend, Pettis, Hundertmark, Petrowski, Loeffelholz, Gottlieb, Sherman, Boyle, Hubler, Schneider, Sinicki and Miller.

Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 13 – Representatives Musser, Townsend, Pettis, Hundertmark, Petrowski, Loeffelholz, Gottlieb, Sherman, Boyle, Hubler, Schneider, Sinicki and Miller.

Noes: 0.

Passage as amended:

Ayes: 13 – Representatives Musser, Townsend, Pettis, Hundertmark, Petrowski, Loeffelholz, Gottlieb, Sherman, Boyle, Hubler, Schneider, Sinicki and Miller.

Noes: 0.

To **calendar**.

TERRY MUSSER

Chairperson

Committee on Veterans and Military Affairs

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Senate Joint Resolution 64

Passed and asks concurrence in:

Senate Bill 237

Senate Bill 253

Senate Bill 277

Senate Bill 291

Senate Bill 324

Senate Bill 344

Senate Bill 391

Senate Bill 428

Senate Bill 471

Senate Bill 472

Concurred in:

Assembly Joint Resolution 67

Assembly Joint Resolution 68

Assembly Joint Resolution 69

Assembly Bill 345

Assembly Bill 352

Assembly Bill 418

Assembly Bill 518

Assembly Bill 570

Assembly Bill 619

Assembly Bill 747

Assembly Bill 757

Assembly Bill 845

Amended and concurred in as amended:

Assembly Bill 746 (Senate amendment 1 adopted)

ACTION ON THE SENATE MESSAGE

Assembly Bill 746

Relating to: eligibility to attend an independent charter school and payments made to independent charter schools.

By Representatives Krug, Vukmir, Sinicki, Jensen, Richards, Jeskewitz, J. Wood and Nischke; cosponsored by

Senators Darling, Plale, Kanavas, A. Lasee, Reynolds, Stepp and Lazich.

To **calendar**.

Senate Joint Resolution 64

Relating to: declaring May 12, 2004, as Wisconsin Stroke Alert Day.

By Senators Panzer, Erpenbach, Darling, Breske, Carpenter, S. Fitzgerald, Hansen, Kanavas, Lassa, Lazich and Roessler; cosponsored by Representatives Gard, Ainsworth, Boyle, Friske, Gronemus, Gunderson, Hines, Jeskewitz, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, J. Lehman, Loeffelholz, Lothian, McCormick, Montgomery, Nischke, Pettis, Rhoades, Weber and Hahn.

To committee on **Rules**.

Senate Bill 237

Relating to: limiting the reasons for which a local government may withhold approval of a conditional use permit.

By Senators S. Fitzgerald, M. Meyer, Brown and Zien; cosponsored by Representatives McCormick, Musser, Montgomery, Rhoades, Hines, Gunderson, Seratti, Bies, Van Roy, Albers, Friske and Krawczyk.

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

Senate Bill 253

Relating to: independent charter schools established by University of Wisconsin institutions and college campuses.

By Senators Darling, Stepp, Reynolds, Kanavas and Lazich; cosponsored by Representatives Jensen, Ziegelbauer, Vrakas, Nass, Ladwig, McCormick, Towns, Stone, Gielow, Van Roy and Weber.

To committee on **Education Reform**.

Senate Bill 277

Relating to: intoxicated operation of all-terrain vehicles, registration fees for all-terrain vehicles, nonresident trail passes for all-terrain vehicles, safety training for operating all-terrain vehicles, a study concerning the recreational operation of all-terrain vehicles, noise level requirements for all-terrain vehicles, the formula used for calculating the all-terrain vehicle gas tax payment, granting rule-making authority, making appropriations, and providing penalties.

By Senators Harsdorf and Decker; cosponsored by Representatives Pettis, Ainsworth, Seratti and Hines.

To committee on **Rules**.

Senate Bill 291

Relating to: Legislative Council staff director attendance at certain midwest and national meetings in which the Commission on Uniform State Laws participates (suggested as remedial legislation by the Legislative Council staff).

By Law Revision Committee.

To committee on **Rules**.

Senate Bill 324

Relating to: the Dry Cleaner Environmental Response Program and the administration of dry cleaning license fees.

By Senators Kedzie, Roessler, Stepp and Leibham; cosponsored by Representatives Johnsrud, Gronemus, Montgomery, Jeskewitz, Hahn, Olsen, Ainsworth, Hines, Vrakas, Petrowski, Krawczyk and Miller.

To committee on **Natural Resources**.

Senate Bill 344

Relating to: payment of fixed annuity increases under the Wisconsin Retirement System.

By Senators Schultz and Wirch; cosponsored by Representatives Vrakas, Musser, Albers, Hahn, Hines, Seratti, Stone and J. Lehman.

To committee on **Rules**.

Senate Bill 391

Relating to: age requirement for sturgeon spearing license.

By Senators Roessler and Schultz; cosponsored by Representatives Kaufert, Ott, Olsen, Krawczyk and Hundertmark.

To committee on **Rules**.

Senate Bill 428

Relating to: extending the expenditure period and the life of a tax incremental district in West Bend.

By Senator Panzer; cosponsored by Representative Grothman.

To committee on **Ways and Means**.

Senate Bill 471

Relating to: brownfield revolving loan programs and making appropriations.

By Senators Panzer, Roessler and Kedzie; cosponsored by Representatives Johnsrud, Gunderson, Krawczyk and Pettis.

To committee on **Natural Resources**.

Senate Bill 472

Relating to: making private insurance available to facilitate environmental cleanups.

By Senators Roessler, Kedzie and Panzer; cosponsored by Representatives Johnsrud, Gunderson, Krawczyk and Pettis.

To committee on **Natural Resources**.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

February 27, 2004

To the Honorable Members of the Assembly:

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

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Assembly Bill 909	129	February 26, 2004
Assembly Bill 279	130	February 27, 2004
Assembly Bill 183	131	February 27, 2004

Assembly Bill 202 132 February 27, 2004

Respectfully submitted,
JAMES DOYLE
Governor

Assembly Bill 733 and request that the Assembly Chief Clerk message it to the office of the Governor.

Sincerely,
JOHN G. GARD
Speaker

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 909	129	March 1, 2004

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

SPEAKER'S COMMUNICATIONS

February 27, 2004

The Honorable James E. Doyle
Governor, State of Wisconsin
115 East – State Capitol
Madison, Wisconsin

Dear Governor Doyle:

Pursuant to Assembly Rule [23 \(4\)](#), I enclose Enrolled

CHIEF CLERK REPORTS

The Chief Clerk records:

Assembly Bill 283
Assembly Bill 284
Assembly Bill 733

Presented to the Governor on Friday, February 27.

PATRICK E. FULLER
Assembly Chief Clerk

REFERENCE BUREAU CORRECTIONS

Assembly amendment 6 to **Assembly Bill 845**

1. Page 2, line 4: delete “par. (a)” and substitute “par. (b)”.

Senate substitute amendment 1 to **Senate Bill 428**

1. Page 5, line 22: after “effect” insert “on March 6, 2004, or”.

2. Page 5, line 23: before “except” insert “whichever is later,”.

NOTE: These changes reflect the content of the drafting record.