



# STATE OF WISCONSIN Assembly Journal

## Ninety-Sixth Regular Session

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MONDAY, March 8, 2004

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

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### AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 356** offered by Representative Underheim.

Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 774** offered by joint committee on **Finance**.

Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 774** offered by joint committee on **Finance**.

Assembly amendment 1 to **Assembly Bill 842** offered by Representative Krusick.

Assembly substitute amendment 2 to **Assembly Bill 898** offered by joint committee on **Finance**.

Assembly amendment 1 to Assembly amendment 1 to **Assembly Bill 893** offered by Representative Jeskewitz.

Assembly amendment 1 to **Assembly Bill 903** offered by Representative Van Roy.

Assembly substitute amendment 1 to **Assembly Bill 903** offered by Representative Van Roy.

Assembly amendment 1 to **Assembly Bill 913** offered by committee on **Agriculture**.

Assembly amendment 1 to **Assembly Bill 924** offered by joint committee on **Finance**.

Assembly amendment 1 to **Assembly Bill 926** offered by committee on **Natural Resources**.

Assembly amendment 2 to **Assembly Bill 926** offered by committee on **Natural Resources**.

Assembly amendment 3 to **Assembly Bill 926** offered by committee on **Natural Resources**.

Assembly amendment 4 to **Assembly Bill 926** offered by joint committee on **Finance**.

Assembly amendment 5 to **Assembly Bill 926** offered by joint committee on **Finance**.

Assembly amendment 1 to **Assembly Bill 929** offered by Representative Olsen.

Assembly amendment 1 to **Senate Bill 489** offered by Representative Molepske.

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### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 03-090**

Relating to the acceptance of foreign degrees which have been determined to be equivalent to a degree from an accredited school in the United States.

Submitted by Department of Regulation and Licensing.

Report received from Agency, February 27, 2004.

To committee on **Children and Families**.

Referred on March 8, 2004.

#### **Assembly Clearinghouse Rule 04-006**

Relating to the adjustment of thresholds for application of prevailing wage rates and payment and performance assurance requirements.

Submitted by Department of Workforce Development.

Report received from Agency, February 27, 2004.

To committee on **Labor**.

Referred on March 8, 2004.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Bill 934**

Relating to: exemptions from rules regulating mining and regulating the storage and disposal of mining waste.

By Representatives Black, Sinicki, Hebl, Pocan, Berceau and J. Lehman; cosponsored by Senators Carpenter, Robson, Chvala and Erpenbach.

To committee on **Natural Resources**.

#### **Assembly Bill 935**

Relating to: information concerning persons who intend to engage in mining and related entities and denial of mining permits.

By Representatives Black, Sinicki, Hebl, Miller, Pocan, Berceau and J. Lehman; cosponsored by Senators Carpenter, Robson, Chvala, Erpenbach and Lassa.

To committee on **Natural Resources**.

**Assembly Bill 936**

Relating to: mining for minerals on lands owned by the state and under the jurisdiction of the Department of Natural Resources, sale of lands by the Department of Natural Resources, and providing a penalty.

By Representatives Black, Sinicki, Krug, Miller, Hebl, Pocan, Berceau and J. Lehman; cosponsored by Senators Carpenter, Robson, Chvala, Erpenbach and Lassa.

To committee on **Natural Resources**.

**Assembly Bill 937**

Relating to: claims for loss of society and companionship in medical malpractice cases.

By Representatives Hebl, Johnsrud, Boyle, Young and Cullen; cosponsored by Senators Plale and Robson.

To committee on **Judiciary**.

**Assembly Bill 938**

Relating to: providing additional state aid to certain large-area, declining enrollment school districts, granting rule-making authority, and making an appropriation.

By Representatives Seratti, Gard and Albers.

To joint committee on **Finance**.

**Assembly Bill 939**

Relating to: the offering of health savings accounts under the state employee health care coverage program.

By Representatives Ladwig, Weber, Wieckert, Albers, Hahn, Hundertmark, Jensen, Kerkman, M. Lehman, McCormick, Nischke, Ott, Pettis, Rhoades, Townsend and J. Wood; cosponsored by Senators Darling, Roessler and Reynolds.

To joint committee on **Finance**.

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**COMMITTEE REPORTS**

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

**Assembly Bill 921**

Relating to: a trial jobs plus demonstration project under the Wisconsin Works program.

Passage:

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

Noes: 0.

To joint committee on **Finance**.

*STEVE KESTELL*  
Chairperson  
Committee on Children and Families

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

**Senate Bill 218**

Relating to: the authority of the board of directors of business corporations and corporate committees; corporate shareholder notices and meetings; mergers, conversions, and other business combinations; the transfer of corporate property to certain affiliates; and naming limited partnerships.

Concurrence:

Ayes: 8 – Representatives McCormick, Nischke, Hahn, Vukmir, Lothian, Honadel, Van Akkeren and Steinbrink.

Noes: 0.

To committee on **Rules**.

*TERRI MCCORMICK*  
Chairperson  
Committee on Economic Development

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

**Assembly Bill 926**

Relating to: regulation of high capacity wells, notification of well construction, groundwater quantity management, granting rule-making authority, and making appropriations.

Assembly 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 joint committee on **Finance**.

*DUWAYNE JOHNSRUD*  
Chairperson  
Committee on Natural Resources

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The committee on **Public Health** reports and recommends:

**Assembly Bill 660**

Relating to: certification of mold inspectors and mold remediators, requiring the exercise of rule-making authority, and providing penalties.

Assembly Amendment 1 adoption:

Ayes: 6 – Representatives Hines, Underheim, Freese, McCormick, Wasserman and Morris.

Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 6 – Representatives Hines, Underheim, Freese, McCormick, Wasserman and Morris.

Noes: 0.

Passage as amended:

Ayes: 6 – Representatives Hines, Underheim, Freese, McCormick, Wasserman and Morris.

Noes: 0.

To committee on **Rules**.

### **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.

Assembly Amendment 1 adoption:

Ayes: 6 – Representatives Hines, Underheim, Freese, McCormick, Wasserman and Morris.

Noes: 0.

Passage as amended:

Ayes: 6 – Representatives Hines, Underheim, Freese, McCormick, Wasserman and Morris.

Noes: 0.

To committee on **Rules**.

### **Senate Bill 120**

Relating to: creating a public health council, reimbursement for quarantine costs, intrastate mutual aid, requiring use of the incident command system in an emergency, exemption from liability during a state of emergency, threats to release or disseminate harmful chemical, biological, or radioactive substances, making appropriations, and providing a penalty.

Concurrence:

Ayes: 6 – Representatives Hines, Underheim, Freese, McCormick, Wasserman and Morris.

Noes: 0.

To committee on **Rules**.

*J.A. HINES*  
Chairperson  
Committee on Public Health

The committee on **Rural Affairs** reports and recommends:

### **Senate Bill 87**

Relating to: limiting the authority of cities and villages to annex territory and specifying the boundaries for certain annexations.

Assembly Amendment 1 adoption:

Ayes: 9 – Representatives Hahn, M. Williams, Johnsrud, Freese, Olsen, Weber, Pope–Roberts, Molepske and Ziegelbauer.

Noes: 0.

Concurrence as amended:

Ayes: 7 – Representatives Hahn, M. Williams, Johnsrud, Freese, Olsen, Weber and Molepske.

Noes: 2 – Representatives Pope–Roberts and Ziegelbauer.

To committee on **Rules**.

*EUGENE HAHN*  
Chairperson  
Committee on Rural Affairs

The committee on **Urban and Local Affairs** reports and recommends:

### **Senate Bill 119**

Relating to: payment of litigation expenses of emergency medical services personnel, fire fighters, and law enforcement or correctional officers.

Assembly Amendment 1 adoption:

Ayes: 8 – Representatives Gunderson, LeMahieu, M. Lehman, Lothian, Gottlieb, Huber, Berceau and Taylor.

Noes: 0.

Concurrence as amended:

Ayes: 5 – Representatives Gunderson, LeMahieu, M. Lehman, Lothian and Gottlieb.

Noes: 3 – Representatives Huber, Berceau and Taylor.

To committee on **Rules**.

### **Senate Bill 323**

Relating to: changing the procedures for the incorporation of cities and villages, creating a board to review incorporation petitions, and changing annexation procedures affected by incorporation petitions.

Concurrence:

Ayes: 5 – Representatives Gunderson, LeMahieu, M. Lehman, Lothian and Gottlieb.

Noes: 3 – Representatives Huber, Berceau and Taylor.

To committee on **Rules**.

*SCOTT GUNDERSON*  
Chairperson  
Committee on Urban and Local 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 67**

Passed and asks concurrence in:

**Senate Bill 64**

**Senate Bill 71**

**Senate Bill 200**

**Senate Bill 207**

**Senate Bill 249**

**Senate Bill 271**

**Senate Bill 312**

**Senate Bill 351**

**Senate Bill 384**  
**Senate Bill 395**  
**Senate Bill 401**  
**Senate Bill 403**  
**Senate Bill 407**  
**Senate Bill 420**  
**Senate Bill 423**  
**Senate Bill 436**  
**Senate Bill 441**  
**Senate Bill 448**  
**Senate Bill 489**

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## ACTION ON THE SENATE MESSAGE

### **Senate Joint Resolution 67**

Relating to: commending President Katharine C. Lyall for her many years of dedicated service to the University of Wisconsin System and to the state of Wisconsin.

By Senators Harsdorf, Panzer, Roessler, Erpenbach, Darling, Risser, Lassa, Kanavas, Wirch and Lazich; cosponsored by Representatives Kreibich, Miller, Lothian, Van Roy, Pocan, Krawczyk, Towns, Turner, Travis, Owens, Jeskewitz, Boyle, M. Lehman, Huber, Stone, Vrakas, Berceau, Krug, Hahn, Olsen, Ladwig, Ott, McCormick and Plouff.

To committee on **Rules**.

### **Senate Bill 64**

Relating to: deadlines for the transmittal of the Building Commission's long-range state building program recommendations and the delivery of the governor's biennial budget message and a report on the timeliness of the submittal of agency budget requests.

By Joint Legislative Council.

To committee on **Rules**.

### **Senate Bill 71**

Relating to: treatment of prescription drug costs, diagnostic testing, and payments under mandated insurance coverage of treatment for nervous and mental disorders and alcoholism and other drug abuse problems, and granting rule-making authority.

By Joint Legislative Council.

To committee on **Rules**.

### **Senate Bill 200**

Relating to: chelation therapy.

By Senator Schultz; cosponsored by Representatives Albers, Seratti and Van Roy.

To committee on **Rules**.

### **Senate Bill 207**

Relating to: the reporting of child abuse or neglect, and actions related to sexual exploitation brought against members of the clergy and religious organizations.

By Senators Darling, A. Lasee, Roessler and Stepp; cosponsored by Representatives Krusick, Gundrum, Gard, Balow, Berceau, Boyle, Coggs, Colon, Grothman,

Gunderson, Hines, Hubler, Jeskewitz, Kestell, Kreibich, McCormick, Morris, Owens, Pocan, Powers, Richards, Sherman, Sinicki, Stone, Suder, Taylor, Travis, Turner, J. Wood, Young and Zepnick.

To committee on **Rules**.

### **Senate Bill 249**

Relating to: certified capital investment limitations, qualified business requirements, creating a certified capital company income and franchise tax credit for insurers, certified capital company office, qualified distributions of certified capital companies, certified capital company net worth, certified capital company investment reporting requirements, treatment of qualified investments that become nonqualified, permitted nonqualified investments, reviews of certified capital company financial statements, requesting a performance audit, and requiring the exercise of rule-making authority.

By Senators Kanavas, Moore, Stepp, Leibham, Darling, Erpenbach, M. Meyer, Robson, Lazich, Harsdorf, Brown, Kedzie, Jauch, Lassa, Plale, Hansen and Roessler; cosponsored by Representatives Ward, McCormick, Nischke, Turner, Berceau, Jensen, Vrakas, Huebsch, Ladwig, Staskunas, Albers, M. Lehman, Towns, Hines, J. Fitzgerald, Hahn, Plouff, Ott, Gunderson, Jeskewitz, Musser, Taylor, Gronemus, Richards, Gielow, Pocan, Coggs and Krug.

To committee on **Rules**.

### **Senate Bill 271**

Relating to: transferring certain alcohol beverage licenses to premises in another municipality within the same county.

By Senators Kanavas, Welch, Zien, Decker, Breske and Lassa; cosponsored by Representatives Petrowski, M. Lehman, Hahn, Bies, Friske, Montgomery, Gunderson, Huber, Van Roy, Hundertmark, Ainsworth and Seratti.

To committee on **Rules**.

### **Senate Bill 312**

Relating to: threats to social service workers, juvenile intake workers, or school employees and providing a penalty.

By Senators Brown, A. Lasee, Lassa, Roessler and Stepp; cosponsored by Representatives Ziegelbauer, Bies, Freese, Gunderson, Hahn, Kestell, Kreibich, Molepske, Musser, Olsen, Stone, Van Roy and Vrakas.

To committee on **Criminal Justice**.

### **Senate Bill 351**

Relating to: the size of the county board of supervisors in certain counties.

By Senators Kanavas, Kedzie, Reynolds, Brown and Roessler; cosponsored by Representatives Underheim, Suder, J. Wood, Stone, Albers, Nass, Gunderson and Shilling.

To committee on **Rules**.

### **Senate Bill 384**

Relating to: authorizing technical college districts to issue revenue bonds for the purpose of providing services and facilities to businesses, granting rule-making authority, and making an appropriation.

By Senators Leibham, Stepp, Kanavas, Darling, Zien, Kedzie and Roessler; cosponsored by Representatives

Wieckert, Suder, Ladwig, Musser, Owens, Gunderson, Hahn, Ott, McCormick, Gronemus, Albers and Freese.

To committee on **Rules**.

**Senate Bill 395**

Relating to: designating and marking a portion of USH 8 as the Donald J. Schneider Highway.

By Senators Panzer and Erpenbach.

To committee on **Rules**.

**Senate Bill 401**

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

By Senators Hansen, A. Lasee, S. Fitzgerald, Chvala and Roessler; cosponsored by Representatives Bies, Ainsworth, Berceau, Cullen, Hines, Huebsch, Jeskewitz, Kreibich, J. Lehman, Olsen, Owens, Petrowski, Pope-Roberts, Seratti, Shilling, Wasserman, Ott, Van Roy, Molepske, Miller and Stone.

To committee on **Rules**.

**Senate Bill 403**

Relating to: seizure of a computer used to commit a crime and providing a penalty.

By Senators Leibham and Schultz; cosponsored by Representatives Pettis, Ladwig, Jeskewitz, Musser, Seratti, Olsen, Petrowski, Hines, McCormick, Ott, Vrakas, Albers, Van Roy and Taylor.

To committee on **Rules**.

**Senate Bill 407**

Relating to: hunting deer in a chronic wasting disease intensive harvest or herd reduction zone without a deer hunting license, the receipt of a deer hunting license during an open season for hunting deer, and granting rule-making authority.

By Senators Kedzie, Zien, S. Fitzgerald, Cowles, Roessler, Lassa, Schultz and Stepp; cosponsored by Representatives Johnsrud, Huebsch, Freese, Krawczyk, Ott, Gronemus, Albers, Hines, Hahn, Vrakas, Lothian, J. Lehman, Petrowski, Molepske, Jeskewitz, Suder, Ainsworth, Musser, Olsen and Plouff.

To committee on **Rules**.

**Senate Bill 420**

Relating to: issuance of motor vehicle certificates of title and special distinguishing registration plates that identify the bearer as a member of the national guard.

By Senators Leibham, S. Fitzgerald, Roessler and Schultz; cosponsored by Representatives Ainsworth, Albers, Bies, Freese, Gottlieb, Hahn, Hines, McCormick, Miller, Montgomery, Musser, Ott, Petrowski, Plouff and Turner.

To committee on **Rules**.

**Senate Bill 423**

Relating to: annual or consecutive month permits for vehicles or combinations of vehicles transporting loads near the Wisconsin-Michigan border.

By Senators Leibham, Jauch, Welch, Zien and Breske; cosponsored by Representatives Sherman, Petrowski, Gard, Friske, J. Wood and Suder.

To committee on **Rules**.

**Senate Bill 436**

Relating to: motor vehicle emission inspections.

By Senators Leibham, Lazich, Reynolds, Kanavas, Welch and Stepp; cosponsored by Representatives Kerkman, Kestell, M. Lehman, Vukmir, Ott, Ainsworth, Gottlieb, Ladwig, Hahn, Nischke, Nass, Jeskewitz, McCormick, Jensen, Gundrum, Van Akkeren, LeMahieu, Krawczyk, Vrakas and Gunderson.

To committee on **Rules**.

**Senate Bill 441**

Relating to: the definition of sexually violent person and criteria for supervised release.

By Senators Darling, Brown, Lazich, Kanavas, Roessler, Stepp, Reynolds and Schultz; cosponsored by Representatives Stone, Suder, Musser, Freese, Nischke, Kreibich, M. Lehman, Jeskewitz, Nass, Albers, Hines, Ladwig, Gielow, McCormick, Kestell, Owens, J. Fitzgerald, Seratti, Vukmir, Hundertmark and Townsend.

To committee on **Rules**.

**Senate Bill 448**

Relating to: issuance of operators' licenses to persons previously licensed in another state.

By Senators Leibham, Cowles, A. Lasee, Lassa and Reynolds; cosponsored by Representatives Ainsworth, Albers, Hahn, Hines, Hundertmark, Kestell, Musser, Nass, Olsen, Ott, Seratti and Van Roy.

To committee on **Rules**.

**Senate Bill 489**

Relating to: compensation of fermented malt beverages wholesalers for termination of distribution rights.

By Senators S. Fitzgerald, Darling, Zien, Brown, Welch, Kanavas, Leibham, Robson, Wirsch, Plale and Decker; cosponsored by Representatives J. Fitzgerald, Musser, Gard, Stone, Nass, Van Roy, Gunderson, Johnsrud, Kreuser, Hundertmark, Hebl, J. Lehman, Steinbrink, Townsend, Weber, Towns, Suder, Petrowski, Nischke, Montgomery, Gronemus, Hines, Schooff, Kreibich, D. Meyer, Friske and Black.

To committee on **Rules**.

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**ENROLLED BILLS**

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

**Assembly Bill 651**

**Assembly Bill 669**

**Assembly Bill 738**

**Assembly Bill 771**

*PATRICK E. FULLER*  
Assembly Chief Clerk