

STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

FRIDAY, January 7, 2005

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

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 1

Relating to: refunding public debt that is used to finance tax-supported or self-amortizing facilities and creating a nonrefundable individual income tax credit for certain amounts relating to health savings accounts that may be deducted from, or are exempt from, federal income taxes.

By Representatives Kaufert and Nischke.

To committee on Insurance.

COMMUNICATIONS

December 16, 2004

The Honorable John Gard Speaker of the Assembly 211 West, State Capitol Madison, WI 53702

The Honorable Alan Lasee President of the Senate 220 South, State Capitol Madison, WI 53702

Dear Speaker Gard and Senator Lasee:

I respectfully request a joint session of the Wisconsin State Legislature for January 12, 2005 at 7:00 P.M. This joint session will be for the purpose of delivering the 2005 State of the State Address.

Thank you for your consideration of this request and I look forward to addressing the full Legislature as well as the citizens of Wisconsin.

> Sincerely, JIM DOYLE Governor

December 17, 2004

The Honorable James Doyle Governor State of Wisconsin Room 115 East, State Capitol Madison, WI 53702

Dear Governor Doyle:

We are in receipt of your letter dated December 16, 2004, in which you request that a joint session of the Legislature be convened on January 12, 2005 at 7:00 P.M. for delivery of your State of the State Address.

This letter is to confirm that the Senate and Assembly will meet in a joint session at the date and time requested for the purpose of receiving your State of the State address.

> Sincerely, JOHN GARD Speaker of the Assembly ALAN LASEE President of the Senate

OATH OF OFFICE

On Wednesday, January 5, 2005, the Honorable Chief Justice Shirley Abrahamson of the Wisconsin Supreme Court administered the oath of office to Gary Hebl of the 46th Assembly District in a ceremony held in the Assembly Chamber at the State Capitol in Madison.

January 6, 2005

Patrick Fuller, Assembly Chief Clerk Wisconsin State Assembly 17 West Main Street, Suite 208 Madison, WI 53708

Dear Mr. Fuller:

Please record me as voting on the following roll calls taken in session on Monday, January 3, 2005, to be recorded in the Assembly Journal.

Election of Speaker: For Representative Kessler Election of Speaker Pro Tempore: For Representative Freese

Election of Chief Clerk: For Patrick Fuller Election of Sergeant-at-Arms: For Richard Skindrud

Shall Assembly Resolution 1 be adopted? "Aye" Shall Assembly substitute amendment 1 to Assembly Resolution 2 be laid on the table? "No" Shall Assembly Resolution 2 be adopted? "No" Shall Assembly amendment 1 to Senate Joint Resolution

1 be laid on the table? "No"

Shall **Senate Joint Resolution 1** be concurred in? "**No**" Shall the rules be suspended and **Senate Joint Resolution 1** be immediately messaged to the Senate? "**No**"

Thank you in advance for your assistance. If you need further information, please don't hesitate to contact me.

Sincerely, GARY HEBL State Representative 46th Assembly District

COMMUNICATIONS

State of Wisconsin Revisor of Statutes Bureau Madison

- DATE: January 1, 2005
- TO: Patrick E. Fuller Assembly Chief Clerk

Robert Marchant Senate Chief Clerk

- FROM: Gary L. Poulson Assistant Revisor of Statutes
- SUBJECT: Rules published in the December 31, 2004, Wisconsin Administrative Register, No. 588.

The following rules have been published:

Clearinghouse Rule 03–052	effective	3-1-2005		
Clearinghouse Rule 04–004	effective	1-1-2005		
Clearinghouse Rule 04–016	effective	1-1-2005		
Clearinghouse Rule 04–024	effective	1-1-2005		
Clearinghouse Rule 04–039	effective	1-1-2005		
Clearinghouse Rule 04–040	effective	1-1-2005		
Clearinghouse Rule 04–043	effective	1-1-2005		
Clearinghouse Rule 04–055	effective	1-1-2005		
Clearinghouse Rule 04–059	effective	1-1-2005		
Clearinghouse Rule 04–070	effective	1-1-2005		
Clearinghouse Rule 04–071	part. eff.	2-1-2005		
	part. eff.	12-31-2005		
Clearinghouse Rule 04–074	effective	1-1-2005		
Clearinghouse Rule 04–079	effective	1-1-2005		
Clearinghouse Rule 04–089	effective	2-1-2005		
The following rules were omitted from previous reports:				

Clearinghouse Rule (01–091	effective	2 - 1 - 2002
Clearinghouse Rule (01–115	effective	3 - 1 - 2002

Clearinghouse Rule 04–012 part. eff. 3–1–2005 part. eff. 4–1–2005

COMMITTEE APPOINTMENTS

Each committee is followed by the number of Republicans and Democrats serving on the committee, meeting day and meeting week. The ranking minority party member of each committee is designated by an asterisk.

Aging and Long-Term Care (6, 4) Thursday (Even)

Townsend, John (Chair) Hines, J.A. (Vice-chair) Pettis, Mark LeMahieu, Daniel Nischke, Ann Strachota, Pat Krusick, Peggy * Vruwink, Amy Sue Pope-Roberts, Sondy Parisi, Joe

Agriculture (9, 6) Thursday (Even)

Ott, Alvin (Chair) Nerison, Lee (Vice-chair) Ainsworth, John Petrowski, Jerry Kestell, Steve Suder, Scott Williams, Mary Loeffelholz, Gabe Towns, Debi Gronemus, Barbara * Vruwink, Amy Sue Ziegelbauer, Bob Sinicki, Christine Molepske, Louis Jr. Parisi, Joe

Assembly Organization (5, 3)

Gard, John (Chair) Huebsch, Michael (Vice-chair) Freese, Stephen Fitzgerald, Jeff Vrakas, Daniel Kreuser, James * Richards, Jon Turner, Robert

Budget Review (4, 2) Tuesday (Odd)

Kerkman, Samantha (Chair) Gunderson, Scott (Vice-chair) Albers, Sheryl Pridemore, Don Parisi, Joe * Berceau, Terese

Campaigns and Elections (4, 2) Thursday (Even)

Freese, Stephen (Chair) Gundrum, Mark (Vice-chair) Wood, Jeffrey Vos, Robin Travis, David * Kessler, Frederick

Children and Families (5, 3) Thursday (Even)

Kestell, Steve (Chair) Vos, Robin (Vice-chair) Albers, Sheryl Jeskewitz, Suzanne Vukmir, Leah Grigsby, Tamara * Sinicki, Christine Seidel, Donna

Colleges and Universities (7, 5) Tuesday (Odd)

Kreibich, Robin (Chair) Ballweg, Joan (Vice-chair) Underheim, Gregg Nass, Stephen Jeskewitz, Suzanne Towns, Debi Lamb, Andy Shilling, Jennifer * Schneider, Marlin Black, Spencer Boyle, Frank Molepske, Louis Jr.

Corrections and the Courts (6, 4) Wednesday (Odd)

Bies, Garey (Chair) Gundrum, Mark (Vice-chair) Underheim, Gregg Owens, Carol Suder, Scott LeMahieu, Daniel Pope-Roberts, Sondy * Wasserman, Sheldon Seidel, Donna Parisi, Joe

<u>Criminal Justice and Homeland Security (7, 5)</u> <u>Wednesday (Odd)</u>

Suder, Scott (Chair) Friske, Donald (Vice-chair) Owens, Carol Lasee, Frank Jeskewitz, Suzanne Gundrum, Mark Vukmir, Leah Turner, Robert * Krusick, Peggy Black, Spencer Kessler, Frederick Grigsby, Tamara

Economic Development (6, 3) Tuesday (Even)

McCormick, Terri (Chair) Lamb, Andy (Vice-chair) Loeffelholz, Gabe Nischke, Ann Lothian, Thomas Honadel, Mark Fields, Jason * Steinbrink, John

Toles, Barbara

Education (7, 5) Tuesday (Odd)

Towns, Debi (Chair) Kestell, Steve (Vice-chair) Nass, Stephen Hundertmark, Jean Townsend, John Hines, J.A. Davis, Brett Lehman, John * Williams, Annette Ziegelbauer, Bob Pope-Roberts, Sondy Van Akkeren, Terry

Education Reform (6, 3) Wednesday (Odd)

Vukmir, Leah (Chair) Nass, Stephen (Vice-chair) Towns, Debi Wood, Jeffrey Nischke, Ann Pridemore, Don Sinicki, Christine * Williams, Annette Lehman, John

Energy and Utilities (7, 4) Tuesday (Even)

Montgomery, Phil (Chair) Davis, Brett (Vice-chair) Hahn, Eugene Gottlieb, Mark Nischke, Ann Honadel, Mark Nerison, Lee Travis, David * Staskunas, Tony Steinbrink, John Zepnick, Josh

Family Law (4, 2) Thursday (Even)

Owens, Carol (Chair) Kestell, Steve (Vice-chair) Albers, Sheryl Ballweg, Joan Cullen, David * Krusick, Peggy

Financial Institutions (9, 6) Thursday (Even)

Hundertmark, Jean (Chair) Lamb, Andy (Vice-chair) Freese, Stephen Kreibich, Robin Wieckert, Steve Townsend, John Fitzgerald, Jeff Vos, Robin Kleefisch, Joel Richards, Jon * Sherman, Gary Shilling, Jennifer Zepnick, Josh Molepske, Louis Jr. Fields, Jason

Forestry (4, 2) Tuesday (Even)

Friske, Donald (Chair) Mursau, Jeffrey (Vice-chair) Ainsworth, John Williams, Mary Hubler, Mary * Boyle, Frank

Government Operations and Spending Limitations (4, 2) Wednesday (Odd)

Lasee, Frank (Chair) Musser, Terry (Vice-chair) Loeffelholz, Gabe Vos, Robin Zepnick, Josh * Ziegelbauer, Bob

Health (8, 5) Tuesday (Even)

Underheim, Gregg (Chair) Vukmir, Leah (Vice-chair) Gielow, Curt Wieckert, Steve Krawczyk, Judy Hundertmark, Jean Strachota, Pat Moulton, Terry Wasserman, Sheldon * Shilling, Jennifer Vruwink, Amy Sue Benedict, Chuck Nelson, Tom

Highway Safety (5, 3) Wednesday (Even)

Petrowski, Jerry (Chair) Bies, Garey (Vice-chair) Ainsworth, John Van Roy, Karl Musser, Terry Young, Leon * Shilling, Jennifer Colon, Pedro

Housing (4, 2) Thursday (Odd)

Wieckert, Steve (Chair) Townsend, John (Vice-chair) Kreibich, Robin Montgomery, Phil Williams, Annette * Young, Leon

Insurance (9, 6) Thursday (Odd)

Nischke, Ann (Chair) Wieckert, Steve (Vice-chair) Underheim, Gregg Montgomery, Phil McCormick, Terri Gielow, Curt Van Roy, Karl Ballweg, Joan Moulton, Terry Cullen, David * Lehman, John Staskunas, Tony Berceau, Terese Nelson, Tom Sheridan, Mike

Judiciary (5, 3) Thursday (Odd)

Gundrum, Mark (Chair) McCormick, Terri (Vice-chair) Albers, Sheryl Kerkman, Samantha Kleefisch, Joel Staskunas, Tony * Turner, Robert Kessler, Frederick

Labor (6, 3) Wednesday (Even)

Nass, Stephen (Chair) Vrakas, Dan (Vice-chair) Fitzgerald, Jeff Wieckert, Steve Hundertmark, Jean Vos, Robin Van Akkeren, Terry * Sinicki, Christine Sheridan, Mike

Medicaid Reform (6, 3) Wednesday (Odd)

Gielow, Curt (Chair) Strachota, Pat (Vice-chair) Hundertmark, Jean Vukmir, Leah Davis, Brett Vos, Robin Benedict, Chuck * Wasserman, Sheldon Pope-Roberts, Sondy

Military Affairs (5, 3) Wednesday (Even)

Musser, Terry (Chair) Pettis, Mark (Vice-chair) Petrowski, Jerry Townsend, John Loeffelholz, Gabe Schneider, Marlin * Boyle, Frank Sinicki, Christine

Natural Resources (9, 6) Wednesday (Even)

Gunderson, Scott (Chair) Moulton, Terry (Vice-chair) Ott, Alvin Pettis, Mark Bies, Garey Krawczyk, Judy Williams, Mary Petrowski, Jerry Mursau, Jeffrey Black, Spencer * Gronemus, Barbara Steinbrink, John Van Akkeren, Terry Molepske, Louis Jr. Hebl, Gary

Property Rights and Land Management (4, 2)

Wednesday (Odd)

Albers, Sheryl (Chair) Nass, Stephen (Vice-chair) Musser, Terry Wood, Jeffrey Hebl, Gary * Staskunas, Tony

Public Health (5, 3) Wednesday (Odd)

Hines, J.A. (Chair) Underheim, Gregg (Vice-chair) Townsend, John Freese, Stephen McCormick, Terri Wasserman, Sheldon * Grigsby, Tamara Benedict, Chuck

Rules (7, 5)

Huebsch, Michael (Chair) Gard, John (Vice-chair) Freese, Stephen Fitzgerald, Jeff Vrakas, Dan Gottlieb, Mark Owens, Carol Travis, David * Turner, Robert Kreuser, James Richards, Jon Sherman, Gary

Rural Affairs and Renewable Energy (6, 3) Thursday (Odd)

Hahn, Eugene (Chair) Williams, Mary (Vice-chair) Nerison, Lee Freese, Stephen Albers, Sheryl Ballweg, Joan Vruwink, Amy Sue * Schneider, Marlin Benedict, Chuck

Rural Development (5, 3) Wednesday (Even)

Williams, Mary (Chair) Suder, Scott (Vice-chair) Ott, Alvin Kestell, Steve Mursau, Jeffrey Nelson, Tom * Gronemus, Barbara Black, Spencer

Small Business (5, 3) Tuesday (Odd)

Van Roy, Karl (Chair) Honadel, Mark (Vice-chair) Williams, Mary Ballweg, Joan Mursau, Jeffrey Sheridan, Mike * Fields, Jason

Hebl, Gary

Southeast Wisconsin Freeways (4, 2) Tuesday (Even)

Honadel, Mark (Chair) Gottlieb, Mark (Vice-chair) Kerkman, Samantha Strachota, Pat Zepnick, Josh * Cullen, David

State Affairs (6, 3) Tuesday (Even)

Fitzgerald, Jeff (Chair) Kleefisch, Joel (Vice-chair) Musser, Terry Gundrum, Mark Krawczyk, Judy Petrowski, Jerry Toles, Barbara * Young, Leon Benedict, Chuck

State-Federal Relations (4, 2) Thursday (Odd)

Lothian, Thomas (Chair) Kerkman, Samantha (Vice-chair) Montgomery, Phil Kleefisch, Joel Kessler, Frederick * Zepnick, Josh

Tourism (7, 5) Tuesday (Odd)

Pettis, Mark (Chair) Mursau, Jeffrey (Vice-chair) Gunderson, Scott Hines, J.A. Van Roy, Karl Moulton, Terry Nerison, Lee Ziegelbauer, Bob * Young, Leon Van Akkeren, Terry Seidel, Donna Grigsby, Tamara

Transportation (9, 6) Thursday (Odd)

Ainsworth, John (Chair) Petrowski, Jerry (Vice-chair) Hahn, Eugene Suder, Scott Friske, Donald Ott, Alvin Lamb, Andy Van Roy, Karl Davis, Brett Steinbrink, John * Gronemus, Barbara Sherman, Gary Vruwink, Amy Sue Molepske, Louis Jr. Nelson, Tom

Urban and Local Affairs (5, 3) Tuesday (Odd)

LeMahieu, Daniel (Chair) Pridemore, Don (Vice-chair) Gunderson, Scott Lothian, Thomas Gottlieb, Mark Berceau, Terese * Fields, Jason Parisi, Joe

Veterans Affairs (5, 3) Tuesday (Odd)

Loeffelholz, Gabe (Chair) Musser, Terry (Vice-chair) Townsend, John Hundertmark, Jean Bies, Garey Sherman, Gary * Turner, Robert Hubler, Mary

Ways and Means (8, 5) Wednesday (Even)

Wood, Jeffrey (Chair) Nass, Stephen (Vice-chair) Hahn, Eugene Jeskewitz, Suzanne Kerkman, Samantha Lothian, Thomas Strachota, Pat Pridemore, Don Berceau, Terese * Ziegelbauer, Bob Toles, Barbara Hebl, Gary Fields, Jason

Workforce Development (7, 4) Thursday (Odd)

Krawczyk, Judy (Chair) Lothian, Thomas (Vice-chair) Vrakas, Daniel Kreibich, Robin Wood, Jeffrey Gielow, Curt Pridemore, Don Seidel, Donna * Lehman, John Toles, Barbara Sheridan, Mike

Joint Committee for Review of Administrative Rules (3, 2)

Gottlieb, Mark (Co-chair) LeMahieu, Daniel (Vice-chair) Friske, Donald Schneider, Marlin * Black, Spencer

Joint Legislative Audit Committee (3, 2)

Jeskewitz, Suzanne (Co-chair) Kaufert, Dean (Vice-chair) Kerkman, Samantha Travis, David * Cullen, David

Joint Committee on Employment Relations (3, 1)

Gard, John (Co-chair) Huebsch, Michael Kaufert, Dean Kreuser, James *

Joint Committee on Finance (6, 2)

Kaufert, Dean (Co-chair) Ward, David (Vice-chair) Jensen, Scott Stone, Jeff Rhoades, Kitty Meyer, Dan Colon, Pedro * Pocan, Mark

Joint Committee on Legislative Organization (3, 2)

Gard, John (Co-chair) Huebsch, Michael Fitzgerald, Jeff Kreuser, James * Richards, Jon

Joint Survey Committee on Retirement Systems (2, 1)

Vrakas, Dan (Co-chair) Jeskewitz, Suzanne (Vice-chair) Hubler, Mary *

Joint Survey Committee on Tax Exemptions (2, 1)

Montgomery, Phil (Co-chair) Hahn, Eugene (Vice-chair) Hubler, Mary *

Referral of Agency Reports

State of Wisconsin Department of Natural Resources Madison

November 1, 2004

To the Honorable, the Assembly:

In fulfillment of the requirements under s. 299.80 (16), Wisconsin State Statutes, I am submitting to you a copy of the Environmental Cooperation Pilot Program 2005 Progress Report. Please distribute as appropriate. I am also providing a copy of the Report to the Governor and to the Honorable Chief Clerk of the Senate.

For more information on the Environmental Cooperation Pilot Program or additional copies of this report, please contact Mark McDermid at (608) 267-3125 or visit our web site at http://www.dnr.state.wi.us/org/caer/cea/. Thank you.

> Sincerely, SCOTT HASSETT Secretary

Referred to committee on Natural Resources.

State of Wisconsin Department of Public Instruction Madison

November 2, 2004

To the Honorable, the Legislature:

Enclosed is a copy of "The 2000-01 to 2002-03 Inter-District Public School Open Enrollment Program: A Report to the Governor and the Legislature," as required by s. 118.51 (15)(c), Wis. Stats. The report is submitted to you as required by s. 13.172 (3), Wis. Stats.

Sincerely, ELIZABETH BURMASTER State Superintendent

Referred to committee on Education.

State of Wisconsin Office of State Employment Relations Madison

November 2004

To the Honorable, the Legislature:

Pursuant to s. 230.04 (9)(em), Wis. Stats., I am pleased to submit the Veterans Employment Report for 2004. The report summarizes employment and new hire statistics for veterans in each state agency and each institution of the University of Wisconsin System.

Veterans continue to be well represented throughout Wisconsin's civil service. Wisconsin State government can be truly proud of the initiatives to recruit and retain our nations' heroes.

> Sincerely, *KAREN E. TIMBERLAKE* Director

Referred to committee on Veterans Affairs.

State of Wisconsin Department of Health and Family Services Madison

December 20, 2004

To the Honorable, the Legislature:

Section 46.03 (26) of the statutes requires the Department of Health and Family Services to report annually on information systems projects under development including the implementation schedule, estimate of costs, and methods of determining changes (if applicable).

> Sincerely, HELENE NELSON Secretary

Referred to committee on Health.

State of Wisconsin Department of Health and Family Services Madison

December 17, 2004

To the Honorable, the Legislature:

Enclosed is the 2004 annual report of the Wisconsin Council on Physical Disabilities. Preparation and distribution of the report is required by section 46.29 (1)(f) of the state statutes.

If you have any questions about the report, please contact Dan Johnson at 608/267-9582. Mr. Johnson is Director of the state Office for Persons with Physical Disabilities, the unit to which the Council is administratively attached.

Sincerely, HELENE NELSON Secretary

Referred to committee on Aging and Long-Term Care.

State of Wisconsin Department of Administration Madison

December 22, 2004

To the Honorable, the Legislature:

Please find enclosed a copy of the Length of Service Award Program (LOSA) 2004 Annual Report. The Length of Service Award Board developed the report with support from Department of Administration staff. The report provides an overview of the program and outlines the accomplishments for the program year.

Wisconsin State Statute 16.25 (6) requires the Department to submit a copy of the report to the Chief Clerk of each house annually describing the activities of the board.

If you have any questions regarding the plan, please contact Terri Lenz at the Department of Administration, Division of State Agency Services, at (608) 261-6580.

> Sincerely, PATRICK J. FARLEY, ADMINISTRATOR Division of State Agency Services

Referred to committee on Urban and Local Affairs.

State of Wisconsin Ice Age Park and Trail Foundation Madison

December 29, 2004

To the Honorable, the Assembly:

In 1999 the State Legislature included a \$75,000 annual grant in the state budget to be matched with \$25,000 of private funds for the purpose of establishing, maintaining and promoting the Ice Age National and State Scenic Trail. The Ice Age Park and Trail Foundation (IAPTF) has been delighted to be the recipient of that grant since 2000. It is my pleasure to submit our final report for the year 2004, as required by statute s. 23.925.

The Ice Age Park and Trail Foundation is a volunteer and member based organization whose mission is to create, support and protect the Ice Age Trail – designated a National Scenic Trail in 1980 and State Scenic Trail in 1987. The Trail is the only unit of the National Park Service and the only National Scenic Trail that commemorates the effects of continental glaciation in the United States.

We genuinely appreciate your continuing support and your partnership. Please telephone me at 608-663-1240 with any questions you may have.

Sincerely, CHRISTINE THISTED Executive Director

Referred to committee on Tourism.

State of Wisconsin Department of Transportation Madison

December 30, 2004

To the Honorable, the Assembly:

I am pleased to present to you, for distribution to the Wisconsin Assembly, the annual evaluation report on the Pretrial Intoxicated Driver Intervention Grant Program. It is also available on our website

www.dot.wisconsin.gov/library/publications/topic/safety. The program, created by section 86.53 Wis. Stats., was established by the legislature in 1997 with the requirement that the Department study its impact and report on its findings.

The Pretrial Intoxicated Driver Intervention Grant Program is intended for offenders who are arrested for their second or subsequent OWI (Operating While Intoxicated) offense. Overall, offenders participation may be voluntary or court order. It is an intervention model designed to get offenders into counseling, treatment and supervision as soon as possible after the arrest. The program is individual to each community.

As you will see in the report, no community that has begun a program has dropped it. Offenders who successfully completed the program were less likely than non-participants to be re-arrested for subsequent OWI violations. Those who were re-arrested went significantly longer between arrests than non-participants. Currently there are seven counties on a waiting list for funding to begin programs.

I commend those people who have dedicated themselves to making this innovative program a success. There are no "silver bullets" in eradicating impaired driving, but I feel this effort is a vital piece in the total transportation safety effort.

> Sincerely, MAJOR DANIEL W. LONSDORF, DIRECTOR Bureau of Transportation Safety

Referred to committee on Highway Safety.