



STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

6:35 P.M.

TUESDAY, February 8, 2005

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker Gard in the chair.

Representative Rhoades asked unanimous consent for a quorum call. Granted.

A quorum was present.

The prayer was offered by Representative Gielow.

Representative Ainsworth led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Kerkman, Kessler, Kestell, Kleefisch, Krawczyk, Kreibich, Kreuser, Krusick, Lamb, F. Lasee, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nelson, Nerison, Nischke, Ott, Owens, Parisi, Petrowski, Pettis, Pocan, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Zepnick, Ziegelbauer and Speaker Gard – 95.

Absent with leave – Representatives Gronemus, Kaufert, Sinicki and Young – 4.

Vacancies – None.

LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for today's session for Representative Kaufert. Granted.

Representative Turner asked unanimous consent for a leave of absence for today's session for Representatives Gronemus, Sinicki and Young. Granted.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 53** offered by Representatives Towns and Ward.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 89

Relating to: exclusive municipal court jurisdiction in proceedings against juveniles 12 years of age or over, but under 16 years of age, for municipal traffic ordinance violations.

By Representatives Gundrum, Staskunas, Gunderson and Krawczyk.

To committee on **Judiciary**.

Assembly Bill 90

Relating to: notice of appeal of a municipal court judgment and requesting a jury trial on appeal from that judgement.

By Representatives Gundrum, Cullen, F. Lasee, Gunderson, Staskunas, Hines, Albers and Vrakas.

To committee on **Judiciary**.

Assembly Bill 91

Relating to: noncompliance with a municipal court order.

By Representatives Gundrum, Bies, Krawczyk, Hines, Stone, Lothian, Albers, Pridemore and Vrakas.

To committee on **Judiciary**.

Assembly Bill 92

Relating to: evidence of being under the influence of an intoxicant.

By Representatives Gundrum, Molepske, Staskunas, Ziegelbauer, Gielow, Ainsworth, Bies, Hines and Stone; cosponsored by Senators Roessler, Kedzie and Lassa.

To committee on **Judiciary**.

Assembly Bill 93

Relating to: using a flashlight while hunting coyotes.

By Representatives Gunderson, Pettis, Albers, Ballweg, Friske, Gronemus, Hahn, Hines, Huebsch, Moulton, Mursau, Musser, Nass, Nerison, Ott and Vrakas; cosponsored by Senators Olsen and Reynolds.

To committee on **Natural Resources**.

Assembly Bill 94

Relating to: expanding the authority of villages to create combined protective services departments.

By Representative Montgomery; cosponsored by Senator Cowles.

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

Assembly Bill 95

Relating to: the definitions of motor bicycle and moped.

By Representatives Ainsworth, Hahn, Hines, Kerkman, Ott, Owens, Petrowski, Townsend and Van Roy; cosponsored by Senators Cowles, Breske and Risser.

To committee on **Transportation**.

Assembly Bill 96

Relating to: the payment of property taxes when property is condemned.

By Representatives Ainsworth, Hines, Mursau, Ott, Owens and Petrowski.

To committee on **Ways and Means**.

Assembly Bill 97

Relating to: displaying the empty weight on the side of certain motor vehicles.

By Representatives Ainsworth, Ballweg, Hahn, Hines, Musser, Nass, Ott, Owens, Stone, Townsend and Van Roy; cosponsored by Senators Kedzie, Cowles, A. Lasee, Olsen and Stepp.

To committee on **Transportation**.

Assembly Bill 98

Relating to: requiring headlights and other required lamps on vehicles to be lighted when visibility is limited by inclement weather and providing a penalty.

By Representatives Ainsworth, Albers, Bies, Freese, Gunderson, Hines, Ott, Owens, Sheridan, Shilling, Townsend and Van Roy; cosponsored by Senator A. Lasee.

To committee on **Highway Safety**.

Assembly Bill 99

Relating to: individuals registered as sex offenders based upon a juvenile delinquency adjudication.

By Representatives Friske, Bies, Gard, Gundrum, Gielow, Gronemus, Kleefisch, Kaufert, Kerkman, Jensen, LeMahieu, Nischke, Montgomery, Ainsworth, Lothian, Musser, Hines, Van Roy, Vos, Owens, Nass, Ott, Lamb, Strachota, Krawczyk, M. Williams, Pettis, Nerison, Moulton and Petrowski; cosponsored by Senators Darling, Kedzie, Roessler, Kanavas and Reynolds.

To committee on **Corrections and the Courts**.

COMMITTEE REPORTS

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

Assembly Bill 58

Relating to: school district revenue limits and levy limits for cities, villages, towns, counties, and technical college districts.

Assembly Amendment 1 to Assembly Substitute Amendment 1 adoption:

Ayes: 12 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades and Meyer; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham and Olsen.

Noes: 4 – Representatives Colon and Pocan; Senators Decker and Taylor.

Assembly Amendment 2 to Assembly Substitute Amendment 1 adoption:

Ayes: 12 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades and Meyer; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham and Olsen.

Noes: 4 – Representatives Colon and Pocan; Senators Decker and Taylor.

Assembly Substitute Amendment 1 adoption:

Ayes: 12 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades and Meyer; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham and Olsen.

Noes: 4 – Representatives Colon and Pocan; Senators Decker and Taylor.

Passage as amended with emergency statement attached pursuant to s. 16.47(2) Wisconsin Statutes:

Ayes: 12 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades and Meyer; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham and Olsen.

Noes: 4 – Representatives Colon and Pocan; Senators Decker and Taylor.

To committee on **Rules**.

DEAN KAUFERT
Assembly Chairperson
Joint Committee on Finance

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 4

Concurred in:

Assembly Bill 3

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 4

Relating to: recognizing February 6 as Ronald Reagan Day in the state of Wisconsin.

By Senators Kanavas, S. Fitzgerald, Stepp, Darling, Leibham, A. Lasee, Cowles, Roessler and Reynolds; cosponsored by Representatives Gard, Jensen, Gielow, J. Fitzgerald, Wieckert, Suder, Nischke, Vukmir, Vos, Lothian, Nass, Hahn, Kestell, F. Lasee, Jeskewitz, McCormick, Van

Roy, Bies, Kreibich, Gunderson, Townsend, Hines, Freese, Krawczyk, Honadel, Ott, Hundertmark, Nerison, Albers, Kaufert, Vrakas and Stone.

To committee on **Rules**.

Speaker Gard in the chair.

Speaker Gard appointed Representatives Fields and Strachota to escort Governor James Doyle from his office to the Assembly Chamber.

The Assembly Sergeant-at-Arms Rick Skindrud announced the arrival of the Honorable Justices of the Wisconsin Supreme Court.

The Assembly Sergeant-at-Arms Rick Skindrud announced the arrival of the members of the Wisconsin State Senate.

JOINT CONVENTION

The houses went into joint convention.

Senate President A. Lasee presiding.

Senator A. Lasee recognized the presence of Chief Justice Shirley Abrahamson, Justice Jon P. Wilcox, Justice Ann Walsh Bradley, Justice N. Patrick Crooks, Justice David Prosser Jr., Justice Patience Drake Roggensack and Justice Louis B. Butler of the Wisconsin Supreme Court; Lieutenant Governor Barbara Lawton, Attorney General Peg

Lautenschlager, State Treasurer Jack Voight and Superintendent of Public Instruction Elizabeth Burmaster.

The Assembly Sergeant-at-Arms Rick Skindrud announced the arrival of Governor James Doyle.

Escorted by Senators Fitzgerald and Decker, and Representatives Fields and Strachota, Governor James Doyle took his place at the rostrum to deliver his budget address.

Pursuant to Joint Rule 73, the governor's budget address is printed in the Senate journal only.

Representative Huebsch moved that the joint convention arise.

The question was: Shall the joint convention arise?

Motion carried.

7:55 P.M.

Speaker Pro Tempore Freese in the chair.

ADJOURNMENT

Representative Huebsch moved that the Assembly stand adjourned pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

7:56 P.M.