



# STATE OF WISCONSIN Assembly Journal

## Ninety-Seventh Regular Session

THURSDAY, March 3, 2005

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

### AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 51** offered by Representative Ainsworth.

Assembly amendment 2 to **Assembly Bill 99** offered by Representative Friske.

Assembly amendment 1 to **Assembly Bill 112** offered by Representative Musser.

### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 04-093**

Relating to restaurants and affecting small businesses.  
Submitted by Department of Health and Family Services.  
Report received from Agency, February 21, 2005.  
To committee on **Public Health**.  
Referred on March 2, 2005.

#### **Assembly Clearinghouse Rule 04-096**

Relating to retail food establishments.  
Submitted by Department of Agriculture, Trade and Consumer Protection.  
Report received from Agency, February 21, 2005.  
To committee on **Public Health**.  
Referred on March 2, 2005.

#### **Assembly Clearinghouse Rule 04-104**

Relating to the receipt of facsimile and electronic mail communications by the department.  
Submitted by Department of Employee Trust Funds.  
Report received from Agency, February 24, 2005.  
To committee on **Government Operations and Spending Limitations**.  
Referred on March 3, 2005.

#### **Assembly Clearinghouse Rule 04-131**

Relating to administrative hearing procedures for OCI.  
Submitted by Insurance Commissioner.  
Report received from Agency, February 24, 2005.

To committee on **Insurance**.  
Referred on March 3, 2005.

#### **Assembly Clearinghouse Rule 04-133**

Relating to vehicle protection plans.  
Submitted by Insurance Commissioner.  
Report received from Agency, February 24, 2005.  
To committee on **Insurance**.  
Referred on March 3, 2005.

#### **Assembly Clearinghouse Rule 05-006**

Relating to allowing the operation of double bottoms and certain other vehicles on certain specified highways.  
Submitted by Department of Transportation.  
Report received from Agency, March 1, 2005.  
To committee on **Transportation**.  
Referred on March 3, 2005.

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 19**

Relating to: celebrating Saint Patrick's Day on March 17, 2005.

By Representatives Sheridan, J. Fitzgerald, Albers, Boyle, Gronemus, Hahn, Hines, Hundertmark, Jeskewitz, Kerkman, Kestell, Lehman, McCormick, Molepske, Musser, Pocan, Pridemore, Seidel, Townsend, Van Akkeren, Vos and Petrowski; cosponsored by Senators Plale, S. Fitzgerald, Erpenbach, Hansen, Kanavas, Lazich, Risser, Roessler and Taylor.

To committee on **Rules**.

#### **Assembly Bill 146**

Relating to: changing the amount at which a public construction contract let by a city, village, town, technical college district board, town sanitary district commission, or federated public library system must be let to the lowest responsible bidder.

By Representatives Gottlieb, Loeffelholz, Gielow, Gunderson, Hahn, Hines, Honadel, Hundertmark, Jensen, Jeskewitz, Lothian, Montgomery, Musser, Nass, Petrowski, Staskunas, Strachota, Towns, Townsend, Vrakas and Davis; cosponsored by Senators Grothman, A. Lasee, Roessler, Olsen and Erpenbach.

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

**Assembly Bill 147**

Relating to: technical changes to the tax incremental financing law.

By Representatives Gottlieb, Hundertmark, Friske, Davis, Nischke, Gard, Hahn, Stone, Ott, Krawczyk, Gunderson, Pridemore, Hines, Kaufert, Ballweg, Loeffelholz and Townsend; cosponsored by Senators Stepp, Darling, Kanavas, Kedzie, Roessler, Olsen, Grothman, Leibham and Breske.

To committee on **Ways and Means**.

**Assembly Bill 148**

Relating to: driver's licenses and identification cards for aliens.

By Representatives Gundrum, Gard, Lothian, Vukmir, Gielow, Stone, Kleefisch, Jensen, Hahn, Strachota, Hines, LeMahieu, Gunderson, Ballweg, Bies, F. Lasee, Ott, Vos, McCormick, Ainsworth, Honadel, Meyer, Nischke, Van Roy, M. Williams, Kestell, Kreibich, Suder, Moulton, Nerison, Albers, Vrakas, Pridemore and Jeskewitz; cosponsored by Senators Cowles, Lazich, Kanavas, Leibham, Reynolds, A. Lasee, Kedzie, Olsen, Roessler, Darling, Lassa and Grothman.

To committee on **Criminal Justice and Homeland Security**.

**Assembly Bill 149**

Relating to: attorney fees in civil actions.

By Representatives Hundertmark, Krawczyk, Gronemus, Kerkman, Hahn, Hines, LeMahieu, Gunderson, Nass, Ballweg, Lehman, Vos, Townsend, Nischke, Van Roy, Petrowski, McCormick, Ott, Albers, Vrakas, Molepske and Pridemore; cosponsored by Senators Grothman, Stepp, Roessler, Lassa, Darling and Olsen.

To committee on **Judiciary**.

**Assembly Bill 150**

Relating to: electric receptacles maintained by the Department of Natural Resources at state park campsites.

By Representatives Gottlieb, Ballweg, Hines, Jeskewitz, Kestell, Lothian, Montgomery, Mursau, Musser, Petrowski, Pettis, Townsend, Van Roy and Pridemore; cosponsored by Senators Lazich, Reynolds and Stepp.

To committee on **Natural Resources**.

**Assembly Bill 151**

Relating to: waivers of laws and administrative rules governing elementary and secondary education.

By Representatives Rhoades, Gronemus, Gielow, Ainsworth, Gard, Ott, Jensen, Kerkman, Nass, Musser, Krawczyk, Hahn, Hines, Pettis, F. Lasee, Meyer, McCormick, Vrakas and Townsend; cosponsored by Senators Harsdorf, Darling, Leibham, Reynolds, A. Lasee, Grothman, Stepp and Roessler.

To committee on **Education**.

**Assembly Bill 152**

Relating to: collection of fines and forfeitures by counties.

By Representatives LeMahieu, Vruwink, Hahn, Bies, Gunderson, Nass, Lehman, Jeskewitz, Staskunas, Vos,

Strachota, Townsend, Ott, Ballweg, Gottlieb, Van Roy, Gronemus, Moulton, Albers, Hundertmark and Kreibich; cosponsored by Senators Grothman, Brown and Roessler.

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

**Assembly Bill 153**

Relating to: specifying the rate-making principles applicable to certain electric generating facilities, providing an exemption from emergency rule procedures, and granting rule-making authority.

By Representatives Montgomery, Jensen, Davis, Hahn, Honadel, Gottlieb, Nischke, Nerison, Travis, Staskunas, Steinbrink, Van Roy, Krawczyk, Bies, Townsend, Ott, Ainsworth, Albers, Vos, Gunderson, Mursau and Hines; cosponsored by Senators Cowles, Leibham, Kanavas, Plale, Kapanke, Wirch, Erpenbach, Breske, Olsen, Hansen and Roessler.

To committee on **Energy and Utilities**.

**Assembly Bill 154**

Relating to: contiguity of territory within county supervisory districts.

By Representatives Freese, Kessler, Seidel, Parisi, Hines, Mursau and Lehman.

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

**Assembly Bill 155**

Relating to: a municipality's and county's ability to eliminate certain nonconforming buildings or premises.

By Representatives Gunderson, Albers, Vos, Ainsworth, Gronemus, Hahn, Kerkman, Kestell, Krawczyk, LeMahieu, Musser, Nischke, Pettis, Suder, Towns, Townsend, Van Roy, Wood and McCormick; cosponsored by Senators Leibham, Reynolds and Breske.

To committee on **Property Rights and Land Management**.

**Assembly Bill 156**

Relating to: allowing certain counties to create tax incremental financing districts.

By Representatives Mursau, Gard, Ainsworth, Albers, Hahn, Hines, Krawczyk, McCormick and Townsend; cosponsored by Senators Breske and Grothman.

To committee on **Ways and Means**.

**Assembly Bill 157**

Relating to: rule making with respect to use of certain funds for political purposes.

By joint committee for review of Administrative Rules.

To committee on **Rules**.

**Assembly Bill 158**

Relating to: appointment of student members of the Board of Regents of the University of Wisconsin System.

By Representatives Lamb, Kreibich, Moulton, Gronemus, Gielow, Shilling, Vos, Cullen, Musser, Kerkman, Pohan, Krawczyk, Rhoades, Lothian, Black, Van Roy, Towns, Hines, Pridemore, Townsend, Stone, Seidel and Albers; cosponsored by Senators Harsdorf, Lassa, Olsen and Erpenbach.

To committee on **Colleges and Universities**.

**Assembly Bill 159**

Relating to: removal of a pupil from class, from any portion of school property, or from a school-sponsored activity.

By Representatives Pope–Roberts, Gronemus, Ziegelbauer, Hahn, Bies, Berceau, Cullen, Gunderson, Lehman, Ott, Pocan, Ainsworth, Sheridan, Seidel, Molepske and Sinicki; cosponsored by Senators Hansen, A. Lasee, Roessler and Taylor.

To committee on **Education**.

**Assembly Bill 160**

Relating to: examination required for registration as a loan originator.

By Representatives Jeskewitz, Hines, Gronemus, Richards, Freese, Kestell, Vos, Ott and Molepske; cosponsored by Senators Lassa, Kedzie, Darling and Stepp.

To committee on **Financial Institutions**.

**Assembly Bill 161**

Relating to: solicitation of bids for public procurements by means of an electronic auction and granting rule-making.

By Representatives Albers, Davis, Gielow, Hahn, Hines, Musser, Pettis, Townsend, Petrowski and Vos; cosponsored by Senators Kapanke and Erpenbach.

To committee on **Budget Review**.

**Assembly Bill 162**

Relating to: creating a sales tax and use tax exemption for tangible personal property and services sold by home exchange services.

By Representatives Musser, Boyle, Pettis, McCormick, Townsend, Hundertmark, Bies, Hines, Kerkman, Owens, Ott, Nass, Albers, Gunderson, Freese and Krawczyk; cosponsored by Senators Grothman, Wirch and A. Lasee.

To committee on **Veterans Affairs**.

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

**Assembly Bill 163**

Relating to: creating a property tax exemption for real property owned by a disabled veteran.

By Representatives Musser, McCormick, Hines, Pettis, Kerkman, Bies, Van Roy, Albers, Gunderson, Suder, Freese and Cullen; cosponsored by Senators A. Lasee, Wirch and Hansen.

To committee on **Veterans Affairs**.

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

**Assembly Bill 164**

Relating to: exempting from taxation a military death gratuity payment.

By Representatives Musser, Hebl, Wood, Nass, Sinicki, Suder, Black, Pettis, Albers, Davis, Hubler, Hines, Towns, Kreibich, Gronemus, Vos, Freese, Hahn, Turner, Kestell, Owens, Ott, Nerison, Gunderson, Hundertmark, Bies, Vrakas, Petrowski, Gundrum, F. Lasee and McCormick; cosponsored by Senators Roessler, Kanavas, Carpenter, Grothman, Kedzie, Lassa, Breske and Wirch.

To committee on **Veterans Affairs**.

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

**Assembly Bill 165**

Relating to: failure to pay owners of raw forest products and providing a penalty.

By Representatives Pettis, Mursau, Ainsworth, Albers, Bies, Gunderson, Hahn, Hines, Musser, Ott, Pridemore and Townsend; cosponsored by Senators A. Lasee and Grothman.

To committee on **Forestry**.

**Assembly Bill 166**

Relating to: wildlife damage abatement assistance.

By Representatives Pettis, Boyle, Ainsworth, Bies, Gronemus, Hahn, Hines, Hundertmark, Mursau, Musser, Nerison and Vos; cosponsored by Senators A. Lasee and Olsen.

To committee on **Natural Resources**.

**Assembly Bill 167**

Relating to: the investment by school districts of funds held in trust to provide post-employment benefits.

By Representatives Towns, Hundertmark, Mursau, Nischke, Hines, Townsend, Gielow, Strachota, Musser, Hahn, Gunderson, Molepske, Jeskewitz, Albers, Lehman, Petrowski, Kestell, Krawczyk, Ott and Freese; cosponsored by Senators Olsen, Grothman, Harsdorf and Lazich.

To committee on **Education**.

**Assembly Bill 168**

Relating to: prohibiting certain persons from refusing to honor, or from attempting to avoid honoring, a document of gift for donation of an anatomical gift and providing a penalty.

By Representatives Staskunas, Gielow, Hahn, Pope–Roberts, Berceau, Lehman, Wasserman, F. Lasee, Townsend, Albers, Ainsworth and Sheridan; cosponsored by Senators Plale, Miller, Hansen and Erpenbach.

To committee on **Health**.

**Assembly Bill 169**

Relating to: operation of double-decked buses on highways.

By Representatives Van Roy, Krawczyk, Gard, Pettis, Gronemus, Nelson, Petrowski, Montgomery, Hahn, Ballweg, McCormick, Owens, Gunderson, Albers, F. Lasee and Townsend; cosponsored by Senators Cowles, A. Lasee, Hansen, Reynolds and Grothman.

To committee on **Highway Safety**.

**Assembly Bill 170**

Relating to: requiring a determination of the amount of general school aid necessary to fund two-thirds of statewide school costs and making an appropriation.

By Representatives Boyle, Gronemus, Freese, Fields, Lehman, Pocan, Black, Van Akkeren, Sheridan and Young; cosponsored by Senators Carpenter, Hansen and Decker.

To committee on **Education**.

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**COMMITTEE REPORTS**

The committee on **Highway Safety** reports and recommends:

**Assembly Bill 38**

Relating to: restriction violations by persons holding instruction permits or probationary licenses to operate motor vehicles and providing a penalty.

March 3, 2005

Passage:

Ayes: 7 – Representatives Petrowski, Bies, Ainsworth, Van Roy, Musser, Young and Colon.

Noes: 0.

To committee on **Rules**.

*JERRY PETROWSKI*  
Chairperson  
Committee on Highway Safety

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**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>
<b>Assembly Bill 102</b>	..... 2 .....	March 11, 2005

Sincerely,  
*DOUGLAS LA FOLLETTE*  
Secretary of State

Assembly Chief Clerk  
Patrick Fuller  
Room 208, Risser Justice Building

Dear Chief Clerk Fuller:

Please add my name as a cosponsor to the following Assembly Bills:

Assembly Bill 22, relating to carrying forward a school district's unused revenue limit authority to the succeeding school year.

Assembly Bill 38, relating to restriction violations by persons holding instruction permits or probationary licenses to operate motor vehicles and providing a penalty.

Assembly Bill 62, relating to sentencing discretion of a court and providing a penalty.

Assembly Bill 68, relating to disclosing information obtained by the Department of Transportation to the Department of Revenue.

Assembly Bill 69, relating to disclosing information obtained by the Department of Transportation to the Department of Revenue.

Assembly Bill 71, relating to determinations of ordinary high-water marks by counties and by the Department of Natural Resources.

Assembly Bill 79, relating to authorizing a city or a village to abolish its police department and contract for law enforcement services with a county.

Assembly Bill 84, relating to relating to: the number of school days required each school term.

Assembly Bill 112, relating to motor vehicle registration plates for disabled veterans.

Sincerely,  
*SENATOR BROWN*  
31st Senate District