



STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

MONDAY, March 14, 2005

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

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 04–102

Relating to asbestos permit exemption fees and inspection fees and a program for recovering the exact costs of laboratory fees for sample analysis for the asbestos program.

Submitted by Department of Natural Resources.

Report received from Agency, March 9, 2005.

To committee on **Natural Resources**.

Referred on March 14, 2005.

Assembly Clearinghouse Rule 04–112

Relating to live well standards for participants in the bass fishing tournament pilot program established in [2003 Wisconsin Act 249](#).

Submitted by Department of Natural Resources.

Report received from Agency, March 9, 2005.

To committee on **Natural Resources**.

Referred on March 14, 2005.

Assembly Clearinghouse Rule 04–113

Relating to recycling.

Submitted by Department of Natural Resources.

Report received from Agency, March 9, 2005.

To committee on **Natural Resources**.

Referred on March 14, 2005.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 200

Relating to: intoxicated operation of a motor vehicle with a minor passenger in the vehicle and providing a penalty.

By Representatives Lehman, Zepnick, Berceau, Kerkman, Sheridan and Van Akkeren; cosponsored by Senator Stepp.

To committee on **Highway Safety**.

Assembly Bill 201

Relating to: the compatibility of the offices of coroner or medical examiner, and certain emergency services positions.

By Representatives Van Roy, Hahn, Bies, Gronemus, Townsend, Krawczyk, Ott, Gunderson, Seidel, Pettis, M. Williams, Petrowski, Nerison, Vrakas, Molepske, Berceau and Boyle; cosponsored by Senators Grothman, Risser, Olsen, Roessler and Erpenbach.

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

Assembly Bill 202

Relating to: special distinguishing registration plates for groups that are military in nature and making an appropriation.

By Representatives Freese, Gronemus, Ballweg, Hahn, Hines, Kestell, Krawczyk, Musser, Nischke, Ott, Petrowski, Pridemore, Suder and M. Williams; cosponsored by Senators Brown, Schultz, Carpenter and Roessler.

To committee on **Transportation**.

Assembly Bill 203

Relating to: evidence of lay and expert witnesses.

By Representatives Suder, Townsend, Hahn, Bies, Jensen, Hines, Van Roy, Gunderson, Ott, Albers, Hundertmark, F. Lasee, Davis, Kreibich, Lamb, Towns, Krawczyk, Ainsworth, Vos, Kestell and Musser; cosponsored by Senators Kanavas, Stepp, Olsen and Brown.

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

Assembly Bill 204

Relating to: the appointment of the secretary of natural resources.

By Representatives Black, Boyle, Berceau, Turner, Pope–Roberts, Shilling, Zepnick, Richards, Lehman, Pocan, Cullen, Van Akkeren and Molepske; cosponsored by Senators Miller, Breske, Erpenbach, Wirch, Carpenter, Lassa, Risser and Taylor.

To committee on **Natural Resources**.

Assembly Bill 205

Relating to: creating an Office of Public Intervenor in the Department of Justice.

By Representatives Black, Boyle, Berceau, Sherman, Sinicki, Turner, Pope–Roberts, Shilling, Zepnick, Richards, Lehman, Pocan, Parisi, Sheridan, Travis, Cullen, Van Akkeren, Seidel and Molepske; cosponsored by Senators Wirch, Erpenbach, Miller, Carpenter, Hansen, Lassa, Risser and Taylor.

To committee on **Natural Resources**.

Assembly Bill 206

Relating to: creating an income and franchise tax credit for research conducted in this state by a corporation.

By Representatives Lamb, Davis, Gronemus, Nischke, Montgomery, LeMahieu, Pettis, Bies, Musser, Gunderson, Hines, Rhoades, Kleefisch, Vos, Van Roy, McCormick, M. Williams, J. Fitzgerald, Strachota, Vrakas, Ott, Kestell and Owens; cosponsored by Senators Harsdorf, Kanavas, Roessler, Darling and Stepp.

To joint committee on **Finance**.

Assembly Bill 207

Relating to: employment discrimination based on creed; and exemption from liability and discipline for health care professionals and health care facility employees who refuse to participate in sterilization, abortion, assisted suicide, and other procedures on moral or religious grounds.

By Representatives Hundertmark, Staskunas, LeMahieu, Vukmir, Nischke, Suder, Gundrum, Kleefisch, Kestell, Kerkman, Underheim, Nass, Van Roy, Ballweg, Krawczyk, Hahn, Gottlieb, J. Fitzgerald, Kreibich, F. Lasee, Wieckert, Lothian, Loeffelholz, Gunderson, Montgomery, Hines, Vos, Freese, Moulton, McCormick, Nerison, Bies, Albers, Ziegelbauer, Petrowski, Wood, Strachota, Owens, Mursau, Vrakas, Honadel, Ott and Towns; cosponsored by Senators Roessler, Reynolds, S. Fitzgerald, Lazich, Zien, Cowles, Kanavas, Grothman, Harsdorf, Kapanke, Leibham, Stepp, Brown and Kedzie.

To committee on **Labor**.

Assembly Bill 208

Relating to: creating rural enterprise development zones and providing tax incentives to qualified businesses in the zones, creating refundable individual income tax credits for income and capital gains derived from the zones, making appropriations, and providing a penalty.

By Representatives Suder, M. Williams, Pettis, Moulton, Wood, Lamb, Nerison, Ott, Gronemus, Kestell, Davis, Mursau, Owens, Freese, Van Roy, Musser, Kreibich, McCormick, Hines, Hahn, Vruwink, Vos, F. Lasee, Petrowski, Ballweg and Gunderson; cosponsored by Senators Zien, Harsdorf, Roessler, Brown and Darling.

To committee on **Rural Development**.

Assembly Bill 209

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

By Representatives Lothian, Suder, Gard, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Gielow, Gunderson, Hahn, Hines, Jensen, Kerkman, Kleefisch, Krawczyk, Kreibich, Lamb, F. Lasee, Nass, Owens, Pridemore, Stone, Townsend, Vos, Vukmir, Wieckert and M. Williams; cosponsored by Senators Harsdorf, Reynolds, A. Lasee, Zien, Cowles, Stepp, Kapanke, Darling and Lazich.

To committee on **Transportation**.

Assembly Bill 210

Relating to: the powers and duties of the Department of Veterans Affairs, veterans assistance, educational programs, burials, cemeteries, homes, housing loans, memorials, and museums, the employment rights and benefits available to

persons who are in or who return from military service, the Educational Approval Board, granting rule-making authority, requiring the exercise of rule-making authority, making appropriations, and providing penalties.

By Joint Legislative Council.

To committee on **Veterans 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 3
Senate Joint Resolution 11
Senate Joint Resolution 13

Passed and asks concurrence in:

Senate Bill 3
Senate Bill 79
Senate Bill 83

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 3

Relating to: the life and military service of Marine Corporal Robert Warns II.

By Senator Kanavas; cosponsored by Representative Nischke.

To committee on **Rules**.

Senate Joint Resolution 11

Relating to: the life and public service of Harold F. Huibregtse.

By Senator Leibham; cosponsored by Representative Kestell.

To committee on **Rules**.

Senate Joint Resolution 13

Relating to: the life and military service of Marine Sergeant Benjamin C. Edinger.

By Senators Hansen and Cowles; cosponsored by Representatives Krawczyk, Gard, Nelson and Van Roy.

To committee on **Rules**.

Senate Bill 3

Relating to: creating a property tax exemption for arts and arts education centers.

By Senators Kanavas, Reynolds and A. Lasee; cosponsored by Representatives Jensen, Nischke, Vrakas, McCormick, Richards and Ziegelbauer.

To **calendar**.

Senate Bill 79

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

To committee on **Energy and Utilities**.

Senate Bill 83

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

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

To committee on **Ways and Means**.

CHIEF CLERK REPORTS

The Chief Clerk records:

Assembly Bill 58

Presented to the Governor on Friday, March 11.

PATRICK E. FULLER
Assembly Chief Clerk

GOVERNOR'S VETO MESSAGE

March 11, 2005

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 58** in its entirety.

AB 58 limits the increase in property taxes that may be levied by cities, towns, villages and counties in December 2005, 2006 and 2007 to the percentage change in each locality's equalized value due to new construction, net of any property removed or demolished. The bill further limits the increase in property taxes levied by technical college districts and for the state forestry tax to 2.6 percent for these same years. In addition, AB 58 requires the Joint Committee on Finance, in its versions of the 2005-07 and 2007-09 budget bills, to ensure that the estimated statewide school property tax levy on the December 2005, 2006 and 2007 tax bills remain at the December 2004 amount by increasing general school aids or by reducing per pupil revenue limits or any combination of these two mechanisms.

I am vetoing AB 58 because it is an irresponsible bill that freezes out our schools and critical local services like police and firefighters while hurting regional cooperation and development. In my Budget Address last month, I invited the Legislature to join me in protecting taxpayers and their

priorities by passing a responsible property tax freeze. In order to impose a property tax freeze responsibly, the state must first meet its commitments to schools and local communities. The Legislature has ignored my offer and forced me to take out my veto pen once again.

Last session, the Legislature sent me a property tax freeze that would have meant a \$400 million cut to our schools. Once again, the threat to education is severe. In the 2005-07 biennium alone, this bill could reduce school revenues by as much as \$716 million. This risk exists because the bill freezes school property taxes without stating whether, or to what degree, increases in general school aids or decreases in per pupil revenue limits will be imposed to achieve this goal. If no additional school aid is provided, school spending could be cut by up to \$716 million during the 2005-07 biennium – causing devastating repercussions. In the first year alone, this could result in the elimination of 3,600 teachers in Wisconsin's public schools, equal to the combined teaching force of Wisconsin's 122 smallest school districts.

AB 58 stands in stark contrast to the responsible property tax freeze I propose in my 2005-07 budget:

1. My freeze proposal increases state aid for school tax relief by \$850 million, restores the state's goal of funding two-thirds of school costs and provides even more school tax relief than this bill – without hurting our public schools.

2. My proposal fully funds shared revenue – ensuring that even with a freeze, important local services like police and firefighters will be protected. This bill, in contrast, does not guarantee any funding for shared revenue.

3. My proposal protects technical colleges, institutions that are vital to economic development. Technical colleges currently abide by limits on levy increases. Imposing new limits would hurt our workers and our economy.

4. My proposal encourages regional cooperation in economic development. Rather than basing maximum municipal levies on the growth within individual localities, my proposal recognizes that municipalities provide services that benefit residents who live outside their boundaries. The state should foster regional economic cooperation rather than provide further incentives for communities to compete over economic development projects.

5. My proposal includes over \$100 million of incentives and bonuses to counties and municipalities to hold their property tax levels even lower than my freeze allows.

6. My proposal accounts for inflation, so that the freeze does not erode the quality of municipal and county services.

7. My freeze lasts for two years, just like the state budget – because we should not put a freeze on communities longer than we can guarantee the state's funding commitment to them.

I had hoped that the Legislature would take up my challenge to find common ground and show the people of this state that they are more interested in providing property tax relief to Wisconsin citizens than scoring political points. I made it clear that I would veto any property tax freeze that failed to protect the quality of our schools and vital services.

This veto is not the end of the freeze, but rather a first step toward the responsible freeze that taxpayers want. I remain confident that something meaningful can be accomplished. As the budget process moves ahead, I look forward to working with the Legislature to pass a real and responsible freeze.

Respectfully submitted,
JIM DOYLE
Governor

REFERRAL OF VETOES

Assembly Bill 58

Relating to: school district revenue limits and levy limits

for cities, villages, towns, counties, and technical college districts.

By Representatives Honadel, Suder, Bies, Davis, J. Fitzgerald, Freese, Friske, Gard, Gunderson, Hines, Hundertmark, Huebsch, Jensen, Kaufert, Lamb, F. Lasee, LeMahieu, McCormick, Meyer, Montgomery, Moulton, Nass, Nerison, Nischke, Owens, Pettis, Stone, Strachota, Townsend, Van Roy, Vos, Vrakas, Vukmir, M. Williams, Wood, Gundrum, Kleefisch and Pridemore; cosponsored by Senators Kanavas, S. Fitzgerald, Stepp, Kedzie, Leibham, Darling, Brown, Reynolds, Roessler, Zien, Lazich and A. Lasee.

To **calendar**.