



STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

MONDAY, March 28, 2005

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 6** offered by Representative Hahn.

Assembly amendment 2 to **Assembly Bill 7** offered by Representative Albers.

Assembly amendment 1 to **Assembly Bill 20** offered by committee on **Transportation**.

Assembly amendment 1 to **Assembly Bill 29** offered by committee on **Transportation**.

Assembly amendment 1 to **Assembly Bill 34** offered by Representative Owens.

Assembly substitute amendment 1 to **Assembly Bill 43** offered by Representatives Wasserman, Hines and Ainsworth.

Assembly amendment 1 to **Assembly Bill 101** offered by Representative Huebsch.

Assembly amendment 2 to **Assembly Bill 101** offered by Representative Huebsch.

Assembly substitute amendment 1 to **Assembly Bill 140** offered by Representative Hundertmark.

Assembly amendment 1 to **Assembly Bill 141** offered by Representatives Suder and Musser.

Assembly amendment 1 to **Assembly Bill 152** offered by Representative LeMahieu.

Assembly amendment 2 to **Assembly Bill 163** offered by Representative Musser.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 11

Relating to: limitations on assembly consideration of specified assembly amendments and assembly substitute

amendments to an executive budget bill.

By Joint Legislative Council.

To committee on **Budget Review**.

Assembly Joint Resolution 23

Relating to: the life and public service of Thomas M. Schaus.

By Representative Cullen.

To committee on **Rules**.

Assembly Joint Resolution 24

Relating to: identification and removal of specified types of policy from an executive budget bill.

By Joint Legislative Council.

To committee on **Budget Review**.

Assembly Bill 263

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

By Representatives Davis, Friske, Vos, Jensen, Rhoades, Montgomery, Gronemus, Hines, Van Roy, Jeskewitz, Hahn, Ainsworth, Bies, Gunderson, Gundrum, Townsend, Ott and Musser; cosponsored by Senators Kanavas, Kedzie, Stepp, Roessler, Brown and Coggs.

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

Assembly Bill 264

Relating to: increasing filing fees for municipal court actions.

By Representatives Kaufert, Townsend, Ainsworth, Ballweg, Bies, Gundrum, Hines, Jeskewitz, Musser, Ott, Owens, Pettis, Pridemore and Stone; cosponsored by Senators Roessler and Ellis.

To committee on **Judiciary**.

Assembly Bill 265

Relating to: the sale of development rights separate from the sale of property.

By Representatives Albers, Kestell, Ainsworth, Bies, Gunderson and Musser; cosponsored by Senator Lassa.

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

Assembly Bill 266

Relating to: the powers of certain towns, authorizing the creation of charter towns by certain town boards, and expanding the authority of charter towns to create tax incremental financing districts.

By Representatives Owens, Kerkman, Ainsworth, Albers, Bies, Davis, Gronemus, Gunderson, Freese, Hahn, Hines,

Hundertmark, Jeskewitz, Kestell, Krawczyk, F. Lasee, Lothian, McCormick, Musser, Ott, Petrowski, Pettis, Pridemore, Towns and Vos; cosponsored by Senators Kedzie, Breske, Kapanke and A. Lasee.

To committee on **Rural Affairs and Renewable Energy**.

Assembly Bill 267

Relating to: payment of employee required contributions under the Wisconsin Retirement System.

By Representatives Gottlieb, Jeskewitz, Ballweg, Gard, Gielow, Hines, Honadel, Jensen, Kerkman, F. Lasee, LeMahieu, Lothian, Meyer, Montgomery, Musser, Nischke, Ott, Owens, Strachota, Stone, Townsend, Van Roy, Vos and Wood; cosponsored by Senators Brown, Darling, Grothman, Leibham, Reynolds and Roessler.

To joint survey committee on **Retirement Systems**.

Assembly Bill 268

Relating to: mandatory and permissive subjects of collective bargaining under the Municipal Employment Relations Act.

By Representatives Gottlieb, Nass, Hundertmark, Albers, Ballweg, Bies, Gard, Gielow, Hahn, Honadel, Jensen, Jeskewitz, Kerkman, LeMahieu, Lothian, Meyer, Mursau, Musser, Nischke, Ott, Owens, Pridemore, Strachota, Stone, Towns, Van Roy, Vos, Vrakas, Wieckert, Wood and Ainsworth; cosponsored by Senators Brown, Darling, Kanavas and Lazich.

To committee on **Labor**.

Assembly Bill 269

Relating to: prescription drug labels.

By Representatives Wieckert, Musser, Gronemus, Krawczyk, Vos, Van Roy, Pettis, Gard, Kreibich, Gielow, Underheim, Berceau, Townsend, Albers, Hines, Bies, Ott, Shilling, Petrowski, Vrakas, Mursau, Owens, Gunderson, Pridemore and Molepske; cosponsored by Senators Roessler, A. Lasee and Brown.

To committee on **Health**.

Assembly Bill 270

Relating to: donation of newborn umbilical cord blood.

By Representatives Wieckert, M. Williams, Kerkman, Kestell, Gronemus, Nischke, Kreibich, Underheim, Molepske, LeMahieu, Ainsworth, Krawczyk, Gard, Ballweg, Hines, Hahn, Wood, Bies, Ott, Gottlieb, Nass, Strachota, Kleefisch, Mursau, Owens, Jeskewitz, Gunderson, Musser, Davis, Pridemore, Petrowski, Pettis, Albers and Vrakas; cosponsored by Senators Leibham, Lassa, Breske, Reynolds, Stepp, Roessler, Lazich, Grothman, Kedzie, A. Lasee and Cowles.

To committee on **Health**.

Assembly Bill 271

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 **Budget Review**.

Assembly Bill 272

Relating to: the budget stabilization fund, the generally accepted accounting principles deficit reduction fund, the general fund deficit based on generally accepted accounting principles, and making appropriations.

By Joint Legislative Council.

To committee on **Budget Review**.

Assembly Bill 273

Relating to: chaperoning pupils on school-sponsored trips.

By Representatives Berceau, Gunderson, Jensen, Albers, Jeskewitz, Lehman, Gronemus, Cullen, Sheridan, Musser, Black, Molepske, Travis and Seidel.

To committee on **Education**.

Assembly Bill 274

Relating to: allowing any provider to participate in a health care plan under the terms of the plan, requiring an annual period for providers to elect to participate in health care plans, and requiring notice to a provider of the reason for exclusion from a health care plan.

By Representatives Berceau, Musser, Lehman, Turner, Wasserman, Sherman, Sinicki and Schneider; cosponsored by Senator Risser.

To committee on **Insurance**.

Assembly Bill 275

Relating to: grants to counties for providing alternatives to prosecution and incarceration for persons who abuse alcohol or other drugs and making appropriations.

By Representatives Bies, Vos, Krawczyk, Shilling, Gronemus, Hahn, Jeskewitz, Ott, Musser, Berceau, Black, Grigsby, Staskunas, Seidel, Petrowski, Pocan and Albers; cosponsored by Senators Roessler, Zien, Stepp, S. Fitzgerald, Harsdorf, Darling, Miller, Hansen and Coggs.

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

Assembly Bill 276

Relating to: the crediting of required and additional contributions to the variable annuity division under the Wisconsin Retirement System.

By Representative Schneider.

To joint survey committee on **Retirement Systems**.

COMMITTEE REPORTS

The committee on **Education** reports and recommends:

Assembly Bill 22

Relating to: carrying forward a school district's unused revenue limit authority to the succeeding school year.

Passage:

Ayes: 9 – Representatives Towns, Kestell, Hundertmark, Townsend, Hines, Davis, Lehman, A. Williams and Pope-Roberts.

Noes: 2 – Representatives Nass and Ziegelbauer.

To committee on **Rules**.

DEBRA TOWNS

Chairperson

Committee on Education

The committee on **Property Rights and Land Management** reports and recommends:

Assembly Bill 24

Relating to: quorum requirements for a zoning board of appeals or adjustment.

Passage:

Ayes: 4 – Representatives Albers, Musser, Wood and Hebl.

Noes: 0.

To committee on **Rules**.

SHERYL ALBERS

Chairperson

Committee on Property Rights and Land Management

The committee on **Transportation** reports and recommends:

Assembly Bill 29

Relating to: registration of vehicles operated exclusively by volunteer fire departments.

Assembly Amendment 1 adoption:

Ayes: 14 – Representatives Ainsworth, Petrowski, Hahn, Suder, Ott, Lamb, Van Roy, Davis, Steinbrink, Gronemus, Sherman, Vruwink, Molepske and Nelson.

Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Ainsworth, Petrowski, Hahn, Suder, Ott, Lamb, Van Roy, Davis, Steinbrink, Gronemus, Sherman, Vruwink, Molepske and Nelson.

Noes: 0.

To joint committee on **Finance**.

Assembly Bill 43

Relating to: operator's license requirements for certain drivers and for certain drivers' tests and making an appropriation.

Assembly Substitute Amendment 1 adoption:

Ayes: 9 – Representatives Ainsworth, Petrowski, Ott, Van Roy, Davis, Steinbrink, Sherman, Molepske and Nelson.

Noes: 5 – Representatives Hahn, Suder, Lamb, Gronemus and Vruwink.

Passage as amended:

Ayes: 9 – Representatives Ainsworth, Petrowski, Ott, Van Roy, Davis, Steinbrink, Sherman, Molepske and Nelson.

Noes: 5 – Representatives Hahn, Suder, Lamb, Gronemus and Vruwink.

To joint committee on **Finance**.

JOHN AINSWORTH

Chairperson

Committee on Transportation

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

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.

Passage:

Ayes: 8 – Representatives LeMahieu, Pridemore, Gunderson, Lothian, Gottlieb, Berceau, Fields and Parisi.

Noes: 0.

To committee on **Rules**.

Assembly Bill 94

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

Passage:

Ayes: 8 – Representatives LeMahieu, Pridemore, Gunderson, Lothian, Gottlieb, Berceau, Fields and Parisi.

Noes: 0.

To committee on **Rules**.

Assembly Bill 107

Relating to: the cutoff time for receipt of documents for filing and recording with a register of deeds, federal tax lien forms, and maintenance of county highway registers.

Assembly Amendment 1 adoption:

Ayes: 8 – Representatives LeMahieu, Pridemore, Gunderson, Lothian, Gottlieb, Berceau, Fields and Parisi.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives LeMahieu, Pridemore, Gunderson, Lothian, Gottlieb, Berceau, Fields and Parisi.

Noes: 0.

To committee on **Rules**.

Assembly Bill 152

Relating to: collection of fines and forfeitures by counties.

Passage:

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

Noes: 3 – Representatives Berceau, Fields and Parisi.

To joint committee on **Finance**.

DANIEL LEMAHIEU

Chairperson

Committee on Urban and Local Affairs

REFERENCE BUREAU CORRECTIONS

Senate amendment 1 to **Senate Bill 83**

1. Page 1, line 3: delete that line.
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COMMUNICATIONS

March 15, 2005

Patrick E. Fuller, Chief Clerk
17 West Main Street, Room 208
Madison, WI 53703

Dear Mr. Fuller:

As you know, Assembly Bill 15, which relates to the ethanol requirements in automotive gasoline, is currently in the State Assembly. I would like my name removed from Assembly Bill 15 list of cosponsors.

Thank you for your time.

Sincerely,
CATHY STEPP
State Senator
21st Senate District

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Administration
Madison

March 15, 2005

To the Honorable, the Legislature:

This report is transmitted as required by s. 20.002(11)(f),

Wisconsin Statutes, (for distribution to the appropriate standing committees under s. 13.172(3), Wisconsin Statutes) and confirms that the Department of Administration has found it necessary to exercise the “temporary reallocation of balances” authority provided by this section in order to meet payment responsibilities and cover resulting negative cash balances during the month of February 2005.

On February 1, 2005, the **Medical Assistance Trust Fund** cash balance closed at its intramonth low of a negative \$190.5 million. The fund’s negative cash balance continued through February 28, 2005, when the fund’s cash balance closed at a negative \$158.7 million. The deficit is due to federal revenues falling short of estimates included in [2003 Wisconsin Act 33](#).

The Medical Assistance Trust Fund shortfall was not in excess of the statutory interfund borrowing limitations and did not exceed the balances of the funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund’s share. Therefore, the monthly calculation by the State Controller’s Office will automatically reflect the use of these temporary reallocations of balance authority, and as a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,
MARC J. MAROTTA
Secretary

Referred to committee on **Ways and Means**.