



STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

MONDAY, April 4, 2005

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

AMENDMENTS OFFERED

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

Assembly amendment 1 to **Assembly Bill 158** offered by committee on **Colleges and Universities**.

Assembly amendment 1 to **Assembly Bill 183** offered by Representative Rhoades.

Assembly amendment 2 to **Assembly Bill 183** offered by Representative Rhoades.

Assembly amendment 1 to **Assembly Bill 277** offered by Representatives Hundertmark, Gunderson and Gard.

Assembly amendment 1 to **Assembly Bill 278** offered by Representatives Kessler and Turner.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 04-067

Relating to group foster homes for children.
Submitted by Department of Health and Family Services.
Report received from Agency, March 29, 2005.
To committee on **Children and Families**.
Referred on April 4, 2005.

Assembly Clearinghouse Rule 04-121

Relating to medicare supplement, replacement, cost-sharing, select, advantage and medicare D prescription drug plans.
Submitted by Insurance Commissioner.
Report received from Agency, March 30, 2005.
To committee on **Insurance**.
Referred on April 4, 2005.

Assembly Clearinghouse Rule 04-124

Relating to supervision and disclosure.
Submitted by Department of Regulation and Licensing.
Report received from Agency, March 25, 2005.

To committee on **Small Business**.
Referred on April 4, 2005.

Assembly Clearinghouse Rule 04-142

Relating to the cancer drug repository program authorized under s. **255.056**, Stats., and affecting small businesses.
Submitted by Department of Health and Family Services.
Report received from Agency, March 30, 2005.
To committee on **Health**.
Referred on April 4, 2005.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 26

Relating to: commending Ignacio Contreras' courage and determination to overcome the challenges as he faces, most notably his fight against cancer.

By Representative Colon; cosponsored by Senator Carpenter.

To committee on **Rules**.

Assembly Bill 280

Relating to: expungement of misdemeanors.
By Representatives Gielow, Kessler, Grigsby, Fields, Toles, Benedict, Turner, Pocan, Colon, Nischke, A. Williams and Berceau; cosponsored by Senators Taylor and Coggs.
To committee on **Corrections and the Courts**.

Assembly Bill 281

Relating to: designating and marking USH 45 as the Wisconsin Labor Highway.

By Representatives Colon, Hines, Sinicki, Van Akkeren, Parisi, Sheridan, Pocan, Lehman, Seidel and Molepske; cosponsored by Senators Zien, Taylor, Darling, Carpenter, Miller, Decker and Lassa.

To committee on **Transportation**.

Assembly Bill 282

Relating to: creating an individual income tax subtract modification for jury service.

By Representatives Colon, Musser, Berceau, Kreibich, Lehman, Ott, Gunderson and Seidel; cosponsored by Senators Stepp and Taylor.

To committee on **Ways and Means**.

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

Assembly Bill 283

Relating to: creating an optional holiday for state employees to observe the birthday of Cesar E. Chavez.

By Representatives Colon, Sinicki, Fields, Boyle, Black, Zepnick, Sherman, Grigsby, Sheridan, Pocan, Lehman and Parisi; cosponsored by Senators Carpenter, Hansen, Taylor and Erpenbach.

To committee on **State Affairs**.

Assembly Bill 284

Relating to: permitting an educational agency to refuse to employ or to terminate from employment an unpardoned felon.

By Representatives Petrowski, Nass, Ziegelbauer, Albers, Ballweg, Bies, J. Fitzgerald, Freese, Gard, Gielow, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, F. Lasee, Loeffelholz, Lothian, McCormick, Montgomery, Moulton, Musser, Nischke, Owens, Pettis, Pridemore, Stone, Suder, Townsend, Vos, Vrakas, Vukmir, M. Williams and Wood; cosponsored by Senators Darling, Brown, Grothman, Harsdorf, Kanavas, A. Lasee, Lazich, Leibham and Roessler.

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

Assembly Bill 285

Relating to: employment discrimination based on creed and exemption from liability and discipline for pharmacists who refuse to dispense for abortions, assisted suicides, and euthanasia.

By Representatives Owens, Albers, Ballweg, Bies, J. Fitzgerald, Freese, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Mursau, Nischke, Ott, Petrowski, Pridemore, Suder, Towns, Vos, Vrakas, Wieckert, Wood and Ziegelbauer; cosponsored by Senators Reynolds, Brown, S. Fitzgerald, Grothman, Kanavas, Kedzie, Lazich and Leibham.

To committee on **Labor**.

Assembly Bill 286

Relating to: bows used for hunting.

By Representatives Kestell, Gunderson, M. Williams, Hines, Pettis, Molepske, Owens, Musser, Hahn, Ott, Mursau, Albers, Kreibich, Lothian, Nerison and Krawczyk; cosponsored by Senators Reynolds and Grothman.

To committee on **Natural Resources**.

Assembly Bill 287

Relating to: the minimum number of railroad employees required to be present in the cab of the lead control locomotive when the railroad train or locomotive is in motion.

By Representatives Hahn, Nerison, Pocan, Molepske, Hines, Mursau, Sherman, Musser, Lehman and Albers; cosponsored by Senators A. Lasee, Breske, Hansen and Lassa.

To committee on **Highway Safety**.

Assembly Bill 288

Relating to: requiring registration of firearms owned by Milwaukee County residents and providing a penalty.

By Representatives Young, Fields, Sinicki, Turner, Toles and Berceau; cosponsored by Senator Coggs.

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

Assembly Bill 289

Relating to: restriction of political contributions to certain elective state officials and committees and exemption of certain candidates from certain contribution limitations.

By Representatives Schneider and Lehman.

To committee on **Campaigns and Elections**.

Assembly Bill 290

Relating to: prohibiting the required implanting of a microchip in an individual and providing a penalty.

By Representative Schneider.

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

Assembly Bill 291

Relating to: termination of a tenancy if notice given regarding drug or criminal gang activity.

By Representatives Wieckert, Hahn, Krawczyk, Zepnick, Musser, Vos, F. Lasee, Gunderson, Bies, Ott, Ballweg, Townsend, McCormick, Vrakas, Molepske, Shilling, Pridemore, Mursau, Hines and Stone; cosponsored by Senators Stepp, Grothman, Olsen, A. Lasee, Lazich and Roessler.

To committee on **Housing**.

Assembly Bill 292

Relating to: requiring the Department of Transportation to provide transportation planning and assistance in reviewing the site plan of proposed school construction or enlargement and granting rule-making authority.

By Representatives Wieckert, Petrowski, Gronemus, Pettis, Hahn, Zepnick, Musser, Lehman, Vrakas, Hines and Molepske; cosponsored by Senators Stepp, Breske, Olsen, Roessler, Grothman and Darling.

To committee on **Transportation**.

Assembly Bill 293

Relating to: authorizing a county to participate in a municipal revenue sharing agreement.

By Representatives Wieckert, Huebsch, Nerison, Shilling, Ainsworth, Ballweg, Gielow, Gunderson, Hahn, Hines, Jeskewitz, LeMahieu, Loeffelholz, Lothian, Molepske, Mursau, Musser, Nass, Ott, Owens, Petrowski, Pridemore, Rhoades, Townsend, Van Roy and Vrakas; cosponsored by Senators Kapanke, Brown, Cowles, A. Lasee, Olsen, Roessler and Wirch.

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

Assembly Bill 294

Relating to: prohibiting legislation to change the purpose of the injured patients and families compensation fund.

By Representatives Wieckert, Montgomery, Gard, Kreibich, Nischke, Black, Hines, Pettis, Ainsworth, Vos,

Bies, Freese, Owens, F. Lasee, Musser, Davis, Pridemore, Hahn and Petrowski; cosponsored by Senators Kanavas, Stepp, Breske, Olsen, Reynolds and Grothman.

To committee on **Insurance**.

Assembly Bill 295

Relating to: the location of a town board meeting.

By Representatives LeMahieu, Kestell, Mursau, Musser, Lothian, Underheim, Nischke, Petrowski, Pettis, Jeskewitz, Pridemore, Ainsworth, Hundertmark, Ballweg, Hahn, Loeffelholz, Lehman, Ott, Bies, M. Williams, Strachota, F. Lasee, Vrakas and Owens; cosponsored by Senators Grothman, Kedzie, Brown, Olsen, A. Lasee, Roessler, Breske and Erpenbach.

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

Assembly Bill 296

Relating to: modifying certain restrictions on admissions to, protective placements in, or transfers to intermediate care facilities for the mentally retarded and nursing homes.

By Representatives LeMahieu, Kestell, Vos, Ott, Krawczyk, Pettis, Hundertmark, Lothian, Townsend, Kaufert, Gronemus, Gunderson, Hahn, Gottlieb, Gielow, Albers, Van Akkeren, Nischke and Freese; cosponsored by Senators Roessler, Grothman, Brown, Kapanke, Lazich, Schultz and Olsen.

To committee on **Aging and Long-Term Care**.

COMMITTEE REPORTS

The committee on **Colleges and Universities** reports and recommends:

Assembly Bill 111

Relating to: allowing an individual income tax deduction for certain amounts contributed by a divorced or legally separated parent to his or her child's college savings account or college tuition and expenses program and limiting the deduction that may be claimed by a married person who files separately.

Assembly Amendment 1 adoption:

Ayes: 11 – Representatives Kreibich, Ballweg, Underheim, Nass, Jeskewitz, Towns, Lamb, Shilling, Black, Boyle and Molepske.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Kreibich, Ballweg, Underheim, Nass, Jeskewitz, Towns, Lamb, Shilling, Black, Boyle and Molepske.

Noes: 0.

Assembly Bill 158

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

Assembly Amendment 1 adoption:

Ayes: 11 – Representatives Kreibich, Ballweg, Underheim, Nass, Jeskewitz, Towns, Lamb, Shilling, Black, Boyle and Molepske.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Kreibich, Ballweg, Underheim, Nass, Jeskewitz, Towns, Lamb, Shilling, Black, Boyle and Molepske.

Noes: 0.

To committee on **Rules**.

ROB KREIBICH

Chairperson

Committee on Colleges and Universities

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

Assembly Bill 59

Relating to: actions against forestry operations and granting rule-making authority.

Assembly Amendment 1 adoption:

Ayes: 5 – Representatives Friske, Mursau, Ainsworth, M. Williams and Hubler.

Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Friske, Mursau, Ainsworth, M. Williams and Hubler.

Noes: 0.

To committee on **Rules**.

DONALD FRISKE

Chairperson

Committee on Forestry

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

Assembly Bill 70

Relating to: child safety restraint systems, safety belt use requirements in motor vehicles, creating a Child Safety Restraint System Program, creating a safety restraint enforcement surcharge, granting rule-making authority, making an appropriation, and providing a penalty.

Passage:

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

Noes: 0.

To joint committee on **Finance**.

Assembly Bill 120

Relating to: restrictions on the operation of motor vehicles by persons holding instruction permits or probationary licenses and providing a penalty.

Passage:

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

Noes: 1 – Representative Young.

To joint committee on **Finance**.

JERRY PETROWSKI
Chairperson
Committee on Highway Safety

I greatly appreciate your assistance and apologize for the inconvenience.

Thank you,
ANDY LAMB
Representative Andy Lamb
29th Assembly District

COMMUNICATIONS

March 28, 2005

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

Dear Mr. Fuller:

As you know, Assembly Bill 246, which relates to requiring that credits transfer and that there is admissions uniformity between the Technical Colleges and the Wisconsin's Technical College System, is currently in the State Assembly. I would like my name added to Assembly Bill 246's list of cosponsors.

Thank you for your time.

Sincerely,
CATHY STEPP
State Senator
21st Senate District

March 31, 2005

Patrick E. Fuller
Assembly Chief Clerk
Risser Justice Center, Room 208
Madison, WI 53708

Dear Chief Clerk Fuller:

I am requesting that Representatives Lothian and Jensen be included as co-sponsors of Assembly Bill 277 and 278 of which I am the lead author. Their names were inadvertently left off of the bill jacket when it was submitted.

Thank you for your attention to this matter. If you have any questions, please feel free to contact me.

Sincerely yours,
JEAN HUNDERTMARK
State Representative
40th Assembly District

April 1, 2005

Chief Clerk Patrick Fuller
Risser Justice Center, Room 208
Madison, WI

Dear Mr. Fuller:

Please sign me on as a co-sponsor to Assembly Bill 15, relating to a 10 percent Ethanol requirement in gasoline.

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Sentencing Commission
Madison

March 23, 2005

To the Honorable, the Assembly:

Please accept the enclosed recent reports of the Wisconsin Sentencing Commission, in accordance with s. 973.30 (1)(g) and (i), and let us know if we need to do or provide anything else. Thank you very much for your time and help on this matter.

Sincerely,
MICHAEL CONNELLY
Executive Director

Referred to committee on **Criminal Justice and Homeland Security**.

State of Wisconsin
Office of the Commissioner of Insurance
Madison

March 29, 2005

To the Honorable, the Legislature:

Pursuant to [1999 Wisconsin Act 113](#) and Sec. 13.172 (3) Wis. Stats, I am forwarding OCI's Report on Insurance Coverage for lead Liability. Under Act 113, this report is to be forwarded to the appropriate standing committees of the legislature which could include the Senate Committee on Health, Children, Families, Aging and Long-Term Care; the Senate Committee on Agriculture and Insurance; the Assembly Committee on Health and the Assembly Committee on Insurance. If you feel that other standing committees of the legislature would be appropriate please forward the report to them as well.

Thank you for your assistance.

Sincerely,
JORGE GOMEZ
Commissioner

Referred to committee on **Insurance**.