



STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

FRIDAY, April 15, 2005

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

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 41** offered by Representative Gundrum.

Assembly substitute amendment 1 to **Assembly Bill 123** offered by Representative Towns.

Assembly amendment 1 to **Assembly Bill 131** offered by Representative Gunderson.

Assembly substitute amendment 1 to **Assembly Bill 179** offered by Representative Gunderson.

Assembly substitute amendment 1 to **Assembly Bill 257** offered by Representative Gottlieb.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 30

Relating to: the life and public service of Marian L. Thompson.

By Representatives Hebl, Boyle, Travis, Lothian, Gronemus, Berceau, Jeskewitz, Hahn, Sheridan, Lehman, Pocan, Pope–Roberts, Turner, Seidel and Albers; cosponsored by Senators Miller, Coggs, Risser, Hansen and Erpenbach.

To committee on **Rules**.

Assembly Bill 317

Relating to: exempting spouses, unremarried surviving spouses, and children of certain veterans from tuition and fees at the University of Wisconsin System and at technical colleges.

By Representatives Loeffelholz, Gard, Kreibich, Wieckert, Gundrum, Bies, Davis, Van Roy, Freese, Friske, Nerison, Ainsworth, Lothian, Towns, Sinicki, Wood, Sherman, Gunderson, Vrakas, J. Fitzgerald, Boyle, Gronemus, Hahn, Huebsch, Hundertmark, Kestell, Krawczyk, F. Lasee, McCormick, Montgomery, Musser,

Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Schneider, Suder, Turner, Vukmir, M. Williams, Hubler, Travis, Kleefisch, Moulton, Berceau, Pope–Roberts, Mursau, Rhoades and Kaufert; cosponsored by Senators Brown, Zien, Grothman, Darling, Decker, Harsdorf, Kanavas, Plale, Roessler, Stepp, S. Fitzgerald, Breske, Wirch, Lassa, Carpenter, Risser, Kapanke and A. Lasee, by request of Disabled American Veterans, Veterans of Foreign War, American Legion, AMVETS, Military Order of the Purple Heart, Gold Star Wives, Vietnam Veterans of America, Catholic War Veterans, Wisconsin Paralyzed Veterans of America, Jewish War Veterans, US Submarine Veterans of WWII, United Women Veterans, and the Military Officers Association of America..

To committee on **Veterans Affairs**.

Assembly Bill 318

Relating to: exempting certain veterans from tuition and fees at the University of Wisconsin System and at technical colleges.

By Representatives Loeffelholz, Gard, Kreibich, Ainsworth, Ballweg, Bies, Boyle, Davis, J. Fitzgerald, Freese, Friske, Gronemus, Gunderson, Gundrum, Hahn, Hines, Hundertmark, Kestell, Krawczyk, F. Lasee, Lothian, McCormick, Montgomery, Musser, Nerison, Nischke, Ott, Petrowski, Pettis, Pridemore, Sinicki, Suder, Towns, Turner, Van Roy, Wieckert, Wood, Huebsch, M. Williams, Hubler, Travis, Kleefisch, Vrakas, Owens, Berceau, Moulton, Pope–Roberts, Mursau, Rhoades and Kaufert; cosponsored by Senators Brown, Zien, Coggs, Darling, Harsdorf, Kapanke, Lassa, Leibham, Plale, Roessler, Stepp, Kanavas, S. Fitzgerald, Breske, Wirch, Carpenter and A. Lasee, by request of Disabled American Veterans, Veterans of Foreign War, American Legion, AMVETS, Military Order of the Purple Heart, Gold Star Wives, Vietnam Veterans of America, Catholic War Veterans, Wisconsin Paralyzed Veterans of America, Jewish War Veterans, US Submarine Veterans of WWII, United Women Veterans, and the Military Officers Association of America..

To committee on **Veterans Affairs**.

Assembly Bill 319

Relating to: creating a nonrefundable individual income tax credit for property taxes paid by certain veterans and unremarried surviving spouses of certain former service members.

By Representatives Loeffelholz, Gard, Kreibich, Ainsworth, Bies, Boyle, Davis, J. Fitzgerald, Freese, Friske, Gronemus, Gunderson, Gundrum, Hahn, Hundertmark, Kerkman, Kestell, Kleefisch, Krawczyk, F. Lasee, Lehman,

Lothian, Meyer, Montgomery, Musser, Nass, Nerison, Nischke, Ott, Petrowski, Pettis, Pridemore, Schneider, Sherman, Sinicki, Suder, Towns, Turner, Van Roy, Vrakas, Vukmir, Wieckert, Wood, Huebsch, Hubler, Travis, Berceau, Moulton, Pope–Roberts, Mursau, Rhoades and Kaufert; cosponsored by Senators Brown, Zien, Darling, Grothman, Harsdorf, Lazich, Leibham, Plale, Roessler, Stepp, Taylor, Coggs, Kanavas, S. Fitzgerald, Breske, Wirch, Kapanke and A. Lasee, by request of Disabled American Veterans, Veterans of Foreign War, American Legion, AMVETS, Military Order of the Purple Heart, Gold Star Wives, Vietnam Veterans of America, Catholic War Veterans, Wisconsin Paralyzed Veterans of America, Jewish War Veterans, US Submarine Veterans of WWII, United Women Veterans, and the Military Officers Association of America..

To committee on **Veterans Affairs**.

Assembly Bill 320

Relating to: notice regarding unauthorized use of personal information.

By Representatives Staskunas, Black, Zepnick, Hahn, Berceau, Van Akkeren, Cullen, Turner, Lehman, Poca, Ott, Shilling, Gunderson, Seidel, McCormick, Hines, Stone, Albers, Pridemore and Molepske; cosponsored by Senators Hansen, Carpenter, Coggs and Darling.

To committee on **Judiciary**.

Assembly Bill 321

Relating to: voluntary and informed consent for abortions.

By Representatives Nischke, LeMahieu, Gundrum, Kerkman, Kestell, Kreibich, Ballweg, Loeffelholz, Davis, Krawczyk, Ainsworth, Van Roy, Hines, Jeskewitz, Gottlieb, Bies, M. Williams, Strachota, Honadel, Owens, J. Fitzgerald, Nass, Gunderson, Vrakas, Montgomery, Kleefisch, Hahn, Towns, Underheim, Wieckert, Albers, Ott, Petrowski, Wood, McCormick, Pridemore and Hundertmark; cosponsored by Senators Grothman, Cowles, S. Fitzgerald, Zien, Reynolds, Roessler, Brown, A. Lasee, Lazich, Kanavas, Kedzie, Kapanke, Leibham and Stepp.

To committee on **Health**.

Assembly Bill 322

Relating to: posting of certain personal information in government records on the Internet and access to certain public records containing the social security account numbers of individuals and providing penalties.

By Representatives Schneider and Lehman.

To committee on **Government Operations and Spending Limitations**.

Assembly Bill 323

Relating to: extending tax credit carry–over provisions for income tax and franchise tax purposes.

By Representatives Wieckert, Jensen, Hahn, Townsend, Musser, Hines, Owens, Ott and F. Lasee; cosponsored by Senators Kanavas and Lassa.

To committee on **Economic Development**.

Assembly Bill 324

Relating to: requiring subdividers to comply with municipal extraterritorial public improvement requirements.

By Representatives Berceau, Ott and Molepske; cosponsored by Senator Risser.

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

Assembly Bill 325

Relating to: the applicability of city and village comprehensive plans in unincorporated territory.

By Representative Berceau; cosponsored by Senator Risser.

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

Assembly Bill 326

Relating to: authorizing towns to withdraw from county zoning and requiring certain towns to become subject to town or county zoning and a comprehensive plan.

By Representatives Kerkman, Owens, Ainsworth, Albers, Ballweg, Bies, Freese, Gronemus, Hines, Kestell, F. Lasee, LeMahieu, Lothian, Musser, Nass, Pettis, Vos, Vruwink and Gard; cosponsored by Senators A. Lasee and Breske.

To committee on **Rural Development**.

Assembly Bill 327

Relating to: unincorporated cooperative associations, granting rule–making authority, and providing a penalty.

By Representatives Ainsworth, Albers, Ballweg, Berceau, Davis, Freese, Gielow, Gunderson, Hahn, Hines, Kestell, Krawczyk, Lehman, LeMahieu, Loeffelholz, McCormick, Musser, Nass, Nerison, Ott, Owens, Petrowski, Richards, Seidel, Steinbrink, Suder, Towns, Townsend, Van Roy, Wieckert, M. Williams, Zepnick and Travis; cosponsored by Senators Kapanke, Breske, Brown, Erpenbach, Grothman, Hansen, Harsdorf and Jauch.

To committee on **Rural Development**.

Assembly Bill 328

Relating to: consecutive monthly registration of certain vehicles used exclusively to transport a weight transfer machine for truck or tractor pulling competitions or events.

By Representatives Musser, Pettis, Hahn, Ballweg, Ott, Albers and Townsend.

To committee on **Transportation**.

Assembly Bill 329

Relating to: membership of the Group Insurance Board.

By Representatives Musser, Hahn, Petrowski, Townsend, Ballweg, Nischke, Jeskewitz, Krawczyk, Ott and Hines; cosponsored by Senators Brown, Olsen, A. Lasee, Kapanke, Roessler, Darling and Grothman.

To committee on **Insurance**.

Assembly Bill 330

Relating to: requiring the Department of Revenue to prepare and maintain a list of delinquent taxpayer accounts and to post on the Internet the names from the list.

By Representatives F. Lasee, Kerkman, Zepnick, Kreibich, Vos, Nass, Albers, Berceau, Strachota, Hines, Jeskewitz, Hundertmark, Townsend, Suder, Montgomery, Gronemus and Kestell; cosponsored by Senators A. Lasee, Roessler and Leibham.

To committee on **Government Operations and Spending Limitations**.

Assembly Bill 331

Relating to: operating a vehicle after revocation of a person's operating privilege and providing a penalty.

By Representatives Albers, Ballweg, Bies, Cullen, Hahn, F. Lasee, Loeffelholz, Molepske, Mursau, Musser, Pridemore, Pocan and Townsend.

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

Assembly Bill 332

Relating to: deceptive preapproved rates, terms, or conditions, open-end credit plan billing statements, and providing a penalty.

By Representatives Berceau, Albers, Hahn, Gronemus, Boyle, Lehman, Hines, Pocan, Seidel, Fields, Toles, Molepske and Travis; cosponsored by Senators Hansen, Miller, Breske and Erpenbach.

To committee on **Financial Institutions**.

Assembly Bill 333

Relating to: transactions excluded from and remedies under the Wisconsin Consumer Act and authority of licensed lenders and consumer leases under the Uniform Commercial Code.

By Representatives Berceau, Black, Lehman, Hines, Pocan and Travis; cosponsored by Senator Risser.

To committee on **Financial Institutions**.

Assembly Bill 334

Relating to: regulating mobile telephone service providers and access to mobile telephone numbers, granting rule-making authority, and providing a penalty.

By Representatives Berceau, Sheridan, Turner, Lehman, Black, Hines, Pocan, Pope-Roberts, Colon and Travis; cosponsored by Senators Coggs and Erpenbach.

To committee on **Energy and Utilities**.

Assembly Bill 335

Relating to: eliminating a penalty for certain early withdrawals from an individual retirement account.

By Representatives Wieckert, Underheim, Jeskewitz, Gronemus, Hahn, Gard, Jensen, Nass, Kreibich, Loeffelholz, Gielow, Stone, Krawczyk, McCormick, Ainsworth, Townsend, Albers, Ballweg, Bies, Honadel, Ott, Petrowski, Vrakas, Pridemore, Mursau, M. Williams, Owens, Gunderson and Musser; cosponsored by Senators Roessler, Zien, Darling, Reynolds, A. Lasee, Lassa and Hansen.

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

Assembly Bill 336

Relating to: the sales tax imposed on services provided by a temporary help company.

By Representatives Wieckert, Gottlieb, Jensen, Gard, Kaufert, Wood, Kestell, Bies, Hundertmark, Gunderson, Musser, Hines, Nass, Van Roy, Pettis, Krawczyk, Nischke, Hahn, Kreibich, Vos, Strachota, Stone, Townsend, Albers, Ballweg, Owens, F. Lasee and Pridemore; cosponsored by Senators Darling, Reynolds, Lazich, Brown, Grothman, Roessler and Kanavas.

To committee on **Ways and Means**.

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

Assembly Bill 337

Relating to: fishing with a bow and arrow at night.

By Representatives Hines, Moulton, Suder, Gundrum, Townsend, Gronemus, Albers, Sheridan, Musser, Molepske, Hahn, Pettis, Kreibich, F. Lasee, Wieckert and Petrowski; cosponsored by Senators Zien, Brown, Reynolds and Grothman.

To committee on **Natural Resources**.

Assembly Bill 338

Relating to: civil liability exemption for claims resulting from weight gain and obesity.

By Representatives Vrakas, Krawczyk, Kerkman, Vukmir, Montgomery, Suder, Jeskewitz, Moulton, LeMahieu, Ainsworth, Van Roy, Vos, Kestell, Gard, Jensen, Hines, Wood, Strachota, Mursau, Honadel, F. Lasee, J. Fitzgerald, Nass, Hahn, Ballweg, Musser, Albers, Ott, Petrowski, Gunderson, McCormick, Kreibich, Hundertmark, Nerison, Lothian, M. Williams, Kleefisch, Gronemus, Pettis and Ziegelbauer; cosponsored by Senators Reynolds, Harsdorf, Leibham, Roessler, Olsen, Kedzie, Kanavas, Breske, Lazich, S. Fitzgerald, Darling and Grothman, by request of Wisconsin Restaurant Association.

To committee on **Judiciary**.

Assembly Bill 339

Relating to: a property tax exemption for restaurant kitchen equipment.

By Representatives Van Roy, Ainsworth, Davis, Freese, Gard, Gronemus, Gunderson, Hines, Jensen, Jeskewitz, Krawczyk, Kreibich, F. Lasee, Mursau, Musser, Nass, Nischke, Ott, Owens, Pettis, Petrowski, Seidel, Shilling, Strachota, Suder, Towns, Vos, Vrakas, M. Williams and Wood; cosponsored by Senators Leibham, Kedzie, A. Lasee, Reynolds and Roessler.

To committee on **Small Business**.

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

Assembly Bill 340

Relating to: lighting and visibility marking requirements for certain agricultural vehicles and agricultural implements operated or towed upon a highway, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, providing an exemption from rule-making procedures, and requiring the exercise of rule-making authority.

By Representatives Ainsworth, Ott, Vos, Bies, Gronemus, Gunderson, Hahn, Hines, Hundertmark, Kerkman, Kestell, LeMahieu, Molepske, Mursau, Nerison, Petrowski, Towns and Ballweg; cosponsored by Senators Stepp, Cowles, Grothman, Harsdorf, Lassa and Roessler.

To committee on **Transportation**.

Assembly Bill 341

Relating to: the offering of health savings accounts under the state employee health care coverage program.

By Representatives Strachota, Vos, F. Lasee, Jensen, Gielow, Nischke, LeMahieu, Pridemore, Musser, Kerkman, Ainsworth, Davis, Kleefisch, Ballweg, Petrowski, Jeskewitz, Moulton, Wieckert, Kreibich, Hines, Hahn, Albers, Ott and

Bies; cosponsored by Senators Darling, Grothman, Leibham, Brown, Reynolds, A. Lasee and Kanavas.

To committee on **Health**.

COMMITTEE REPORTS

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

Assembly Bill 7

Relating to: location of contiguous land for purposes of eligibility under the Managed Forest Land Program.

Assembly Amendment 1 adoption:

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

Noes: 0.

Assembly Amendment 2 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 **Property Rights and Land Management** reports and recommends:

Assembly Bill 155

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

Passage:

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

Noes: 2 – Representatives Hebl and Staskunas.

To committee on **Rules**.

SHERYL ALBERS
Chairperson
Committee on Property Rights and Land Management

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

Assembly Bill 20

Relating to: displaying attractions on highway specific information signs.

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 144

Relating to: designating and marking a portion of STH 19 as the Georgia O'Keeffe Memorial Highway.

Passage:

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

Noes: 0.

To joint committee on **Finance**.

JOHN AINSWORTH
Chairperson
Committee on Transportation

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

Senate Bill 17

Senate Bill 21

Senate Bill 88

Concurred in:

Assembly Bill 63

Assembly Bill 92

Assembly Bill 140

ACTION ON THE SENATE MESSAGE

Senate Bill 17

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

By Senators Olsen, Harsdorf, Plale, Roessler, Kanavas, Robson, Miller, Erpenbach, Cowles and Hansen; cosponsored by Representatives Towns, Underheim, Kestell, Townsend, Hines, Davis, Lehman, Pope-Roberts, Van Akkeren, Petrowski, McCormick, Gottlieb, Ainsworth, Gunderson, Krawczyk, Gronemus, Kerkman, Musser, Hahn, Pettis, Freese, Jeskewitz, Gielow, Sheridan, Albers, Zepnick, Ott, Benedict, Bies, Owens, Wasserman, Van Roy, Nelson, Honadel and F. Lasee.

To joint committee on **Finance**.

Senate Bill 21

Relating to: county ordinances regarding drug paraphernalia or the possession of marijuana.

By Senator Kedzie; cosponsored by Representatives Nass, Gundrum, Musser, Kestell, Nischke, Townsend, Hines, Staskunas, Davis, Ott, Hundertmark, Hahn and Albers.

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

Senate Bill 88

Relating to: a prohibition against using state funds or resources or federal funds to provide or to facilitate the provision of hormonal therapy or sexual reassignment surgery to alter the appearance of a prisoner or forensic patient so that the prisoner or forensic patient appears more like the opposite gender.

By Senators Kanavas, S. Fitzgerald, Zien, Stepp, Grothman, Darling, Leibham, A. Lasee, Olsen, Cowles, Reynolds, Brown, Lazich and Roessler; cosponsored by Representatives Suder, Gundrum, Montgomery, Kleefisch, Van Roy, Gunderson, Lothian, Pettis, Nischke, Kestell, Nass, Hines, Gronemus, Kerkman, Bies, Vos, Petrowski, Honadel, Wood, Strachota, Jeskewitz, F. Lasee, Vrakas, Albers, Ballweg, Hahn, Kreibich, Moulton, Ott, Kaufert, Mursau and Musser.

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

SPEAKER'S COMMUNICATIONS

April 14, 2005

Mr. Patrick Fuller

Chief Clerk, Wisconsin State Assembly
Room 208, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53708

Dear Patrick:

Pursuant to Assembly Rule 42 (3)(c), I am removing **Senate Bill 22** from the Assembly Committee on Urban and Local Affairs and re-referring it to the Assembly Committee on Rules. I have the consent of Representative LeMahieu, chair of the Assembly Committee on Urban and Local Affairs, to take this action.

Sincerely,
JOHN G. GARD
Speaker

COMMUNICATIONS

April 13, 2005

Patrick Fuller
208 RJC
Hand-Delivered

Dear Mr. Fuller:

Please add my name as a co-sponsor of Assembly Bill 121, relating to exempting school districts from the motor fuel tax.

Thank you,
SUZANNE JESKEWITZ
State Representative
24th Assembly District