



STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

FRIDAY, April 22, 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 123** offered by committee on **Education**.

Assembly amendment 1 to **Assembly Bill 167** offered by committee on **Education**.

Assembly amendment 1 to **Assembly Bill 291** offered by Representative Wieckert.

Assembly substitute amendment 1 to **Assembly Bill 347** offered by Representative McCormick.

Assembly amendment 1 to **Senate Bill 68** offered by committee on **Education**.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 344

Relating to: operating certain vehicles with a prohibited blood alcohol content.

By Representatives Musser, Kaufert, Hahn, Pocan, Bies and Townsend; cosponsored by Senators Grothman and Breske.

To committee on **Transportation**.

Assembly Bill 345

Relating to: acreage requirements for areas in which farm-raised deer that may be hunted are kept and transfers of registration certificates for keeping farm-raised deer.

By Representatives M. Williams, Petrowski, Turner, Hahn and Albers; cosponsored by Senators Decker, Breske, Cowles and A. Lasee.

To committee on **Natural Resources**.

Assembly Bill 346

Relating to: a sales tax and use tax exemption on tangible personal property used in the business of farming.

By Representatives Ainsworth, Albers, Ballweg, Bies, Gronemus, Gunderson, Hines, F. Lasee, Loeffelholz, Musser, Nerison, Ott, Owens, Petrowski, Suder, Towns and Vos; cosponsored by Senators A. Lasee, Leibham, Olsen and Reynolds.

To committee on **Agriculture**.

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

Assembly Bill 347

Relating to: a property tax credit for disabled veterans and making an appropriation.

By Representatives McCormick, Musser, Bies, Gronemus, Gunderson, Kleefisch, Krawczyk, Nischke, Van Roy and Wood; cosponsored by Senators A. Lasee, Lassa, Leibham, Roessler and Wirch.

To committee on **Veterans Affairs**.

Assembly Bill 348

Relating to: a property tax exemption for property owned by Goodwill Industries.

By Representatives Wieckert, Zepnick, Vos, Townsend, Gard, Ballweg, Owens, Pridemore, Kessler, Hines, Molepske, Lamb, Underheim, Musser, Shilling, Van Roy, Kaufert, Nelson, Krawczyk, Vruwink, Ott and Gielow; cosponsored by Senators Roessler, Ellis, Kedzie, Darling, Jauch, Breske, Hansen and Lassa.

To committee on **Ways and Means**.

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

Assembly Bill 349

Relating to: transfer of certain program credits within the University of Wisconsin System.

By Representatives Wieckert, Nischke, Jeskewitz, Gronemus, Pettis, Ainsworth, Ott, Gunderson, Petrowski, Vos, Stone, Hines, Musser and Hahn; cosponsored by Senators Reynolds, Stepp and Brown.

To committee on **Colleges and Universities**.

Assembly Bill 350

Relating to: transfer of nursing course credits between the University of Wisconsin System and the Technical College System.

By Representatives Wieckert, Nischke, Jeskewitz, Gronemus, Pettis, Ainsworth, Ott, Gunderson, Petrowski,

Vos, Stone, Hines, Musser and Hahn; cosponsored by Senators Reynolds, Stepp and Brown.

To committee on **Colleges and Universities**.

Assembly Bill 351

Relating to: eligibility of certain persons for the Health Insurance Risk-Sharing Plan.

By Representatives Sheridan, Kaufert, Kreuser, Ainsworth, Berceau, Boyle, Fields, Lehman, McCormick, Molepske, Pocan, Richards, Seidel, Shilling, Sinicki, Staskunas, Turner, Van Akkeren and Zepnick; cosponsored by Senators Hansen, Ellis, Breske, Carpenter and Erpenbach.

To committee on **Insurance**.

Assembly Bill 352

Relating to: coverage under state employee health care coverage plan for certain qualifying individuals and making an appropriation.

By Representatives Sheridan, Kaufert, Kreuser, Ainsworth, Benedict, Berceau, Black, Boyle, Fields, McCormick, Molepske, Pocan, Richards, Seidel, Shilling, Sinicki, Staskunas, Turner, Van Akkeren and Zepnick; cosponsored by Senators Hansen, Ellis, Breske, Carpenter, Erpenbach and Robson.

To committee on **Insurance**.

Assembly Bill 353

Relating to: harassment of, causing injury to, or theft of a service dog and providing penalties.

By Representatives Berceau, Hahn, Sherman, Sheridan, M. Williams, Bies, Hines, Grigsby, Pocan, Benedict, Ott and Gunderson; cosponsored by Senators Miller, Roessler, Lassa, Carpenter and Harsdorf.

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

Assembly Bill 354

Relating to: garnishment of the income of a minor.

By Representatives Owens, Jeskewitz, Ainsworth, Nass, Hundertmark, Van Roy, Albers and Hahn; cosponsored by Senators Roessler, Olsen and Grothman.

To committee on **Judiciary**.

Assembly Bill 355

Relating to: free resident deer hunting license for certain members of the armed forces.

By Representatives Boyle, Musser, Turner, Suder, Hahn, Seidel and Pridemore; cosponsored by Senators Hansen and Lassa.

To committee on **Natural Resources**.

Assembly Bill 356

Relating to: requiring the Department of Transportation to inquire about and offer living will and health care power of attorney forms to applicants for driver's licenses and identification cards, and including living will and health care power of attorney information on driver's licenses and identification cards.

By Representatives Vruwink, Shilling, Ainsworth, Molepske, Kreibich, Sheridan, Pridemore, Sinicki, Berceau, Pocan, Boyle, Pope-Roberts, Travis, Hebl and Seidel;

cosponsored by Senators Hansen, Darling, Risser and Carpenter.

To committee on **Health**.

Assembly Bill 357

Relating to: advertising for prescription drugs.

By Representatives Sherman, Musser, Molepske, Ainsworth, Freese, Lehman, Schneider, Zepnick, Black, Cullen, Benedict, Pocan, Vruwink, Parisi, Seidel, Turner, Pope-Roberts and Sinicki; cosponsored by Senators Carpenter, Jauch and Hansen.

To committee on **Health**.

Assembly Bill 358

Relating to: speed restrictions in a 1st class city and creating a penalty.

By Representatives Richards, Jeskewitz and Cullen.

To committee on **Highway Safety**.

Assembly Bill 359

Relating to: inquests into deaths caused by law enforcement officers and making an appropriation.

By Representatives A. Williams, Colon, Young, Fields, Grigsby, Turner, Schneider, Travis and Toles; cosponsored by Senator Taylor.

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

Assembly Bill 360

Relating to: the residence of sex offenders.

By Representatives Sheridan, Berceau, Kaufert, Hines and Pridemore; cosponsored by Senators Robson, Hansen and Leibham.

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

Assembly Bill 361

Relating to: minimum age for qualifying for a retirement annuity under the Wisconsin Retirement System.

By Representatives Hahn, Hines, Ainsworth, Van Roy, F. Lasee, Nischke and Ballweg; cosponsored by Senators A. Lasee and Reynolds.

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

Assembly Bill 362

Relating to: services provided by a special education program.

By Representatives Towns, Kestell, Hundertmark, Townsend, Nischke, Hahn, Gronemus, Musser, Ott, Gunderson, Underheim, M. Williams, Vrakas and Kreibich; cosponsored by Senators Olsen, Darling, Reynolds, Lassa and Roessler.

To committee on **Education**.

Assembly Bill 363

Relating to: coverage under a liability insurance policy for owners of dogs.

By Representatives Lehman, Hahn and Mursau.

To committee on **Insurance**.

Assembly Bill 364

Relating to: causing injury or death while operating a vehicle after suspension or revocation of an operating privilege and providing a penalty.

By Representatives Lehman, Berceau, Davis, Hines, Kerkman, Nass, Pope–Roberts, Sheridan, Turner, Vos and Zepnick; cosponsored by Senators Stepp, A. Lasee and Roessler.

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

Assembly Bill 365

Relating to: traffic control signal emergency preemption devices, and providing a penalty.

By Representatives Van Roy, Gronemus, Bies, Davis, Krawczyk, Ainsworth, Hines, LeMahieu, Owens, Mursau, Ott, Nass, Gunderson, Petrowski, Townsend, Albers, Vrakas and Pridemore; cosponsored by Senators Olsen, Hansen, Roessler and Lassa.

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

COMMITTEE REPORTS

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

Assembly Bill 84

Relating to: the number of school days required each school term.

Passage:

Ayes: 9 – Representatives Towns, Kestell, Hundertmark, Townsend, Hines, Davis, Lehman, Ziegelbauer and Van Akkeren.

Noes: 2 – Representatives Nass and Pope–Roberts.

To committee on **Rules**.

Assembly Bill 167

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

Assembly Amendment 1 adoption:

Ayes: 10 – Representatives Towns, Kestell, Nass, Hundertmark, Townsend, Hines, Davis, Lehman, Pope–Roberts and Van Akkeren.

Noes: 1 – Representative Ziegelbauer.

Passage as amended:

Ayes: 11 – Representatives Towns, Kestell, Nass, Hundertmark, Townsend, Hines, Davis, Lehman, Ziegelbauer, Pope–Roberts and Van Akkeren.

Noes: 0.

To committee on **Rules**.

DEBRA TOWNS
Chairperson
Committee on Education

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

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.

Passage:

Ayes: 6 – Representatives LeMahieu, Pridemore, Gunderson, Lothian, Gottlieb and Berceau.

Noes: 2 – Representatives Fields and Parisi.

To committee on **Rules**.

DANIEL LEMAHIEU
Chairperson
Committee on Urban and Local Affairs

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 147

ACTION ON THE SENATE MESSAGE

Senate Bill 147

Relating to: preemption of city, village, town, or county living wage ordinances.

By Senators A. Lasee and Schultz.

To committee on **Labor**.

REFERENCE BUREAU CORRECTIONS

Assembly Joint Resolution 25

In enrolling, the following correction was made:

1. Page 3, line 9: substitute “Warnecke” for “Warneke”.

ENROLLED JOINT RESOLUTIONS

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

Assembly Joint Resolution 5
Assembly Joint Resolution 20
Assembly Joint Resolution 23
Assembly Joint Resolution 25

Assembly Joint Resolution 27

PATRICK E. FULLER
Assembly Chief Clerk

COMMUNICATIONS

April 19, 2005

Patrick Fuller
Assembly Chief Clerk
208 Risser Justice Building
Madison, WI 53703

Dear Patrick:

This letter is to notify you that I wish to be removed as a co-sponsor of Assembly Bill 265.

If you have any questions regarding this matter, please feel free to contact me at anytime.

Sincerely,
JULIE LASSA
State Senate
24th Senate District

April 22, 2005

Chief Clerk Fuller
Risser Justice Center
Room 208
Madison, WI 53703

Dear Chief Clerk Fuller:

Please add me as a co-sponsor to Assembly Bill 235, relating to designating and marking STH 173 as the 173rd Airborne Brigade Highway.

Regards,
ANDY LAMB
29th Assembly District

April 22, 2005

Patrick Fuller
Assembly Chief Clerk
208 Risser Justice Building
Madison, WI 53703

Dear Mr. Fuller:

Please remove my name from the list of co-sponsors of 2005 Assembly Bill 171.

Sincerely,
JOHN F. TOWNSEND
Wisconsin State Representative
52nd Assembly District

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Public Instruction
Madison

March 21, 2005

To the Honorable, the Legislature:

The annual report on the status of the Preschool-to-Grade Five (P-5) has been submitted to the Joint Committee on Finance and is submitted to you for referral to the appropriate standing committees pursuant to s. [115.45 \(6\)](#), Wis. Stats.

All P-5 school district evaluation reports for 2003-04 are contained herein, reporting on the academic progress for all schools funded by the P-5 program. If you have any questions, please contact my office or Sandra J. Dercole in the DPI Office of Urban Education (414-227-4942).

Sincerely,
ELIZABETH BURMASTER
State Superintendent

Referred to committee on **Education**.

State of Wisconsin
Building Commission
Madison

April 5, 2005

To the Honorable, the Assembly:

As required under s 13.48 (7), the State of Wisconsin Building Commission must submit its Biennial State Building Program Recommendations to the Joint Committee on Finance by the first Tuesday in April of each odd-numbered year.

The Building Commission adopted recommendations on March 18, 2005. Attached is a PDF file with the Building Commission's 2005-07 Recommendations. Please distribute this file to Members of the Assembly.

Also attached is the report required under Section [13.48 \(2\)\(e\)](#)1 which should also be distributed to Members of the Assembly.

The statutory language required to include the recommendations in the Biennial Budget Bill has been forwarded to the Joint Committee on Finance. Thank you for distributing these reports and please contact me if you have any questions.

Sincerely,
PETER MATERNOWSKI
Division of State Facilities

Referred to committee on **Government Operations and Spending Limitations**.

State of Wisconsin
Department of Health and Family Services
Madison

April 13, 2005

To the Honorable, the Legislature:

1999 Wis. Act 113 established requirements intended to strengthen protections for children from harmful lead exposures in their homes. The provisions require, among other things, that the Department develop and maintain a statewide registry of lead-free and lead-safe housing, develop the standards that properties must meet to be certified lead-free or lead-safe, and implement the voluntary and mandatory provisions of the registry.

Attached is the final report to the legislature, as required by 1999 Wisconsin Act 113, Section 32, (9c)(a), that provides the required facts about activities related to reducing lead-based paint hazards in residential property. The report includes evaluations of the successes or failures of Act 113 and rules promulgated under Act 113, in reducing the incidence of lead poisoning in children. The report also provides recommendations for statutory language changes needed to further the goal of eliminating childhood lead poisoning in Wisconsin.

Questions about this report may be referred to Shelley Bruce with the Division of Public Health, at 608-267-0928.

Sincerely,
HELENE NELSON
Secretary

Referred to committee on **Housing**.

State of Wisconsin
University of Wisconsin System
Madison

DATE: April 14, 2005

TO: Patrick E. Fuller
Assembly Chief Clerk

FROM: Kevin P. Reilly, President

RE: Annual Minority and Disadvantaged Student Report, pursuant to Section 36.25 (14m)(c) of the Wisconsin Statutes

Each April, the UW System submits the Annual Minority and Disadvantaged Student Report to the Governor and the Chief Clerk of each house of the Legislature, as required by Wisconsin Statutes. The 2003-04 Minority and Disadvantaged Student Annual Report fulfills the requirement in Section 36.25 (14m)(c) of the Wisconsin State Statutes that the Board of Regents report annually by April 15 on its pre-college, recruitment, and retention plan for multicultural and economically disadvantaged students. This is the sixth minority and disadvantaged student annual report under the Board of Regents-approved *Plan 2008: Educational Quality through Racial and Ethnic Diversity*. The information contained in this report responds to the statutory requirement, and reflects some, but not all, of the initiatives and activities in Plan 2008.

At its meeting on April 8, 2005, the Board of Regents accepted the attached report for submission to the Governor and the Chief Clerk of each house of the Legislature for distribution to the appropriate standing committees under s. 13.172 (3). The attached report fulfills the requirements of this statute.

Referred to committee on **Colleges and Universities**.

State of Wisconsin
Department of Health and Family Services
Madison

April 15, 2005

To the Honorable, the Assembly:

The Department of Health and Family Services is pleased to submit to the Governor and the Legislature the Wisconsin Tobacco Prevention and Control Program 2005 Annual Report. The report is required by 2003 Wisconsin Act 33, Senate Bill 44, Section 2462, 255.15 (4).

Sincerely,
HELENE NELSON
Secretary

Referred to committee on **Health**.