



STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

WEDNESDAY, April 27, 2005

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

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 49** offered by Representative Nass.

Assembly amendment 1 to **Assembly Bill 75** offered by committee on **Small Business**.

Assembly amendment 1 to **Assembly Bill 245** offered by committee on **Rural Affairs and Renewable Energy**.

Assembly substitute amendment 1 to **Assembly Bill 254** offered by Representatives Friske and Mursau.

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

Assembly amendment 1 to **Assembly Bill 266** offered by committee on **Rural Affairs and Renewable Energy**.

Assembly amendment 1 to **Assembly Bill 295** offered by committee on **Rural Affairs and Renewable Energy**.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 14

Relating to: asking the Wisconsin technical college system and the University of Wisconsin System to collaborate to reduce the nursing shortage and reduce the shortage of other health care occupation professionals.

By Representatives Wieckert, Nischke, Jeskewitz, Gronemus, Pettis, Ainsworth, Ott, Gunderson, Petrowski, Vos, Stone, Hines, Musser and Hahn.

To committee on **Colleges and Universities**.

Assembly Joint Resolution 31

Relating to: terms of office members of the senate and assembly (first consideration).

By Representatives Schneider, Jeskewitz, Hines, Ainsworth, Hahn and Musser.

To committee on **Campaigns and Elections**.

Assembly Joint Resolution 32

Relating to: calling on the governors of the United States to reject plans to privatize Social Security by cutting Social Security's guaranteed benefits and diverting money out of Social Security into private investment accounts and further calling on the governors to favor repaying to the Social Security trust fund the moneys taken and spent for other purposes.

By Representatives Nelson, Richards, Turner, Vruwink, Sherman, Pope-Roberts, Seidel, Kessler, Benedict, Black, Lehman, Berceau, Molepske, Kreuser, Krusick, Gronemus, Colon, Hebl, Wasserman, Pocan, Fields, Zepnick, Parisi, Shilling, Sheridan, Steinbrink, Young, Cullen, Hubler, Boyle, Staskunas, Van Akkeren, Schneider, Travis, A. Williams, Grigsby and Toles.

To committee on **State Affairs**.

Assembly Joint Resolution 33

Relating to: the life and service of George Watts.

By Representatives Gottlieb and Richards; cosponsored by Senator Grothman.

To committee on **Rules**.

Assembly Bill 366

Relating to: authorizing the creation of neighborhood improvement districts.

By Representatives Richards, Stone, Fields, Jensen, Grigsby, Vos, Seidel, Hines and Berceau; cosponsored by Senators Stepp, Taylor, Darling and Roessler.

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

Assembly Bill 367

Relating to: prohibiting an employer from requiring an employee to solicit customers to apply for issuance of a seller credit card.

By Representatives Schneider and Sheridan.

To committee on **Labor**.

Assembly Bill 368

Relating to: requiring the group insurance board to offer prepaid legal services insurance benefits to state employees and granting rule-making authority.

By Representative Schneider.

To committee on **Insurance**.

Assembly Bill 369

Relating to: extending the State Employment Labor Relations Act to certain legislative employees.

By Representatives Schneider, Black, Travis, Lehman, Pocan and Boyle.

To committee on **Labor**.

Assembly Bill 370

Relating to: limiting the authority of local governments to enact and enforce ordinances or resolutions that impose fees on the purchase or installation of fixtures.

By Representatives Schneider, Musser and Albers.

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

Assembly Bill 371

Relating to: the sales tax and the use tax on purchases made with a manufacturer's rebate.

By Representatives Schneider, Wasserman, Jensen and Albers.

To committee on **Ways and Means**.

Assembly Bill 372

Relating to: smoking in restaurants, taverns, and offices.

By Representatives Schneider and Lehman; cosponsored by Senator Darling.

To committee on **State Affairs**.

Assembly Bill 373

Relating to: maintaining records of certain driving offenses related to operating a motor vehicle while intoxicated.

By Representatives Schneider and Hines.

To committee on **Transportation**.

Assembly Bill 374

Relating to: adult school crossing guards signaling traffic to stop at school crossings.

By Representatives Schneider and Seidel.

To committee on **Transportation**.

Assembly Bill 375

Relating to: the operation of all-terrain vehicles on highways for the purpose of certain types of access.

By Representatives Mursau, Gard, Ainsworth, Albers, Gunderson, Hines, Kaufert, Kleefisch, F. Lasee, Loeffelholz, McCormick, Montgomery, Musser, Ott, Owens, Petrowski, Pettis and Townsend; cosponsored by Senators Reynolds, Stepp and Grothman.

To committee on **Highway Safety**.

Assembly Bill 376

Relating to: immunity from civil liability for providing safety services related to the inspection and installation of child safety restraint systems in motor vehicles.

By Representatives Lamb, Kreibich, Gard, Kerkman, Jensen, Sheridan, Freese, Ward, Vos, Ainsworth, Musser, Lothian, Bies, Krawczyk, Van Roy, Hines, Vrakas, Mursau, Ott, Townsend and Petrowski; cosponsored by Senators Stepp, Lassa, Roessler, Grothman, Reynolds, Leibham and Cowles.

To committee on **Judiciary**.

Assembly Bill 377

Relating to: absentee balloting by certain military electors.

By Representatives Davis, Freese, Gard, Gundrum, Friske, Vos, Towns, Jensen, Hines, Vrakas, J. Fitzgerald, Pridemore, M. Williams, Moulton, Lamb, Kleefisch, Strachota, Musser, Kestell, Albers, Hundertmark, Ott, Mursau, Nischke, Van Roy, McCormick, Suder and Kreibich; cosponsored by Senators Leibham, Zien, Brown and Erpenbach.

To committee on **Campaigns and Elections**.

Assembly Bill 378

Relating to: college reenrollment of persons called into active military service.

By Representatives Musser, Gard, Kreibich, Ballweg, Nass, Towns, Boyle, Pettis, Petrowski, J. Fitzgerald, Pridemore, Van Roy, Gunderson, Ainsworth, LeMahieu, Hahn, Cullen, Krawczyk, Vos, Owens, Bies, Freese, Gundrum, Wood, Hines, Davis, McCormick, Albers, Ott, Hundertmark, Pocan and Suder; cosponsored by Senators Kedzie, Leibham, Breske, Darling, Hansen, Lassa, Roessler and Grothman.

To committee on **Military Affairs**.

Assembly Bill 379

Relating to: school buses loading or unloading pupils or other authorized passengers.

By Representatives Musser, Hahn and Hines; cosponsored by Senator Darling.

To committee on **Highway Safety**.

Assembly Bill 380

Relating to: the individual income tax exemption for pay received from the federal government by members of a reserve component of the armed forces who serve on active duty.

By Representatives Musser, Boyle, Pettis, Towns, Hahn, Kerkman, Jensen, Cullen, Krawczyk, Owens, Nass, Bies, Ballweg, Freese, Gundrum, Petrowski, Hines, Davis, McCormick, Albers, Suder, Hundertmark, Gunderson, Van Roy, Moulton and Molepske; cosponsored by Senators Roessler, Leibham, Breske, Darling, Lassa and Grothman.

To committee on **Military Affairs**.

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

Assembly Bill 381

Relating to: changing penalties for hunting deer without a license and providing a penalty.

By Representatives Musser, Pettis, Bies, Petrowski, Ballweg, Boyle, Hahn, Owens, Gundrum, Suder and Hines; cosponsored by Senators A. Lasee and Grothman.

To committee on **Natural Resources**.

Assembly Bill 382

Relating to: the display of POW/MIA flags at certain Department of Transportation rest areas.

By Representatives Musser, Ainsworth, Petrowski, Gard, Hahn, Suder, Freese, Molepske, Boyle, Pettis, Davis, Pridemore, Krawczyk, Owens, Gundrum, Hundertmark, McCormick, Hines and Gunderson; cosponsored by Senators Kedzie, Stepp, Roessler and Hansen.

To committee on **Transportation**.

Assembly Bill 383

Relating to: requiring criminal history background investigations of applicants for certain state government positions.

By Representatives Kestell, LeMahieu, M. Williams, Van Roy, Jeskewitz, Hahn, Suder, Owens, Strachota, McCormick, Petrowski, Krawczyk, Ott, Nass, Gunderson, Ballweg, Lamb, Hines, Bies and Pettis; cosponsored by Senators A. Lasee, Lassa, Roessler and Lazich.

To committee on **Labor**.

Assembly Bill 384

Relating to: the transfer of natural resources approvals, preference points, and preference categories and granting rule-making authority.

By Representatives Gunderson, Kestell, Gard, Ainsworth, Albers, Ballweg, Gronemus, Hundertmark, Krawczyk, Kreibich, Lamb, F. Lasee, Lothian, McCormick, Meyer, Montgomery, Musser, Ott, Petrowski, Pettis, Pridemore, Suder, Towns, Van Roy, Vos, Vruwink and M. Williams; cosponsored by Senators Leibham, Stepp, Decker, A. Lasee and Olsen, by request of Bill Prening in memory of Brian Prening.

To committee on **Natural Resources**.

Assembly Bill 385

Relating to: designation of state agency status for certain health care providers who provide services during a state of emergency related to public health or a state of emergency declared by a city, village, or town.

By Representatives Huebsch, Nerison, Freese, Hines, Vukmir, Davis, Hahn, Musser, Krawczyk, Townsend, Ott, Owens, LeMahieu, Gunderson, Petrowski, Albers, Vrakas and Shilling; cosponsored by Senators Roessler, Kanavas, Grothman and Kapanke.

To committee on **Public Health**.

Assembly Bill 386

Relating to: the release of security interests in vehicles.

By Representatives Freese, Lamb, Turner, Hahn, Musser, Friske, Hines, Petrowski, Townsend, Lothian, Moulton, Ott, Vos, Pettis, Kreibich, Pridemore, Krawczyk, Van Roy, Suder, Vrakas and Ballweg; cosponsored by Senators Harsdorf, Olsen, Breske, Stepp and Brown.

To committee on **Financial Institutions**.

Assembly Bill 387

Relating to: eligibility of a person enrolled in a program that confers a master's degree in nursing for a loan under the Nursing Student Loan Program.

By Representatives Hundertmark, Krawczyk, Townsend, Gronemus, M. Williams, Nischke, Boyle, Ott, Musser, Wieckert, Pettis, Lehman, Albers, Hahn, Owens, Kreibich, Strachota, Hines, Lothian, Berceau, Vruwink, Petrowski, Davis, Underheim, Wasserman, Friske, Sheridan, Rhoades, Gunderson, Wood, Montgomery, Shilling, Suder, Seidel, Vrakas, McCormick and Cullen; cosponsored by Senators Stepp, Robson, Roessler, Carpenter, Miller, Risser, Wirch, Olsen, Hansen, Taylor, Harsdorf, Erpenbach, Lassa, Lazich and Darling.

To committee on **Colleges and Universities**.

Assembly Bill 388

Relating to: establishing a state waterfront development program and creating a council on that program.

By Representatives Wieckert, Krawczyk, Nischke, Vos, Townsend, Vrakas, Hines, Pridemore and Molepske; cosponsored by Senator Roessler.

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

Assembly Bill 389

Relating to: requiring the Department of Administration to study the feasibility of developing a Wisconsin brand.

By Representatives Wieckert, Owens, Hines, Pridemore, Petrowski, Ott, Townsend, Albers, Vrakas, Mursau, Stone and Jeskewitz; cosponsored by Senators Roessler and Stepp.

To committee on **State Affairs**.

Assembly Bill 390

Relating to: substitution of judges by the state in criminal cases.

By Representatives Krawczyk, Van Roy, Ott, Vos, Nass, LeMahieu, Gunderson, Hines, Owens, Ballweg, Lamb and F. Lasee; cosponsored by Senators Cowles and A. Lasee.

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

Assembly Bill 391

Relating to: compulsory financial responsibility for the operation of motor vehicles, granting rule-making authority, and providing a penalty.

By Representatives Lehman, Black, Cullen, Gunderson, Krusick, Petrowski, Seidel, Sinicki, Van Akkeren and Toles; cosponsored by Senators Wirch, Carpenter and Roessler.

To committee on **Insurance**.

Assembly Bill 392

Relating to: campaign financing, lobbying regulation, designations for the Wisconsin election campaign fund by individuals filing state income tax returns, nonrefundable income tax credits for certain donations to the Wisconsin election campaign fund, candidate time on public broadcasting television stations and public access channels, statewide voter registration, staffing of the Elections Board, providing exemptions from emergency rule procedures, granting rule-making authority, making appropriations, and providing penalties.

By Representatives Black, Pope-Roberts, Travis, Parisi, Turner, Molepske, Berceau, Lehman, Seidel and Boyle; cosponsored by Senators Erpenbach, Carpenter, Hansen, Lassa and Miller.

To committee on **Campaigns and Elections**.

Assembly Bill 393

Relating to: establishing a requirement that a petition for the recall of a city, village, town, or school district officer include a statement of the grounds that constitute cause for the recall.

By Representatives Ott, Bies, Gottlieb, Lothian, Ainsworth, Musser, Owens, Boyle, Towns, Krawczyk, Sherman, Townsend, Hahn, Jeskewitz, Hines, Loeffelholz, Kestell, Meyer and Albers; cosponsored by Senators A. Lasee, Roessler, Harsdorf and Breske.

To committee on **Campaigns and Elections**.

Assembly Bill 394

Relating to: county of placement for persons on supervised release.

By Representatives Honadel, Cullen, McCormick, Sinicki, Staskunas, Stone, Vukmir, Zepnick and Pridemore; cosponsored by Senators Plale, Carpenter, A. Lasee and Reynolds.

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

COMMITTEE REPORTS

The committee on **Criminal Justice and Homeland Security** reports and recommends:

Assembly Bill 183

Relating to: pseudoephedrine hydrochloride and other materials used to produce methamphetamine, the distribution of methamphetamine to minors, and providing penalties.

Assembly Substitute Amendment 1 adoption:

Ayes: 12 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Vukmir, Turner, Krusick, Black, Kessler and Grigsby.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Vukmir and Krusick.

Noes: 4 – Representatives Turner, Black, Kessler and Grigsby.

To committee on **Rules**.

SCOTT SUDER
Chairperson
Committee on Criminal Justice and Homeland Security

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

Assembly Bill 254

Relating to: managing state forest lands, harvesting of timber from state forest lands, emergences on state forest lands, actions against forestry operations, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority.

Assembly Substitute Amendment 1 adoption:

Ayes: 4 – Representatives Friske, Mursau, Ainsworth and Hubler.

Noes: 0.

Passage as amended:

Ayes: 3 – Representatives Friske, Mursau and Ainsworth.
Noes: 1 – Representative Hubler.

To joint committee on **Finance**.

Assembly Bill 316

Relating to: the plan period for county forest land use plans and eligibility for grants for county forest administrators and sustainable forestry.

Passage:

Ayes: 4 – Representatives Friske, Mursau, Ainsworth and Hubler.

Noes: 0.

To committee on **Rules**.

DONALD FRISKE
Chairperson
Committee on Forestry

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

Assembly Bill 49

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

Assembly Amendment 1 adoption:

Ayes: 9 – Representatives Nass, Vrakas, J. Fitzgerald, Wieckert, Hundertmark, Vos, Van Akkeren, Sinicki and Sheridan.

Noes: 0.

Passage as amended:

Ayes: 6 – Representatives Nass, Vrakas, J. Fitzgerald, Wieckert, Hundertmark and Vos.

Noes: 3 – Representatives Van Akkeren, Sinicki and Sheridan.

To committee on **Rules**.

STEPHEN NASS
Chairperson
Committee on Labor

The committee on **Rural Affairs and Renewable Energy** reports and recommends:

Assembly Bill 245

Relating to: utility aid payments based on the megawatt capacity of a wind farm.

Assembly Amendment 1 adoption:

Ayes: 8 – Representatives Hahn, M. Williams, Nerison, Freese, Albers, Ballweg, Schneider and Benedict.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Hahn, M. Williams, Nerison, Freese, Albers, Ballweg, Schneider and Benedict.

Noes: 0.

To joint committee on **Finance**.

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.

Assembly Amendment 1 adoption:

Ayes: 8 – Representatives Hahn, M. Williams, Nerison, Freese, Albers, Ballweg, Schneider and Benedict.
Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Hahn, M. Williams, Nerison, Freese, Albers, Ballweg and Schneider.
Noes: 1 – Representative Benedict.

To committee on **Rules**.

Assembly Bill 295

Relating to: the location of a town board meeting.

Assembly Amendment 1 adoption:

Ayes: 8 – Representatives Hahn, M. Williams, Nerison, Freese, Albers, Ballweg, Schneider and Benedict.
Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Hahn, M. Williams, Nerison, Freese, Ballweg, Schneider and Benedict.
Noes: 1 – Representative Albers.

To committee on **Rules**.

EUGENE HAHN
Chairperson
Committee on Rural Affairs and
Renewable Energy

The committee on **Small Business** reports and recommends:

Assembly Bill 75

Relating to: regulating the cremation of human remains, creating a Crematory Authority Council, granting rule-making authority, and providing penalties.

Assembly Amendment 1 adoption:

Ayes: 7 – Representatives Van Roy, Honadel, M. Williams, Ballweg, Sheridan, Fields and Hebl.
Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Van Roy, Honadel, M. Williams, Ballweg, Sheridan, Fields and Hebl.
Noes: 0.

To committee on **Rules**.

Assembly Bill 116

Relating to: changing the definition of industrial development project, and limiting the scope of certain projects, under the Industrial Development Law.

Passage:

Ayes: 7 – Representatives Van Roy, Honadel, M. Williams, Ballweg, Sheridan, Fields and Hebl.
Noes: 0.

To committee on **Rules**.

Assembly Bill 174

Relating to: limits on the designation of enterprise development zones.

Passage:

Ayes: 7 – Representatives Van Roy, Honadel, M. Williams, Ballweg, Sheridan, Fields and Hebl.
Noes: 0.

To committee on **Rules**.

Senate Bill 55

Relating to: limits on the designation of enterprise development zones.

Concurrence:

Ayes: 7 – Representatives Van Roy, Honadel, M. Williams, Ballweg, Sheridan, Fields and Hebl.
Noes: 0.

To committee on **Rules**.

KARL VAN ROY
Chairperson
Committee on Small Business

The committee on **State Affairs** reports and recommends:

Assembly Bill 182

Relating to: the duration of the effect of emergency rules.

Passage:

Ayes: 7 – Representatives J. Fitzgerald, Kleefisch, Musser, Gundrum, Krawczyk, Toles and Young.
Noes: 1 – Representative Benedict.

To committee on **Rules**.

JEFF FITZGERALD
Chairperson
Committee on State Affairs

The committee on **State-Federal Relations** reports and recommends:

Assembly Bill 67

Relating to: school transportation bio-diesel fuel cost assistance and making appropriations.

Assembly Substitute Amendment 1 adoption:

Ayes: 6 – Representatives Lothian, Kerkman, Montgomery, Kleefisch, Kessler and Zepnick.
Noes: 0.

Passage as amended:

Ayes: 6 – Representatives Lothian, Kerkman, Montgomery, Kleefisch, Kessler and Zepnick.
Noes: 0.

To joint committee on **Finance**.

THOMAS LOTHIAN
Chairperson
Committee on State-Federal Relations

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

Assembly Bill 240

Relating to: the immobilization, impoundment, and disposal of unregistered motor vehicles.

Passage:

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

Noes: 0.

To committee on **Rules**.

JOHN AINSWORTH
Chairperson
Committee on Transportation

The committee on **Veterans Affairs** reports and recommends:

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.

Passage:

Ayes: 7 – Representatives Loeffelholz, Musser, Townsend, Hundertmark, Bies, Sherman and Turner.

Noes: 0.

To committee on **Rules**.

GABE LOEFFELHOLZ
Chairperson
Committee on Veterans Affairs

COMMUNICATIONS

April 27, 2005

Mr. Patrick Fuller
Chief Clerk, Wisconsin State Assembly
Room 208, Risser Justice Center
17 West Main Street
Madison, WI 53708

Dear Patrick:

Pursuant to Assembly Rule [23 \(4\)](#), please message **Enrolled Assembly Bill 3** to the Office of the Governor today. If your office is unable to deliver the enrolled bill today, please notify me as soon as possible.

Sincerely,
JOHN G. GARD
Speaker

CHIEF CLERK REPORTS

The Chief Clerk records:

Assembly Bill 63

Presented to the Governor on Tuesday, April 26.

Assembly Bill 3

Assembly Bill 94

Presented to the Governor on Wednesday, April 27.

PATRICK E. FULLER
Assembly Chief Clerk