



STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

WEDNESDAY, July 27, 2005

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

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 219** offered by Representative Ainsworth.

Assembly amendment 1 to **Assembly Bill 496** offered by Representative Albers.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 576

Relating to: allowing aliens who are not legal permanent residents of the United States to pay resident tuition or fees.

By Representatives Colon, Zepnick, Young, Pocan, Sinicki, Berceau, Black, Grigsby, Lehman, Seidel, Travis, Turner, Fields, Parisi and Toles; cosponsored by Senator Risser.

To committee on **Colleges and Universities**.

Assembly Bill 577

Relating to: creating an individual income tax checkoff for donations to the fire fighters memorial.

By Representatives Schneider, Sinicki and Sheridan; cosponsored by Senators Wirch and Roessler.

To committee on **Ways and Means**.

Assembly Bill 578

Relating to: rights of University of Wisconsin System students, adopting maximum weight standards for pupil textbooks, and contracts that grant naming rights.

By Representatives Schneider and Kreibich.

To committee on **Colleges and Universities**.

Assembly Bill 579

Relating to: appointment to limited term and project positions in the state civil service.

By Representatives Albers, Musser, Berceau, Pettis, Boyle, Ainsworth, Hahn, Kreibich, Hines, Owens, Ott,

Townsend, Ballweg, McCormick, Strachota and Molepske; cosponsored by Senators Lassa and Roessler.

To committee on **State Affairs**.

Assembly Bill 580

Relating to: expanding the property tax exemption for property held in trust for the public interest to include activities related to improving or stabilizing fish populations.

By Representatives Townsend, Gunderson, Hines, Kleefisch, Ott, Sheridan and Van Roy; cosponsored by Senators Roessler and Wirch.

To committee on **Natural Resources**.

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

Assembly Bill 581

Relating to: licensing, vehicle identification, and record-keeping requirements for wholesale fish dealers and commercial fishers, inspections of wholesale fish dealer and commercial fisher records and premises, commercial fishing boats, periods when a commercial fisher may fish on the waters of Green Bay, the sale and purchase of eggs from certain trout and salmon, commercial fishing approval fees, seizure of certain fishing devices, access to places used to store or retain wild animals, establishing a commercial fish reporting system, imposing certain surcharges, providing an exemption from emergency rule procedures, extending the time limit for emergency rule procedures, making an appropriation, and providing penalties.

By Representatives Bies, Hines, Kaufert, Krawczyk, McCormick, Ott, Petrowski, Townsend and Van Roy; cosponsored by Senator A. Lasee, by request of Department of Natural Resources.

To committee on **Natural Resources**.

Assembly Bill 582

Relating to: fees for deferred prosecution programs.

By Representatives Schneider and Kessler.

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

Assembly Bill 583

Relating to: terms and conditions of gift certificates, gift cards, and other gift obligations and providing a penalty.

By Representatives Krusick, Jeskewitz, Ainsworth, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Fields, Freese, Gielow, Grigsby, Gronemus, Hahn, Hines, Hubler, Kerkman, Kleefisch, Kreibich, Kreuser, F. Lasee, Lehman, Loeffelholz, Lothian, Molepske, Montgomery, Mursau, Nelson, Parisi, Petrowski, Pettis, Pocan, Pope-Roberts, Pridemore, Richards, Schneider, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Suder, Toles,

Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Wasserman, A. Williams, Wood, Young and Zepnick; cosponsored by Senators Harsdorf, Breske, Brown, Carpenter, Coggs, Darling, Decker, Ellis, Erpenbach, Hansen, Jauch, Kanavas, Kapanke, A. Lasee, Lassa, Olsen, Plale, Risser, Robson, Roessler, Taylor and Wirch.

To committee on **Small Business**.

Assembly Bill 584

Relating to: referenda to exceed a school district's revenue limit.

By Representatives Albers, Musser, Nass, Hines, Ainsworth and Vos; cosponsored by Senator Grothman.

To committee on **Education**.

Assembly Bill 585

Relating to: a sales and use tax exemption for energy efficient equipment.

By Representatives Parisi, Zepnick, Hines, Black, Molepske and Turner; cosponsored by Senators Wirch and Risser.

To committee on **Energy and Utilities**.

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

COMMITTEE REPORTS

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

Assembly Bill 269

Relating to: prescription drug labels.

Assembly Amendment 1 adoption:

Ayes: 10 – Representatives Underheim, Vukmir, Gielow, Hundertmark, Strachota, Moulton, Wasserman, Shilling, Vruwink and Nelson.

Noes: 0.

Passage as amended:

Ayes: 10 – Representatives Underheim, Vukmir, Gielow, Hundertmark, Strachota, Moulton, Wasserman, Shilling, Vruwink and Nelson.

Noes: 0.

To committee on **Rules**.

GREGG UNDERHEIM
Chairperson
Committee on Health

The committee on **Natural Resources** reports and recommends:

Assembly Bill 470

Relating to: regulating the possession of Asian carp.

Passage:

Ayes: 11 – Representatives Gunderson, Moulton, Ott, Pettis, Bies, M. Williams, Petrowski, Gronemus, Steinbrink, Van Akkeren and Molepske.

Noes: 0.

To committee on **Rules**.

SCOTT GUNDERSON
Chairperson
Committee on Natural Resources

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

Assembly Bill 265

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

Assembly Amendment 1 adoption:

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

Noes: 1 – Representative Hebl.

Assembly Amendment 2 adoption:

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

Noes: 1 – Representative Hebl.

Passage as amended:

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

Noes: 1 – Representative Hebl.

To committee on **Rules**.

SHERYL ALBERS
Chairperson
Committee on Property Rights and Land Management

The committee on **Ways and Means** reports and recommends:

Assembly Bill 106

Relating to: expanding the individual income tax deduction for college tuition expenses.

Assembly Amendment 2 adoption:

Ayes: 12 – Representatives Wood, Nass, Hahn, Jeskewitz, Kerkman, Lothian, Strachota, Pridemore, Berceau, Ziegelbauer, Toles and Fields.

Noes: 0.

Passage as amended:

Ayes: 12 – Representatives Wood, Nass, Hahn, Jeskewitz, Kerkman, Lothian, Strachota, Pridemore, Berceau, Ziegelbauer, Toles and Fields.

Noes: 0.

JEFFREY WOOD
Chairperson
Committee on Ways and Means

COMMUNICATIONS

State of Wisconsin
Office of the Secretary of State
Madison

Representative Fred Kessler will be unable to attend the meeting, therefore, Representative Mark Pocan will be sitting in his place.

Sincerely,
JIM KREUSER
Assembly Democratic Leader

To Whom It May Concern:

July 21, 2005

Acts, Joint Resolutions and Resolutions deposited in this office have been numbered and published as follows:

<u>Bill Number</u>	<u>Act Number</u>	<u>Publication Date</u>
AB 100 (in part) 25 July 26, 2005

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

Patrick E. Fuller, Assembly Chief Clerk
17 W. Main Street, Room 208
P.O. Box 8952
Madison, WI 53708-8952

Dear Chief Clerk Fuller:

I would like to request that my name be added as a co-sponsor to Assembly Bill 558.

Thank you for your assistance. Please contact me if you have any questions.

SPEAKER'S COMMUNICATIONS

July 21, 2005

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

Sincerely,
RON BROWN
State Senator
31st Senate District

July 25, 2005

Dear Patrick:

Pursuant to Wisconsin Statute Section [13.55 \(1\)\(b\)](#) and [2005 Act 23](#), I have appointed Wisconsin State Supreme Court Justice David Prosser to the Commission on Uniform State Laws for a term effective immediately.

Sincerely,
JOHN G. GARD
Speaker

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

Dear Mr. Fuller:

I was excused from session on July 20, 2005 and was unable to vote. I am writing to inform you of how I would have cast my vote had I been in attendance. Please include this information in the Assembly Journal.

I would have voted "**Aye**" on concurrence of the following proposals:

- Senate Bill 261
- Senate Bill 262
- Senate Bill 263
- Senate Bill 264
- Senate Bill 265

Additionally, I would have voted "**Aye**" on adoption of the following proposal:
Assembly Resolution 36

Thank you for your time and attention in this matter. If you have any questions or concerns please feel free to contact me.

Sincerely,
ANTHONY J. STASKUNAS
State Representative
15th Assembly District

COMMUNICATIONS

July 21, 2005

Speaker John Gard
211 West, State Capitol

Representative Stephen Freese
115 West, State Capitol

Dear Speaker Gard and Representative Freese:

Today at 10:43 A.M., Assembly Democrats on the Campaigns and Elections Committee were notified that the committee would be meeting tomorrow at 10:30 A.M. to take action on [Clearinghouse Rule 05-027](#)

July 25, 2005

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Room 208
Madison, WI 53702

Dear Patrick:

Please find below a list of votes I would have cast had I been present for the Natural Resources Executive Session on Wednesday, July 20 for you to record in the Assembly Journal.

Assembly Bill 26:

Moved by Rep. Ott, seconded by Rep. Gunderson that assembly amendment 1 to assembly substitute amendment 1 be recommended for adoption. **“Aye”**

Moved by Rep. Ott, seconded by Rep. Pettis that assembly substitute amendment 1 be recommended for adoption. **“Aye”**

Moved by Rep. Gunderson, seconded by Rep. Ott that Assembly Bill 26 be recommended for passage as amended. **“Aye”**

Assembly Bill 470

Moved by Rep. Gunderson, seconded by Rep. Petrowski that Assembly Bill 470 be recommended for passage. **“Aye”**

Thank you in advance for your assistance with this matter.

Sincerely,
GARY HEBL
State Representative
46th Assembly District

July 25, 2005

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Room 208
Madison, WI 53702

Dear Patrick:

Please find below a list of votes I would have cast had I been present for the Ways & Means Executive Session on Wednesday, July 20 for you to record in the Assembly Journal.

Assembly Bill 106:

Moved by Rep. Ziegelbauer, seconded by Rep. Nass that assembly amendment 2 be recommended for adoption. **“Aye”**

Moved by Rep. Wood, seconded by Rep. Nass that Assembly Bill 106 be recommended for passage as amended. **“Aye”**

Thank you in advance for your assistance with this matter.

Sincerely,
GARY HEBL
State Representative
46th Assembly District

July 25, 2005

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Room 208
Madison, WI 53702

Dear Patrick:

Please find below a list of votes I would have cast had I been present for session on Wednesday, July 20 for you to record.

Senate Bill 261 having been read three times, shall the bill be concurred in? **“Aye”**

Senate Bill 262 having been read three times, shall the bill be concurred in? **“Aye”**

Senate Bill 263 having been read three times, shall the bill be concurred in? **“Aye”**

Senate Bill 264 having been read three times, shall the bill be concurred in? **“Aye”**

Senate Bill 265 having been read three times, shall the bill be concurred in? **“Aye”**

Shall Assembly Resolution 36 be adopted? **“Aye”**

Thank you in advance for your assistance in this matter.

Sincerely,
GARY HEBL
State Representative
46th Assembly District

July 27, 2005

Patrick Fuller, Assembly Chief Clerk
17 West Main Street, Room 208
Madison, WI 53708-8952

Dear Patrick:

I am interested in co-sponsoring Assembly Bill 482 offered by Representative Samantha Kerkman. If you would please add my name as a co-sponsor that would be much appreciated.

Sincerely,
JASON M. FIELDS
State Representative
11th Assembly District

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Health and Family Services
Madison

June 30, 2005

To the Honorable, the Assembly:

I am proud to submit, as required by s. 252.04 (11), Wis. Stats., the Wisconsin Immunization Program Annual Report. The State has made important progress towards attaining the goals in Governor Doyle's KidsFirst Initiative and the Healthiest Wisconsin 2010.

I am pleased with the progress Wisconsin is making in raising immunization rates. At the same time, we cannot, and we will not, rest on our success. We are committed to working with our partners in both the public and private sector to ensure that vaccine preventable diseases become and remain a thing of the past. Our children need and deserve the healthiest state in which to live, and our best efforts to protect them from preventable illness.

Sincerely,
HELENE NELSON
Secretary

Referred to committee on **Public Health**.

Wisconsin Hospital Association
2003 Health Care Data Report
Madison

July 7, 2005

To the Honorable, the Assembly:

Enclosed is a hard copy of the 2003 Health Care Data Report produced by WHA Information Center pursuant to s. 153.22, Wis. Stats. The report was posted on our Web site in February 2005. Please feel free to download and print additional copies.

If you have any questions regarding the report you may contact me at 608-274-1820, 800-231-8340 or jkachelski@wha.org.

Sincerely,
JOSEPH KACHELSKI
Vice President, WHA Information Center

Referred to committee on **Health**.

Wisconsin Hospital Association
2003 Uncompensated Health Care Report
Madison

July 13, 2005

To the Honorable, the Assembly:

Enclosed is a hard copy of the fiscal year 2003 Uncompensated Health Care Report produced by WHA Information Center pursuant to s. 153.22, Wis. Stats. The report was posted on our Web site in May 2005. Please feel free to download and print additional copies.

If you have any questions regarding the report you may contact me at 608-274-1820, 800-231-8340 or jkachelski@wha.org.

Sincerely,
JOSEPH KACHELSKI
Vice President, WHA Information Center

Referred to committee on **Health**.

State of Wisconsin
Department of Administration
Madison

July 15, 2005

To the Honorable, the Legislature:

Included with this correspondence, I am submitting the reports from the Department of Administration, Division of Gaming (Gaming), for the third quarter of fiscal year 2005 (January 1, 2005 through March 31, 2005) and the fourth quarter of fiscal year 2005 (April 1, 2005 through June 30, 2005). As required by s. 562.02 (1)(g), Wis. Stats., the attached materials contain pari-mutuel wagering and racing statistical information, as well as the revenues for the program areas of Racing, Charitable Gaming, Bingo and Indian Gaming.

If you have any questions or comments regarding this report, please do not hesitate to contact Rachel Meek at (608) 270-2535.

Sincerely,
RICHARD PEDERSEN
Director of Racing and Support Services

Referred to committee on **State Affairs**.

State of Wisconsin
Department of Health and Family Services
Madison

July 20, 2005

To the Honorable, the Legislature:

I am submitting, as required by s. 253.115 of the Wisconsin Statutes, the Department's annual report on the status of Universal Newborn Hearing Screening (UNHS) in Wisconsin. I am pleased to note that in 2004 Wisconsin

hospitals have exceeded the legislative directive that at least 88% of all deliveries be performed in hospitals with a UNHS program. In 2004, 99.9% of all Wisconsin babies were born in hospitals with a universal newborn hearing screening program. Including children born at home, 96.3% of all Wisconsin newborns were screened for hearing disorders in 2004.

All of these efforts support Governor Doyle's goals, as articulated in his KidsFirst Agenda, of improving the health of all children in Wisconsin. The Department looks forward to continuing to provide a sound beginning for Wisconsin babies.

Sincerely,
HELENE NELSON
Secretary

Referred to committee on **Children and Families**.

AGENCY REPORTS

State of Wisconsin
Southeast Wisconsin Professional
Baseball Park District
Milwaukee

July 13, 2005

To the Honorable, the Legislature:

On behalf of the Board of Directors of the Southeast

Wisconsin Progressional Baseball Park District, I am pleased to submit the following documents for your review and use:

1. Financial Statements – Independent Auditor's Report for Year Ended December 31, 2004 (approved at the meeting of the Board of Directors on July 16, 2005).
2. Miller Park Sunset Date Professional (approved at the meeting of the Board of Directors on July 16, 2005).
3. Independent Accountant's Report Regarding Miller Park Construction Project (approved at the meeting of the Finance Committee on July 11, 2005).

The above reports indicate that the Southeast Wisconsin Professional Baseball Park District Board of Directors has consistently protected the taxpayers of the five-county District, and continues to do so.

Thank you for your assistance and cooperation. Please feel free to contact me if you should have any questions or should you desire more information.

Very truly yours,
MICHAEL R. DUCKETT, P.E., R.L.S.
Executive Director