



# STATE OF WISCONSIN

# Assembly Journal

## Ninety-Seventh Regular Session

MONDAY, September 26, 2005

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

### AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 383** offered by Representatives Kestell and Nass.

Assembly amendment 1 to **Assembly Bill 656** offered by committee on **Property Rights and Land Management**.

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 56**

Relating to: the veto procedure for appropriation bills (first consideration).

By Representatives Black, Travis, Lehman, Ziegelbauer and Hubler; cosponsored by Senator Risser.

To committee on **Judiciary**.

#### **Assembly Joint Resolution 57**

Relating to: proclaiming that October 5, in perpetuity, be recognized and celebrated as Robin L. Ahrens Day.

By Representative Rhoades; cosponsored by Senator Harsdorf.

To committee on **Rules**.

#### **Assembly Bill 686**

Relating to: permitting two or more employers engaged in the logging industry to pool their worker's compensation liabilities for purposes of operating as self-insurers and requiring the establishment of separate classifications and worker's compensation insurance rates for mechanized logging operations and for manual logging operations.

By Representatives Mursau, Friske, Gard, Ainsworth, Albers, Gronemus, Gunderson, Hahn, Hubler, McCormick, Montgomery, Musser, Nerison, Ott, Owens, Petrowski, Pettis, Suder, Townsend, M. Williams and Krawczyk; cosponsored by Senators Kapanke, Breske, Brown, Grothman, Hansen, A. Lasee and Roessler.

To committee on **Forestry**.

#### **Assembly Bill 687**

Relating to: interstate shipments of wine to individuals.

By Representatives Jensen, Rhoades, Underheim, Nischke, Loeffelholz, Vos, Hines, Lothian, Gronemus, Bies, Petrowski, Gunderson, Albers, Hahn, F. Lasee and Suder; cosponsored by Senators Cowles, Reynolds and Breske.

To committee on **State Affairs**.

#### **Assembly Bill 688**

Relating to: the age at which an adoptee may obtain identifying information about his or her birth parents.

By Representatives Freese, Jeskewitz, Grigsby, Kerkman, Ballweg, Travis, LeMahieu, F. Lasee, Lehman, Wood, Hahn, Hines, Sheridan, Kreibich, Pridemore, Ott and Berceau; cosponsored by Senators Kedzie, Lassa, Darling, Erpenbach, Taylor, Reynolds and Cowles.

To committee on **Family Law**.

#### **Assembly Bill 689**

Relating to: use of preferential voting to determine the results of elections for local offices and granting rule-making authority.

By Representatives Pocan, Berceau, Wood and Zepnick; cosponsored by Senators Miller and Hansen.

To committee on **Campaigns and Elections**.

#### **Assembly Bill 690**

Relating to: providing instruction in human growth and development.

By Representatives Grigsby, Benedict, Berceau, Black, Fields, Kessler, Pocan, Seidel, Sheridan, Sinicki, Travis, Wasserman and Young; cosponsored by Senators Taylor, Risser, Plale and Erpenbach.

To committee on **Education**.

#### **Assembly Bill 691**

Relating to: providing notice of abstinence only education.

By Representatives Grigsby, Benedict, Berceau, Black, Boyle, Fields, Pocan, Pope-Roberts, Seidel, Sheridan, Sinicki, Travis, Wasserman and Young; cosponsored by Senators Taylor and Risser.

To committee on **Education**.

#### **Assembly Bill 692**

Relating to: the sale and distribution of elastic yo-yos and providing a penalty.

By Representatives Vruwink, Seidel, Hahn and Berceau; cosponsored by Senators Lassa and Roessler.

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

#### **Assembly Bill 693**

Relating to: school board approval of subdivision plats.

By Representatives Schneider and Berceau.

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

#### **Assembly Bill 694**

Relating to: prohibiting persons convicted of certain felonies from providing martial arts instruction to minors.

By Representative Schneider.

To committee on **Labor**.

#### **Assembly Bill 695**

Relating to: the requirement that motor vehicles be equipped with safety glass.

By Representatives Schneider, Stone, Musser, Gunderson and Hahn.

To committee on **Highway Safety**.

#### **Assembly Bill 696**

Relating to: the issuance of citations by humane officers.

By Representatives Schneider and Ainsworth.

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

#### **Assembly Bill 697**

Relating to: denying tax benefits to financial institutions that violate the state or federal soldiers' relief act.

By Representatives Schneider and Musser.

To committee on **Financial Institutions**.

#### **Assembly Bill 698**

Relating to: the enrollment of the charter school established by the University of Wisconsin–Parkside.

By Representatives Vos, Vukmir, Jensen, Kerkman, Gunderson, Albers, Jeskewitz, Kleefisch, Krawczyk, Kreibich, F. Lasee, McCormick, Nass, Owens, Pridemore, Strachota, Towns and Underheim; cosponsored by Senators Stepp, Darling, Grothman, Kanavas, A. Lasee and Reynolds.

To committee on **Education Reform**.

#### **Assembly Bill 699**

Relating to: the establishment of medium security correctional institutions on the grounds of the Lincoln Hills School, the Ethan Allen School, and the Southern Oaks Girls School; authorization for the Department of Corrections to set the youth aids daily rates for care of a juvenile in a secured correctional facility or a treatment facility; and making an appropriation.

By Representatives Friske, Gundrum, Fields, Hahn, Albers, Townsend, Krawczyk, McCormick and Petrowski; cosponsored by Senators Grothman and Decker.

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

#### **Assembly Bill 700**

Relating to: creating the Autism Scholarship Program and granting rule-making authority.

By Representatives Rhoades, Kleefisch, Montgomery, Pettis, Albers, Musser, Seidel, Davis, Townsend, Krawczyk, Owens, Gronemus, Wood, Freese, Towns, McCormick, Gunderson, Zepnick, Mursau, Kreibich, Nischke, Hines, Kestell, Steinbrink, Pridemore, Ott and Berceau; cosponsored by Senators Kanavas, Harsdorf and Leibham.

To committee on **Education**.

#### **Assembly Bill 701**

Relating to: composition of the Board of Regents of the University of Wisconsin System.

By Representatives Rhoades, Gard, Ward, Musser, Ainsworth, Petrowski, Albers, Hines, Towns, Townsend, Krawczyk, Owens, Bies and Gunderson; cosponsored by Senators Harsdorf and A. Lasee.

To committee on **Colleges and Universities**.

#### **Assembly Bill 702**

Relating to: sexual contact or sexual intercourse involving a 16- or 17-year-old and a person who works or interacts with him or her through the person's occupation or a volunteer position and providing a penalty.

By Representatives Gundrum, Honadel, Gard, Wasserman, LeMahieu, Krawczyk, Gunderson, McCormick, Petrowski, Suder, Musser, Owens and Hines; cosponsored by Senators Lazich, A. Lasee, Brown, Leibham and Darling.

To committee on **Judiciary**.

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## **COMMITTEE REPORTS**

The joint committee on **Finance** reports and recommends:

#### **Assembly Bill 20**

Relating to: displaying attractions on highway specific information signs.

Assembly Amendment 1 adoption:

Ayes: 16 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer, Pocan and Colon; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor.

Noes: 0.

Passage as amended:

Ayes: 16 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer, Pocan and Colon; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor.

Noes: 0.

To committee on **Rules**.

#### **Assembly Bill 29**

Relating to: registration of vehicles operated exclusively by volunteer fire departments.

Assembly Amendment 1 adoption:

Ayes: 16 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer, Pocan and Colon; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor.

Noes: 0.

Passage as amended:

Ayes: 16 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer, Pocan and Colon; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor.  
Noes: 0.

To committee on **Rules**.

### **Assembly Bill 31**

Relating to: allowing an individual income tax deduction for certain amounts contributed to any section 529 college tuition program.

Assembly Substitute Amendment 1 adoption:

Ayes: 9 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades and Meyer; Senators S. Fitzgerald, Lazich and Leibham.  
Noes: 7 – Representatives Pocan and Colon; Senators Darling, Cowles, Olsen, Decker and Taylor.

Passage as amended:

Ayes: 9 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades and Meyer; Senators S. Fitzgerald, Lazich and Leibham.  
Noes: 7 – Representatives Pocan and Colon; Senators Darling, Cowles, Olsen, Decker and Taylor.

To committee on **Rules**.

### **Assembly Bill 123**

Relating to: supplementing special education funding with lapsed student achievement guarantee contract moneys and making an appropriation.

Assembly Amendment 1 to Assembly Substitute Amendment 1 adoption:

Ayes: 12 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades and Meyer; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham and Olsen.  
Noes: 4 – Representatives Pocan and Colon; Senators Decker and Taylor.

Assembly Substitute Amendment 1 adoption:

Ayes: 12 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades and Meyer; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham and Olsen.  
Noes: 4 – Representatives Pocan and Colon; Senators Decker and Taylor.

Passage as amended:

Ayes: 12 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades and Meyer; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham and Olsen.  
Noes: 4 – Representatives Pocan and Colon; Senators Decker and Taylor.

To committee on **Rules**.

### **Assembly Bill 187**

Relating to: information about real property purchased with stewardship money and public access to that property.

Assembly Substitute Amendment 1 adoption:

Ayes: 14 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer and Pocan; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen and Taylor.  
Noes: 2 – Representative Colon; Senator Decker.

Passage as amended:

Ayes: 14 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer and Pocan; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen and Taylor.  
Noes: 2 – Representative Colon; Senator Decker.

To committee on **Rules**.

### **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 Amendment 1 to Assembly Substitute Amendment 1 adoption:

Ayes: 16 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer, Pocan and Colon; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor.  
Noes: 0.

Assembly Substitute Amendment 1 adoption:

Ayes: 16 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer, Pocan and Colon; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor.  
Noes: 0.

Passage as amended:

Ayes: 16 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer, Pocan and Colon; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor.  
Noes: 0.

To committee on **Rules**.

### **Assembly Bill 262**

Relating to: a nonstock, nonprofit corporation organized by the Child Abuse and Neglect Prevention Board, the membership of that board, the grant programs administered by that board, and making appropriations.

Assembly Amendment 1 adoption:

Ayes: 16 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer, Pocan and Colon; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor.  
Noes: 0.

Passage as amended:

Ayes: 16 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer, Pocan and Colon; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor.  
Noes: 0.

To committee on **Rules**.

### **Senate Bill 68**

Relating to: supplementing special education funding with lapsed student achievement guarantee contract moneys and making an appropriation.

Assembly Amendment 1 adoption:

Ayes: 12 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades and Meyer; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham and Olsen.

Noes: 4 – Representatives Pocan and Colon; Senators Decker and Taylor.

Concurrence as amended:

Ayes: 12 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades and Meyer; Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham and Olsen.

Noes: 4 – Representatives Pocan and Colon; Senators Decker and Taylor.

To committee on **Rules**.

*DEAN KAUFERT*  
Assembly Chairperson  
Joint Committee on Finance

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

**Assembly Bill 493**

Relating to: creating an individual and corporate income tax exemption for interest on bonds or notes issued by the Wisconsin Health and Educational Facilities Authority for purposes related to the purchase of information technology equipment by health facilities.

Passage:

Ayes: 9 – Representatives Underheim, Vukmir, Wieckert, Krawczyk, Hundertmark, Strachota, Moulton, Vruwink and Benedict.

Noes: 0.

To joint committee on **Finance**.

*GREGG UNDERHEIM*  
Chairperson  
Committee on Health

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

**Assembly Bill 307**

Relating to: municipal ordinances regarding drug paraphernalia.

Passage:

Ayes: 7 – Representatives Gundrum, McCormick, Albers, Kleefisch, Staskunas, Turner and Kessler.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 354**

Relating to: garnishment of the income of a minor.

Passage:

Ayes: 6 – Representatives Gundrum, McCormick, Albers, Kleefisch, Staskunas and Kessler.

Noes: 1 – Representative Turner.

To committee on **Rules**.

**Assembly Bill 536**

Relating to: prohibiting a register of deeds from recording certain instruments that contain more than a partial social security number and providing a penalty.

Assembly Amendment 2 adoption:

Ayes: 7 – Representatives Gundrum, McCormick, Albers, Kleefisch, Staskunas, Turner and Kessler.

Noes: 0.

Assembly Amendment 3 adoption:

Ayes: 7 – Representatives Gundrum, McCormick, Albers, Kleefisch, Staskunas, Turner and Kessler.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Gundrum, McCormick, Albers, Kleefisch, Staskunas, Turner and Kessler.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 592**

Relating to: time for service of court documents in child abuse and harassment injunction cases.

Passage:

Ayes: 7 – Representatives Gundrum, McCormick, Albers, Kleefisch, Staskunas, Turner and Kessler.

Noes: 0.

To committee on **Rules**.

*MARK GUNDRUM*  
Chairperson  
Committee on Judiciary

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

**Assembly Bill 620**

Relating to: requiring notice to persons affected by zoning actions and comprehensive plans that change the allowable use of their property.

Passage:

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

Noes: 2 – Representatives Hebl and Staskunas.

To committee on **Rules**.

**Assembly Bill 656**

Relating to: determining fair market value of property taken by condemnation.

Assembly Amendment 1 adoption:

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

Noes: 2 – Representatives Hebl and Staskunas.

Passage as amended:

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

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

**Assembly Bill 141**

Relating to: lowering the legal drinking age for certain persons.

Assembly Amendment 1 adoption:

Ayes: 7 – Representatives J. Fitzgerald, Kleefisch, Musser, Gundrum, Krawczyk, Petrowski and Young.

Noes: 2 – Representatives Toles and Benedict.

Assembly Amendment 2 adoption:

Ayes: 8 – Representatives J. Fitzgerald, Kleefisch, Musser, Gundrum, Krawczyk, Petrowski, Young and Benedict.

Noes: 1 – Representative Toles.

Passage as amended:

Ayes: 7 – Representatives J. Fitzgerald, Kleefisch, Musser, Gundrum, Krawczyk, Petrowski and Young.

Noes: 2 – Representatives Toles and Benedict.

To committee on **Rules**.

*JEFF FITZGERALD*  
Chairperson  
Committee on State Affairs

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

**Assembly Bill 298**

Relating to: tourism promotion and development under room tax law.

Assembly Amendment 1 to Assembly Amendment 1 adoption:

Ayes: 12 – Representatives Pettis, Mursau, Gunderson, Hines, Van Roy, Moulton, Nerison, Ziegelbauer, Young, Van Akkeren, Seidel and Grigsby.

Noes: 0.

Assembly Amendment 1 adoption:

Ayes: 7 – Representatives Pettis, Mursau, Gunderson, Hines, Van Roy, Moulton and Nerison.

Noes: 5 – Representatives Ziegelbauer, Young, Van Akkeren, Seidel and Grigsby.

Passage as amended:

Ayes: 7 – Representatives Pettis, Mursau, Gunderson, Hines, Van Roy, Moulton and Nerison.

Noes: 5 – Representatives Ziegelbauer, Young, Van Akkeren, Seidel and Grigsby.

To joint committee on **Finance**.

*MARK PETTIS*  
Chairperson  
Committee on Tourism

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**MESSAGE FROM THE SENATE**

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

**Senate Joint Resolution 36**

Passed and asks concurrence in:

**Senate Bill 70**

**Senate Bill 99**

**Senate Bill 119**

**Senate Bill 146**

**Senate Bill 149**

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**ACTION ON THE SENATE MESSAGE**

**Senate Joint Resolution 36**

Relating to: the life and public service of Raymond Heinzen.

By Senator Lassa; cosponsored by Representative Vruwink.

To committee on **Rules**.

**Senate Bill 70**

Relating to: evidence of lay and expert witnesses.

By Senators Kanavas, Stepp, Olsen and Brown; cosponsored by Representatives Suder, Townsend, Hahn, Bies, Jensen, Hines, Van Roy, Gunderson, Ott, Albers, Hundertmark, F. Lasee, Davis, Kreibich and Lamb.

To committee on **Rules**.

**Senate Bill 99**

Relating to: the time period for service of a responsive pleading.

By Senator Kanavas; cosponsored by Representatives Gielow, J. Fitzgerald, Hines, Vos and Pridemore.

To committee on **Judiciary**.

**Senate Bill 119**

Relating to: funding for identification cards provided without charge by the Department of Transportation and making appropriations.

By Senators Lazich, Leibham, Reynolds and Darling; cosponsored by Representatives Stone, Jensen, Wood, Krawczyk, Gundrum, Nischke, Hines, Vos, Albers, Pridemore, Hahn, Townsend, LeMahieu, Ainsworth, Freese and Davis.

To committee on **Campaigns and Elections**.

**Senate Bill 146**

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

By Senators Kapanke, Brown, Cowles, A. Lasee, Olsen, Roessler and Wirch; cosponsored 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.

To committee on **Rules**.

**Senate Bill 149**

Relating to: membership of the Group Insurance Board.

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

To committee on **Rules**.

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**ENROLLED BILLS AND 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 Bill 193**

**Assembly Bill 214**

**Assembly Bill 316**

**Assembly Bill 501**

**Assembly Joint Resolution 47**

*PATRICK E. FULLER*

Assembly Chief Clerk