



STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

MONDAY, January 9, 2006

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 603** offered by Representative Kreibich.

Assembly amendment 2 to **Assembly Bill 670** offered by Representative Sherman.

Assembly amendment 1 to Assembly amendment 1 to **Assembly Bill 739** offered by Representative Gottlieb.

Assembly substitute amendment 1 to **Assembly Bill 821** offered by Representative Krusick.

Assembly amendment 1 to **Assembly Bill 881** offered by Representative Hines.

Assembly amendment 2 to **Senate Bill 272** offered by Representative Freese.

Assembly amendment 3 to **Senate Bill 310** offered by Representative Jeskewitz.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 911

Relating to: certified public accountants.

By Representatives Mursau, Montgomery, Albers, Friske, Gunderson, Hahn, Kessler, Molepske, Ott, Owens and Sherman; cosponsored by Senators Zien and Olsen.

To committee on **Small Business**.

COMMITTEE REPORTS

The committee on **Children and Families** reports and recommends:

Assembly Bill 831

Relating to: increasing birth certificate fees and making appropriations.

Passage:

Ayes: 6 – Representatives Kestell, Albers, Jeskewitz, Grigsby, Sinicki and Seidel.

Noes: 0.

To committee on **Rules**.

STEVE KESTELL

Chairperson

Committee on Children and Families

The committee on **Corrections and the Courts** reports and recommends:

Assembly Bill 705

Relating to: adding a circuit court branch in Juneau County.

Passage:

Ayes: 6 – Representatives Bies, Gundrum, Underheim, Owens, Suder and LeMahieu.

Noes: 3 – Representatives Pope–Roberts, Wasserman and Parisi.

To joint committee on **Finance**.

GAREY BIES

Chairperson

Committee on Corrections and the Courts

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

Assembly Bill 709

Relating to: licensing midwives, granting rule-making authority, and providing a penalty.

Assembly Amendment 1 adoption:

Ayes: 11 – Representatives Underheim, Gielow, Wieckert, Krawczyk, Hundertmark, Strachota, Wasserman, Shilling, Vruwink, Benedict and Nelson.

Noes: 1 – Representative Vukmir.

Assembly Amendment 2 adoption:

Ayes: 11 – Representatives Underheim, Gielow, Wieckert, Krawczyk, Hundertmark, Strachota, Wasserman, Shilling, Vruwink, Benedict and Nelson.

Noes: 1 – Representative Vukmir.

Assembly Amendment 3 adoption:

Ayes: 11 – Representatives Underheim, Gielow, Wieckert, Krawczyk, Hundertmark, Strachota, Wasserman, Shilling, Vruwink, Benedict and Nelson.

Noes: 1 – Representative Vukmir.

Passage as amended:

Ayes: 11 – Representatives Underheim, Gielow, Wieckert, Krawczyk, Hundertmark, Strachota, Wasserman, Shilling, Vruwink, Benedict and Nelson.

Noes: 1 – Representative Vukmir.

To joint committee on **Finance**.

GREGG UNDERHEIM

Chairperson

Committee on Health

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

Assembly Bill 337

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

Assembly Substitute Amendment 1 adoption:

Ayes: 14 – Representatives Gunderson, Moulton, Ott, Pettis, Bies, Krawczyk, Petrowski, Mursau, Black, Gronemus, Steinbrink, Van Akkeren, Molepske and Hebl.

Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Gunderson, Moulton, Ott, Pettis, Bies, Krawczyk, Petrowski, Mursau, Black, Gronemus, Steinbrink, Van Akkeren, Molepske and Hebl.

Noes: 0.

To committee on **Rules**.

Assembly Bill 718

Relating to: a nonrefundable individual income tax credit for the sales tax paid on the purchase of gun-club memberships and admissions to gun-club activities.

Assembly Substitute Amendment 2 adoption:

Ayes: 14 – Representatives Gunderson, Moulton, Ott, Pettis, Bies, Krawczyk, Petrowski, Mursau, Black, Gronemus, Steinbrink, Van Akkeren, Molepske and Hebl.

Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Gunderson, Moulton, Ott, Pettis, Bies, Krawczyk, Petrowski, Mursau, Black, Gronemus, Steinbrink, Van Akkeren, Molepske and Hebl.

Noes: 0.

To joint committee on **Finance**.

Assembly Bill 800

Relating to: exceptions to requirements for issuance of a certificate of accomplishment for successful completion of certain hunter education programs.

Passage:

Ayes: 14 – Representatives Gunderson, Moulton, Ott, Pettis, Bies, Krawczyk, Petrowski, Mursau, Black, Gronemus, Steinbrink, Van Akkeren, Molepske and Hebl.

Noes: 0.

To joint committee on **Finance**.

SCOTT GUNDERSON

Chairperson

Committee on Natural Resources

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

Assembly Bill 374

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

Assembly Amendment 1 adoption:

Ayes: 12 – Representatives Ainsworth, Petrowski, Hahn, Friske, Ott, Van Roy, Davis, Steinbrink, Sherman, Vruwink, Molepske and Nelson.

Noes: 1 – Representative Suder.

Passage as amended:

Ayes: 7 – Representatives Ainsworth, Ott, Steinbrink, Sherman, Vruwink, Molepske and Nelson.

Noes: 6 – Representatives Petrowski, Hahn, Suder, Friske, Van Roy and Davis.

To joint committee on **Finance**.

Assembly Bill 431

Relating to: special distinguishing registration plates associated with persons who are emergency responder personnel.

Assembly Amendment 1 adoption:

Ayes: 13 – Representatives Ainsworth, Petrowski, Hahn, Friske, Ott, Lamb, Van Roy, Davis, Steinbrink, Sherman, Vruwink, Molepske and Nelson.

Noes: 0.

Passage as amended:

Ayes: 13 – Representatives Ainsworth, Petrowski, Hahn, Friske, Ott, Lamb, Van Roy, Davis, Steinbrink, Sherman, Vruwink, Molepske and Nelson.

Noes: 0.

To joint committee on **Finance**.

Assembly Bill 671

Relating to: designating and marking a portion of STH 21 as the 2nd Infantry Division Memorial Highway.

Passage:

Ayes: 13 – Representatives Ainsworth, Petrowski, Hahn, Suder, Friske, Ott, Van Roy, Davis, Steinbrink, Sherman, 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 234

Relating to: a sales tax exemption for sales to veterans organizations.

Assembly Amendment 1 adoption:

Ayes: 7 – Representatives Loeffelholz, Musser, Townsend, Hundertmark, Bies, Sherman and Turner.
Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Loeffelholz, Musser, Townsend, Hundertmark, Bies, Sherman and Turner.
Noes: 0.

To joint committee on **Finance**.

Assembly Bill 674

Relating to: development zone tax credits for providing full-time jobs to veterans of the United States armed forces.

Passage:

Ayes: 7 – Representatives Loeffelholz, Musser, Townsend, Hundertmark, Bies, Sherman and Turner.
Noes: 0.

To joint committee on **Finance**.

GABE LOEFFELHOLZ
Chairperson
Committee on Veterans Affairs

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Amended and concurred in as amended:

Assembly Bill 64 (Senate amendment 2 adopted)

ACTION ON THE SENATE MESSAGE

Assembly Bill 64

Relating to: polling hours.

By Representatives Freese, Jensen, Jeskewitz, Berceau, Nass, Hines and Lehman; cosponsored by Senators Reynolds and Kedzie.

To committee on **Rules**.

REFERENCE BUREAU CORRECTIONS

Assembly Bill 791,

1. Page 2, line 4: delete “adult home, as defined in s. 50.01 (1)” and substitute “adult family home, as defined in s. 50.01 (1)”.

Note: “Adult family home” rather than “adult home” is the term defined in s. 50.01 (1).

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

January 6, 2006

To the Honorable Members of the Assembly:

The following bill, originating in the Assembly, has been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Assembly Bill 184	105	January 6, 2005

Respectfully submitted,
JIM DOYLE
Governor

GOVERNOR’S VETO MESSAGE

January 6, 2006

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 56** in its entirety. This bill restricts state and local governments from bringing civil actions against firearms importers, manufacturers, dealers or trade associations, as well as against gun club or sport shooting range owners or operators. Assembly Bill 56 also grants, with certain exceptions, these same groups immunity from civil liability in any action for an injury or death caused by a firearm.

The President granted the gun industry sweeping immunity this past October when he signed the Protection of Lawful Commerce in Arms Act, Public Law No. 109-092. Under the federal law, no civil actions may be filed in federal or state court by individuals or governmental entities seeking relief for injury or death resulting from the criminal or unlawful misuse of a firearm.

Assembly Bill 56 unnecessarily extends these protections beyond the new federal law, by granting immunity irrespective of whether there is an injury resulting from a criminal or unlawful misuse of a firearm. The bill also extends the immunity to gun club or sport shooting range owners or operators, even though Wisconsin has never seen any such lawsuits filed here. Although I honor the long

tradition of hunting and shooting sports in Wisconsin and the value this tradition brings to our state, this bill is not about protecting hunters and other sportsmen and women.

Since President Bush and Congress have already given the gun industry sweeping immunity that no other industry enjoys, I can see no need for the State of Wisconsin to give the gun industry even more protection. It is unfortunate that the Legislature is spending its time protecting the gun industry instead of protecting the environment or taking meaningful steps that would actually enhance the wilderness experience for hunters and other sportsmen and women. It is just one more example of a Legislature that is out of touch with Wisconsin families.

Respectfully submitted,
JIM DOYLE
Governor

COMMUNICATIONS

State of Wisconsin
Office of the Secretary of State
Madison

To Whom It May Concern:

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>
Assembly Bill 787	103	January 20, 2006
Assembly Bill 436	104	January 20, 2006
Assembly Bill 184	105	January 23, 2006

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

December 15, 2005

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 208
Madison, WI 53708

Dear Representative Petrowski:

This is to inform you that Representative Marlin Schneider will replace Representative Pedro Colon as a member of the Assembly Committee on Highway Safety, effective immediately.

Please forward all communications relating to the Committee on Highway Safety to Representative Schneider. Thank you

for your immediate attention to this matter. If you have any questions, please feel free to contact me.

Sincerely,
JIM KREUSER
Assembly Democratic Leader

State of Wisconsin
Revisor of Statutes Bureau
Madison

DATE: January 1, 2006

TO: Patrick E. Fuller
Assembly Chief Clerk

Robert Marchant
Senate Chief Clerk

FROM: Gary L. Poulson
Assistant Revisor of Statutes

SUBJECT: Rules published in the December 31, 2005,
Wisconsin Administrative [Register, No. 600](#).

The following rules have been published:

Clearinghouse Rule 04-118	effective	01-01-2006
Clearinghouse Rule 04-119	effective	01-01-2006
Clearinghouse Rule 05-023	effective	01-01-2006
Clearinghouse Rule 05-029	effective	01-01-2006
Clearinghouse Rule 05-037	effective	01-01-2006
Clearinghouse Rule 05-041	effective	01-01-2006
Clearinghouse Rule 05-042	effective	01-01-2006
Clearinghouse Rule 05-043	effective	01-01-2006
Clearinghouse Rule 05-044	effective	01-01-2006
Clearinghouse Rule 05-055	effective	01-01-2006
Clearinghouse Rule 05-057	effective	01-01-2006
Clearinghouse Rule 05-080	effective	01-01-2006

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Revenue
Madison

December 27, 2005

To the Honorable, the Legislature:

Section [565.45](#), Wisconsin Statutes, requires the Department of Revenue to submit a biennial report to the legislature regarding the impact on lottery operations of the 10% expense limitation under s. [25.75 \(3\)\(b\)](#).

Sincerely,
MICHAEL MORGAN
Secretary of Revenue

Referred to committee on **State Affairs**.

State of Wisconsin
Department of Administration
Madison

December 30, 2005

To the Honorable, the Legislature:

This report is transmitted as required by s. 20.002(11)(f), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. 13.172(3), Wisconsin Statutes), and confirms that the Department of Administration has found it necessary to exercise the “temporary reallocation of balances” authority provided by this section in order to meet payment responsibilities and cover resulting negative cash balances during the month of November 2005.

On November 1, 2005, the **Wisconsin Health Education Loan Repayment Fund** cash balance closed at its intramonth low of a negative \$9 thousand. This negative balance continued until November 3, 2005, when the fund’s cash balance closed at zero. The negative balance was due to the difference in the timing of revenues and expenditures.

The Wisconsin Health Education Loan Repayment Fund shortfall was not in excess of the statutory interfund borrowing limitation and did not exceed the balances of the funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund’s share. Therefore, the monthly calculation by the State Controller’s Office will automatically reflect the use of these temporary reallocations of balance authority, and as

a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,
STEPHEN E. BABLITCH
Secretary

Referred to committee on **Ways and Means**.

State of Wisconsin
Department of Administration
Madison

December 30, 2005

To the Honorable, the Legislature:

Please find enclosed the Length of Service Award Program (LOSA) 2005 Annual Report. The Length of Service Award Board developed the report with support from Department of Administration staff. The report provides an overview of the program and outlines the accomplishments for the program year.

Wisconsin State Statute 16.25(6) requires the Department to submit the report to the Chief Clerk of each house annually describing the activities of the board.

If you have any questions regarding the report, please contact Terri Lenz at the Department of Administration, Division of Enterprise Operations, at (608) 261-6580.

Sincerely,
PATRICK J. FARLEY
Division of Enterprise Operations

Referred to committee on **Urban and Local Affairs**.