



# STATE OF WISCONSIN Assembly Journal

## Ninety-Eighth Regular Session

MONDAY, May 7, 2007

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

### AMENDMENTS OFFERED

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 32** offered by committee on **Veterans and Military Affairs**.

Assembly substitute amendment 1 to **Assembly Bill 33** offered by Representative Owens.

Assembly substitute amendment 1 to **Assembly Bill 85** offered by Representative Sheridan.

Assembly amendment 1 to **Assembly Bill 162** offered by Representatives Albers and Friske.

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Bill 306**

Relating to: an assessment on growers that sell corn.

By Representatives A. Ott, Jorgensen, Hahn, Davis, Hilgenberg, Ballweg, Sheridan, Murtha, Owens, Albers, Vruwink, Strachota, Tauchen, Molepske, Seidel, Hixson, Nelson and Smith; cosponsored by Senators Kreitlow, Kapanke, Hansen, Cowles, A. Lasee, Olsen, Schultz and Harsdorf.

To committee on **Agriculture**.

#### **Assembly Bill 307**

Relating to: state procurement of contractual services.

By Representatives Pocan, Albers, Berceau, Black, Boyle, Grigsby, Hixson, Jorgensen, Mason, Molepske, Pope-Roberts, Seidel, Sheridan, Shilling, Sinicki, Toles, Travis, Turner, Van Akkeren, A. Williams and Zepnick; cosponsored by Senators Wirch, Carpenter, Erpenbach, Hansen, Lassa, Lehman, Miller, Robson and Taylor.

To committee on **Jobs and The Economy**.

#### **Assembly Bill 308**

Relating to: payment of a 1st class city police officer's salary after discharge and the adjournment of a trial or

investigation relating to charges brought against such an officer.

By Representatives Toles, Colon, Wood, Fields, Nass, Berceau, Parisi, Pocan, Turner, Grigsby, Kerkman, Wasserman, Richards and A. Williams; cosponsored by Senators Cogg, Grothman, Sullivan and Hansen.

To committee on **Corrections and Courts**.

### COMMITTEE REPORTS

The committee on **Consumer Protection and Personal Privacy** reports and recommends:

#### **Assembly Bill 166**

Relating to: information obtained by a tax preparer in the course of preparing a client's tax return.

Assembly Substitute Amendment 1 adoption:

Ayes: 7 – Representatives Lothian, Davis, Townsend, Kerkman, Mursau, Cullen and Jorgensen.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Lothian, Davis, Townsend, Kerkman, Mursau, Cullen and Jorgensen.

Noes: 0.

To committee on **Rules**.

#### **Assembly Bill 220**

Relating to: refusal by the Department of Natural Resources to reveal electronic mail addresses of subscribers.

Passage:

Ayes: 7 – Representatives Lothian, Davis, Townsend, Kerkman, Mursau, Cullen and Jorgensen.

Noes: 0.

To committee on **Rules**.

#### **Assembly Bill 230**

Relating to: fraud in advertising of musical performances and providing a penalty.

Passage:

Ayes: 7 – Representatives Lothian, Davis, Townsend, Kerkman, Mursau, Cullen and Jorgensen.

Noes: 0.

To committee on **Rules**.

**Senate Bill 110**

Relating to: refusal by the Department of Natural Resources to reveal electronic mail addresses of subscribers.

Concurrence:

Ayes: 7 – Representatives Lothian, Davis, Townsend, Kerkman, Mursau, Cullen and Jorgensen.

Noes: 0.

To committee on **Rules**.

*THOMAS LOTHIAN*

Chairperson

Committee on Consumer Protection and Personal Privacy

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

**Assembly Bill 35**

Relating to: the privilege of self-defense.

Passage:

Ayes: 7 – Representatives Kleefisch, Friske, Albers, Owens, Vukmir, Kramer and Hraychuck.

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

To committee on **Rules**.

**Assembly Bill 51**

Relating to: prohibiting certain computer messages or postings that invite harassment or obscene, lewd, or profane communication and providing a penalty.

Passage:

Ayes: 11 – Representatives Kleefisch, Friske, Albers, Owens, Vukmir, Kramer, Turner, Staskunas, Kessler, Grigsby and Hraychuck.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 162**

Relating to: resisting arrest while armed with or threatening to use a dangerous weapon.

Passage:

Ayes: 11 – Representatives Kleefisch, Friske, Albers, Owens, Vukmir, Kramer, Turner, Staskunas, Kessler, Grigsby and Hraychuck.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 260**

Relating to: permitting an employer to refuse to employ or to terminate from employment an individual who has been convicted of a sex offense or a violent offense and preempting cities, villages, town, and counties from adopting provisions concerning employment discrimination based on arrest or conviction record that prohibit activity that is allowed under the state fair employment law.

Passage:

Ayes: 8 – Representatives Kleefisch, Friske, Albers, Owens, Vukmir, Kramer, Staskunas and Hraychuck.

Noes: 3 – Representatives Turner, Kessler and Grigsby.

To committee on **Rules**.

*JOEL KLEEFISCH*

Chairperson

Committee on Criminal Justice

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

**Assembly Bill 227**

Relating to: continuing education requirements for persons applying for a building permit.

Passage:

Ayes: 7 – Representatives Wieckert, Roth, Townsend, Honadel, Hebl, Young and A. Williams.

Noes: 0.

To committee on **Rules**.

**Senate Bill 7**

Relating to: revisions in terminology that affect mobile homes, manufactured homes, modular homes, manufactured buildings, recreational vehicles, and mobile and manufactured home communities, and changes that apply to monthly fees collected by certain local governmental units.

Concurrence:

Ayes: 7 – Representatives Wieckert, Roth, Townsend, Honadel, Hebl, Young and A. Williams.

Noes: 0.

To committee on **Rules**.

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

**Assembly Bill 201**

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

Assembly Amendment 1 adoption:

Ayes: 9 – Representatives Musser, Townsend, Petrowski, Bies, Petersen, Sherman, Hubler, Boyle and Turner.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Musser, Townsend, Petrowski, Bies, Petersen, Sherman, Hubler, Boyle and Turner.

Noes: 0.

**Assembly Bill 202**

Relating to: creating a sales tax and use tax exemption for tangible personal property and services sold by home exchange services.

Assembly Amendment 1 adoption:

Ayes: 9 – Representatives Musser, Townsend, Petrowski, Bies, Petersen, Sherman, Hubler, Boyle and Turner.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Musser, Townsend, Petrowski, Bies, Petersen, Sherman, Hubler, Boyle and Turner.

Noes: 0.

*TERRY MUSSER*  
Chairperson  
Committee on Veterans and Military Affairs

*STEVE WIECKERT*  
Chairperson  
Committee on Housing

**SPEAKER'S COMMUNICATIONS**

May 3, 2007

Kevin Kennedy, Executive Director  
Wisconsin State Elections Board  
17 West Main Street, Suite 310  
Madison, WI 53701

Dear Mr. Kennedy:

Pursuant to Wisconsin State Statute Section 15.61, I have appointed Dan Hellman to the State Elections Board. I have included his contact information to assist you.

Dan Hellman  
731 Troy Street  
Onalaska, WI 54650  
608-783-0319

Please feel free to contact me if you should have any questions or concerns.

Sincerely,  
*MIKE HUEBSCH*  
Assembly Speaker

**EXECUTIVE COMMUNICATIONS**

State of Wisconsin  
Office of the Governor  
Madison

May 3, 2007

To the Honorable Members of the Assembly:

The following bills, originating in the Assembly, have 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>
<b>Assembly Bill 123</b>	..... 7 .....	May 3, 2007
<b>Assembly Bill 206</b>	..... 8 .....	May 3, 2007
<b>Assembly Bill 122</b>	..... 9 .....	May 3, 2007

Respectfully submitted,  
*JIM DOYLE*  
Governor

**REFERRAL OF AGENCY REPORTS**

State of Wisconsin  
Department of Administration  
Department of Corrections  
Madison

April 11, 2007

To the Honorable, the Legislature:

Attached is the FY06 report on Prison Industries for the fiscal year ending June 30, 2006, as required by § 303.018 of the Wisconsin Statutes. This report includes the cash balance of each industry. Private sector joint venture balances are reported separately from the remainder of Prison Industries.

The Department of Corrections would be happy to respond to any questions you may have on this matter.

Sincerely,  
*MICHAEL L. MORGAN, SECRETARY*  
Department of Administration  
*MATTHEW J. FRANK, SECRETARY*  
Department of Corrections

Referred to committee on **Corrections and the Courts.**

State of Wisconsin  
Department of Administration  
Madison

April 30, 2007

To the Honorable, the Legislature:

In compliance with Wisconsin statute 16.548, please find the Wisconsin Office of Federal/State Relations quarterly report to be submitted to the Legislature for the First Quarter of 2007. This report provides information on the activities of the office and the status of federal legislation of concern to the State of Wisconsin.

Please contact me if you have any questions about this material.

Sincerely,  
*MICHAEL MORGAN*  
Secretary

Referred to committee on **State Affairs.**

State of Wisconsin  
Department of Natural Resources  
Madison

May 1, 2007

To the Honorable, the Assembly:

In fulfillment of the requirements under s. 299.85(9m), Wisconsin State Statutes, I am submitting to you a copy of Wisconsin's Environmental Compliance Audit Program 2007 Annual Report. It covers the period April 1, 2006 to March 31, 2007. Please distribute as appropriate. I am also

providing a copy of the report to the Governor and to the Chief Clerk of the Senate.

For more information on Wisconsin's Environmental Compliance Audit Program or additional copies of this report, please contact Mark McDermid at (608) 267-3125. DNR staff will send you an electronic copy of this letter and Annual Report to facilitate distribution.

Sincerely,  
*SCOTT HASSETT*  
Secretary

Referred to committee on **Natural Resources**.

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State of Wisconsin  
Department of Natural Resources  
Madison

May 1, 2007

To the Honorable, the Legislature:

In fulfillment of the requirements under s. 299.83(8)(h), Wisconsin State Statutes, I am transmitting the 2007 Green Tier Biennial Progress Report. Please distribute as appropriate. I am also providing a copy of the Report to the Governor and to the Chief Clerk of the Senate.

The Green Tier law is scheduled to sunset July 1, 2009. This report outlines the progress already made toward the goal of helping businesses achieve superior environmental performance. I believe, however, that the law is capable of long-term benefits that will not have time to develop before the sunset and the presence of the sunset may be impeding our implementation of the provisions within the law. The reauthorization of Green Tier will allow us to explore more of what Green Tier can accomplish. I look forward to working with the legislature to secure program reauthorization, furthering our commitment to our participants, the environment, and the state of Wisconsin.

For more information on the Green Tier program or additional copies of this report, please contact Mark McDermid at (608) 267-3125, or visit our web site at <http://greentier.wi.gov>.

Sincerely,  
*SCOTT HASSETT*  
Secretary

Referred to committee on **Natural Resources**.

## AGENCY REPORTS

State of Wisconsin  
Legislative Audit Bureau  
Madison

May 3, 2007

To the Honorable, the Assembly:

During the course of a September 2005 financial review of internal controls at the Green Bay Correctional Institution, we became aware of a credit union on its grounds and employing state workers. In 2006, we conducted additional fieldwork to learn more about the operations of this credit union and identified another credit union operating at Waupun Correctional Institution. We assessed whether state resources, including state employee staff time, were being used to conduct credit union business. We did not review the financial condition of each credit union; however, we note that as required by s. 186.235(16), Wis. Stats., each credit union has been subject to regular inspections by the Office of Credit Unions within the Department of Financial Institutions.

The credit unions were incorporated and chartered in 1932, and they continue to serve several hundred members. However, both their location and prison officials' limited knowledge about their operations raise some concern that state resources have been used inappropriately. For example, until we raised the issue, and contrary to Department of Corrections policy, conflict-of-interest forms were not on file for any of the five state employees who are also paid employees of the credit unions. Further, the Waupun credit union is located in the business office, and staff have reported that information on credit union services is sometimes provided during state office hours.

We believe steps should be taken to ensure compliance with the Department's policies concerning outside employment and to establish a clear separation between credit union and state business. It may also be appropriate to consider whether the credit unions should continue to operate under the existing arrangements.

We appreciate the courtesy and cooperation extended to us by staff at the Department of Corrections and at the Office of Credit Unions within the Department of Financial Institutions as we conducted this review.

Sincerely,  
*JANICE MUELLER*  
State Auditor