



STATE OF WISCONSIN Assembly Journal

Ninety-Eighth Regular Session

12:09 P.M.

THURSDAY, June 14, 2007

The Assembly met in the Assembly Chamber located in the State Capitol.

Representative J. Ott in the chair.

The Assembly dispensed with the call of the roll.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 06-137

Relating to voting by provisional ballot for election day registrants.

Submitted by Elections Board.

Report received from Agency, May 30, 2007.

To committee on **Elections and Constitutional Law**.

Referred on June 14, 2007.

Assembly Clearinghouse Rule 07-015

Relating to hunting and trapping regulations.

Submitted by Department of Natural Resources.

Report received from Agency, June 5, 2007.

To committee on **Natural Resources**.

Referred on June 14, 2007.

Assembly Clearinghouse Rule 07-043

Relating to charges for voter registration data.

Submitted by Elections Board.

Report received from Agency, June 5, 2007.

To committee on **Elections and Constitutional Law**.

Referred on June 14, 2007.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 395

Relating to: school conference and activities leave.

By Representatives Black, Grigsby, Sinicki, Cullen, Parisi, Pope-Roberts, Pocan, Fields, Sheridan, Berceau, Turner, Boyle, Smith, A. Williams and Toles; cosponsored by Senators Carpenter, Erpenbach, Lehman, Plale and Hansen.

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

Assembly Bill 396

Relating to: restrictions on the use and sale of fertilizer containing phosphorus and other lawn fertilizer and providing a penalty.

By Representatives Bies, Ballweg, Berceau, Black, Boyle, Hubler, Jorgensen, Lothian, Molepske, Richards, Sherman, Smith, Tauchen and Van Roy; cosponsored by Senators Miller, Cowles, Hansen, Jauch, A. Lasee, Lehman, Risser, Sullivan and Breske.

To committee on **Natural Resources**.

Assembly Bill 397

Relating to: aiding a felon and providing penalties.

By Representatives Krusick, Petrowski, A. Ott, Berceau, Van Roy, Strachota and Hines; cosponsored by Senators Olsen, Plale, A. Lasee, Harsdorf, Kedzie and Roessler.

To committee on **Criminal Justice**.

Assembly Bill 398

Relating to: transportation of pupils to private schools.

By Representatives Wasserman, Albers, Ballweg, Jeskewitz, Townsend, Cullen, Grigsby, Hixson and Pope-Roberts; cosponsored by Senators Lassa, Roessler and Taylor.

To committee on **Education Reform**.

Assembly Bill 399

Relating to: prohibiting charging grossly excessive wholesale prices for motor vehicle fuel and providing a penalty.

By Representative Nelson.

To committee on **Judiciary and Ethics**.

Assembly Bill 400

Relating to: powers and duties of the Department of Military Affairs, the adjutant general, military officers, military property and assets, the national guard, the state defense force, rights of service personnel, the Wisconsin code of military justice, making an appropriation, and providing a penalty.

By Joint Legislative Council.

To committee on **Veterans and Military Affairs**.

Assembly Bill 401

Relating to: hunting of deer during the open bow hunting season.

By Representatives Hraychuck, Pridemore, Boyle, A. Ott, Bies and Vruwink; cosponsored by Senators Miller, Kedzie,

Vinehout, Schultz, Decker, Hansen, Lassa, Grothman, Breske and A. Lasee.

To committee on **Natural Resources**.

Assembly Bill 402

Relating to: eligibility for full-time and part-time public school open enrollment.

By Representatives Staskunas, Jorgensen, Hahn and Petrowski; cosponsored by Senators Olsen, Darling, Roessler and Schultz.

To committee on **Education**.

Assembly Bill 403

Relating to: the priority of a wage claim lien over a prior lien of a commercial lending institution.

By Representatives Garthwaite, Soletski, Berceau, Black, Boyle, Cullen, Hilgenberg, Hixson, Jorgensen, Kessler, Kreuser, Mason, Pocan, Richards, Sheridan, Sinicki, Smith, Turner, Van Akkeren, Zepnick and Toles; cosponsored by Senators Lehman, Breske, Decker, Hansen and Risser.

To committee on **Financial Institutions**.

Assembly Bill 404

Relating to: payment of the costs of advanced placement examinations taken by certain pupils.

By Representatives Pope-Roberts, Ballweg, Berceau, Black, Cullen, Fields, Grigsby, Hixson, A. Ott, Pocan, Sheridan, Smith, Toles, Townsend, Travis, Turner, Van Akkeren, Vruwink and M. Williams; cosponsored by Senators Breske, Darling, Erpenbach, Kreitlow, Lassa, Lehman, Miller, Plale, Risser, Schultz, Taylor and Vinehout.

To committee on **Education**.

Assembly Bill 405

Relating to: penalty for first-degree intentional homicide if victim is a law enforcement officer and providing a penalty.

By Representatives Staskunas, Kerkman, Musser, Hraychuck, Gunderson, Zepnick, Sinicki, A. Ott, Sheridan, Kaufert, J. Ott and Townsend; cosponsored by Senators Plale, Cowles, Roessler, Schultz, Kedzie, Leibham and Darling.

To committee on **Criminal Justice**.

Assembly Bill 406

Relating to: authorizing cities, villages, towns, and counties to solicit bids for certain contracts by using the Internet.

By Representatives Owens, Jeskewitz, Albers, Bies, Mursau, A. Ott, Vos and Lothian; cosponsored by Senator Roessler.

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

Assembly Bill 407

Relating to: the removal of nonconforming outdoor advertising signs.

By Representatives Petrowski, Albers, Ballweg, Friske, Gronemus, Gunderson, Hahn, Honadel, Jeskewitz, LeMahieu, Mursau, Musser, Sheridan, Staskunas, Van Roy and Vos; cosponsored by Senators Breske, Grothman, Hansen, Kapanke, Kreitlow, Lassa, Olsen, Plale and Schultz.

To committee on **Transportation**.

Assembly Bill 408

Relating to: prohibiting charging grossly excessive prices for consumer goods and services and providing a penalty.

By Representatives Zepnick, Black, Soletski, Gronemus, Nelson, Pocan, Sinicki, Staskunas, Molepske, Seidel and Sheridan; cosponsored by Senators Hansen, Lehman, Taylor and Risser.

To committee on **Judiciary and Ethics**.

Assembly Bill 409

Relating to: expanding the area in which a tax incremental district's project costs may be expended.

By Representatives Newcomer, Fields, Hahn, Hintz, Jeskewitz, Montgomery, Moulton, Nygren, Sheridan, Staskunas, Strachota, Townsend and Ballweg; cosponsored by Senators Plale, Darling, Cowles, Grothman, Roessler and Wirch.

To committee on **Ways and Means**.

Assembly Bill 410

Relating to: legislative committee review period of administrative rules and revisor consent regarding technical standards in rules.

By Representatives LeMahieu, Nass, Lothian, Albers, Vos, Hahn and Bies; cosponsored by Senator Grothman.

To committee on **State Affairs**.

Assembly Bill 411

Relating to: receiving a stolen firearm, and providing a penalty.

By Representatives LeMahieu, Friske, Bies, Albers, Hahn, Lothian, Musser and Townsend; cosponsored by Senators Olsen and Roessler.

To committee on **Criminal Justice**.

Assembly Bill 412

Relating to: crimes committed against individuals who are at least 65 years old and providing penalties.

By Representatives Mursau, Fields, Berceau, Gunderson, Hahn, Hines, Kerkman, LeMahieu, Musser, Nygren, A. Ott, J. Ott, Suder, Townsend and Van Roy; cosponsored by Senators Plale, Darling, Leibham, Roessler and Schultz.

To committee on **Criminal Justice**.

Assembly Bill 413

Relating to: temporary certificates to practice respiratory care.

By Representatives Rhoades, Hahn, Hines, Jeskewitz, Musser, Nerison, A. Ott and Van Roy; cosponsored by Senators Cowles, Darling, Erpenbach, Grothman, Harsdorf, Roessler and Schultz.

To committee on **Public Health**.

Assembly Bill 414

Relating to: annual or consecutive month permits for vehicles or combinations of vehicles transporting loads near the Wisconsin-Michigan border.

By Representative Sherman; cosponsored by Senator Jauch.

To committee on **Forestry**.

Assembly Bill 415

Relating to: authorizing the copying of a birth certificate in order for a child to participate in an organized youth sport.

By Representatives Gottlieb, Staskunas, LeMahieu, Hahn, Gunderson, Townsend, A. Ott, Cullen, Owens, Nass, Mursau, Friske, Ballweg, Petrowski, J. Ott, A. Williams, Kaufert, M. Williams and Musser; cosponsored by Senators Grothman, Lassa, Kedzie, Darling, Roessler, Schultz and A. Lasee.

To committee on **State Affairs**.

Assembly Bill 416

Relating to: soliciting purchases of goods or services using unsolicited checks or money orders and providing a penalty.

By Representatives Pocan, Gottlieb, Albers, Ballweg, Berceau, Black, Boyle, Cullen, Friske, Grigsby, Gunderson, Hahn, Hebl, Jeskewitz, Molepske, Mursau, Musser, Nass, A. Ott, Parisi, Seidel, Sheridan, Sinicki, Soletski, Strachota, Townsend, Turner, Van Akkeren, Vruwink, A. Williams, M. Williams and Jorgensen; cosponsored by Senators Lehman, Olsen, Carpenter, Cowles, Darling, Erpenbach, Hansen, Kreitlow, Lassa, Miller, Plale, Risser, Roessler and Schultz.

To committee on **Financial Institutions**.

COMMITTEE REPORTS

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

Assembly Bill 258

Relating to: permitting an employer to offer financial incentives to encourage or discourage employee use of a lawful product.

Passage:

Ayes: 11 – Representatives F. Lasee, Nygren, Montgomery, Van Roy, Moulton, Kramer, Cullen, Berceau, Ziegelbauer, Parisi and Hilgenberg.

Noes: 0.

To committee on **Rules**.

FRANK LASEE
Chairperson
Committee on Insurance

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

Assembly Bill 49

Relating to: fees charged to qualified lake associations for certain permits to control aquatic plants.

Assembly Amendment 1 adoption:

Ayes: 8 – Representatives Gunderson, J. Ott, Bies, LeMahieu, M. Williams, Moulton, Nerison and Mursau.

Noes: 6 – Representatives Black, Molepske, Steinbrink, Hraychuck, Hebl and Mason.

Passage as amended:

Ayes: 8 – Representatives Gunderson, J. Ott, Bies, LeMahieu, M. Williams, Moulton, Nerison and Mursau.

Noes: 6 – Representatives Black, Molepske, Steinbrink, Hraychuck, Hebl and Mason.

To committee on **Rules**.

Assembly Bill 163

Relating to: creating an exemption for certain wetlands for the construction of a road located in the city of Tomahawk, Lincoln County.

Passage:

Ayes: 9 – Representatives Gunderson, J. Ott, Bies, LeMahieu, M. Williams, Moulton, Nerison, Mursau and Hraychuck.

Noes: 5 – Representatives Black, Molepske, Steinbrink, Hebl and Mason.

To committee on **Rules**.

Assembly Bill 228

Relating to: the transfer of certain fish and game licenses and permits to minors.

Assembly Amendment 1 adoption:

Ayes: 14 – Representatives Gunderson, J. Ott, Bies, LeMahieu, M. Williams, Moulton, Nerison, Mursau, Black, Molepske, Steinbrink, Hraychuck, Hebl and Mason.

Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Gunderson, J. Ott, Bies, LeMahieu, M. Williams, Moulton, Nerison, Mursau, Black, Molepske, Steinbrink, Hraychuck, Hebl and Mason.

Noes: 0.

To committee on **Rules**.

Assembly Bill 266

Relating to: methods of establishing proof of financial responsibility for the closure and long-term care of a landfill.

Assembly Amendment 1 adoption:

Ayes: 14 – Representatives Gunderson, J. Ott, Bies, LeMahieu, M. Williams, Moulton, Nerison, Mursau, Black, Molepske, Steinbrink, Hraychuck, Hebl and Mason.

Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Gunderson, J. Ott, Bies, LeMahieu, M. Williams, Moulton, Nerison, Mursau, Black, Molepske, Steinbrink, Hraychuck, Hebl and Mason.

Noes: 0.

To committee on **Rules**.

SCOTT GUNDERSON
Chairperson
Committee on Natural Resources

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

Assembly Bill 33

Relating to: the distribution of the penalty for converting agricultural land.

Assembly Amendment 1 to Assembly Substitute Amendment 1 adoption:

Ayes: 9 – Representatives Nerison, Tauchen, Hahn, Petrowski, Wood, Schneider, Smith, Jorgensen and Garthwaite.

Noes: 0.

Assembly Substitute Amendment 1 adoption:

Ayes: 9 – Representatives Nerison, Tauchen, Hahn, Petrowski, Wood, Schneider, Smith, Jorgensen and Garthwaite.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Nerison, Tauchen, Hahn, Petrowski, Wood, Schneider, Smith, Jorgensen and Garthwaite.

Noes: 0.

To committee on **Rules**.

Assembly Bill 232

Relating to: the amount of the exemption from income tax withholding requirements for employees of a county fair association.

Passage:

Ayes: 9 – Representatives Nerison, Tauchen, Hahn, Petrowski, Wood, Schneider, Smith, Jorgensen and Garthwaite.

Noes: 0.

To joint committee on **Finance**

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

LEE NERISON

Chairperson

Committee on Rural Affairs

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

Assembly Bill 186

Relating to: a sales and use tax exemption for equipment and supplies used by nonprofit cemeteries.

Assembly Amendment 1 adoption:

Ayes: 13 – Representatives Kerkman, Lothian, Hahn, Jeskewitz, Wood, Pridemore, Strachota, Ziegelbauer, Steinbrink, Fields, Hebl, Toles and Kessler.

Noes: 0.

Passage as amended:

Ayes: 13 – Representatives Kerkman, Lothian, Hahn, Jeskewitz, Wood, Pridemore, Strachota, Ziegelbauer, Steinbrink, Fields, Hebl, Toles and Kessler.

Noes: 0.

To joint committee on **Finance**.

SAMANTHA KERKMAN

Chairperson

Committee on Ways and Means

COMMUNICATIONS

June 14, 2007

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53708

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Bill 211, relating to finance charges for licensed lenders.

Sincerely,

GORDON HINTZ

State Representative

54th Assembly District

ADJOURNMENT

Representative Newcomer moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, June 19.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

12:10 P.M.