



# STATE OF WISCONSIN Assembly Journal

## Ninety-Ninth Regular Session

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MONDAY, January 25, 2010

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

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### AMENDMENTS OFFERED

Assembly amendment 2 to **Assembly Bill 239** offered by Representative Berceau.

Assembly amendment 1 to Assembly substitute amendment 2 to **Assembly Bill 405** offered by Representative Roys.

Assembly substitute amendment 1 to **Assembly Bill 578** offered by Representative Mason.

Assembly amendment 1 to **Assembly Bill 629** offered by Representative Young.

Assembly amendment 1 to **Assembly Bill 643** offered by Representatives Molepske Jr., Schneider, Vruwink and Strachota.

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### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 09-064**

Relating to combined reporting for corporation franchise and income tax purposes.

Submitted by Department of Revenue.

Report received from Agency, January 8, 2010.

To committee on **Ways and Means**.

Referred on January 25, 2010.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 106**

Relating to: proclaiming February 5, 2010, as Go Red for Women Day.

By Representatives Vruwink, Berceau, Pasch, Kerkman, Hraychuck, Hebl, Sinicki, Zepnick, Molepske Jr., Cullen, Zigmunt, Mason, Shilling, Townsend, Jorgensen, Benedict,

Turner, Ripp, Ballweg, Pocan and Toles; cosponsored by Senators Lehman, Taylor, Cowles, Darling, Lazich and Coggs.

To committee on **Rules**.

#### **Assembly Bill 685**

Relating to: using an electronic signature on a criminal complaint.

By Representatives Hebl, Turner, Pope-Roberts, Molepske Jr., Van Roy, Kerkman, Townsend, Bies, A. Ott, Ripp and Kaufert; cosponsored by Senators Jauch, Lehman, Taylor and Schultz.

To committee on **Judiciary and Ethics**.

#### **Assembly Bill 686**

Relating to: modifications to the Uniform Interstate Family Support Act.

By Representatives Cullen, Ziegelbauer, Berceau and Turner; cosponsored by Senators Risser and Taylor.

To committee on **Children and Families**.

#### **Assembly Bill 687**

Relating to: adopting revised article 1 of the Uniform Commercial Code concerning general provisions.

By Representatives Cullen and Townsend; cosponsored by Senators Risser and Taylor.

To committee on **Financial Institutions**.

#### **Assembly Bill 688**

Relating to: adopting revised Article 7 of the Uniform Commercial Code, concerning documents of title.

By Representatives Cullen, Turner, Townsend, A. Williams and A. Ott; cosponsored by Senators Risser and Taylor.

To committee on **Jobs, the Economy and Small Business**.

#### **Assembly Bill 689**

Relating to: Public Service Commission intervenor grants and making an appropriation.

By Representative Pocan; cosponsored by Senator Risser.

To joint committee on **Finance**.

#### **Assembly Bill 690**

Relating to: a sales and use tax exemption for food sold by child welfare facilities.

By Representatives Dexter, Sinicki, Pope-Roberts, Berceau, Clark, Ziegelbauer, A. Ott, Ripp and Suder;

cosponsored by Senators Kreitlow, Taylor, Lehman, Lassa, Grothman, Olsen and Wirch.

To committee on **Children and Families**.

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

#### **Assembly Bill 691**

Relating to: requiring certain county agencies to petition a court to freeze accounts of certain individuals being financially exploited.

By Representatives Dexter, Bernard Schaber, Berceau, Sinicki, Suder, Turner and Zepnick; cosponsored by Senators Kreitlow, Taylor, Erpenbach, Lehman, Plale, Risser, Schultz, Sullivan and Coggs.

To committee on **Consumer Protection**.

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### **COMMITTEE REPORTS**

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

#### **Assembly Bill 423**

Relating to: battery to a district attorney or assistant district attorney and providing a penalty.

Assembly Amendment 1 adoption:

Ayes: 10 – Representatives Hebl, Colon, Kessler, Cullen, Richards, Turner, Gundrum, Kerkman, Kramer and Zipperer.  
Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Hebl, Cullen, Richards, Turner, Gundrum, Kerkman and Zipperer.  
Noes: 3 – Representatives Colon, Kessler and Kramer.

To committee on **Rules**.

*GARY HEBL*  
Chairperson  
Committee on Judiciary and Ethics

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

#### **Assembly Bill 464**

Relating to: a requirement that an employer permit an employee who is a volunteer fire fighter, emergency medical technician, first responder, or ambulance driver for a volunteer fire department or fire company, a public agency, or a nonprofit corporation to be late for or absent from work if the lateness or absence is due to the employee responding to an emergency that begins before the employee is required to report to work.

Assembly Amendment 1 adoption:

Ayes: 8 – Representatives Sinicki, Van Akkeren, Jorgensen, Parisi, Toles, Soletski, Honadel and Knodl.  
Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 8 – Representatives Sinicki, Van Akkeren, Jorgensen, Parisi, Toles, Soletski, Honadel and Knodl.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Sinicki, Van Akkeren, Jorgensen, Parisi, Toles, Soletski, Honadel and Knodl.

Noes: 0.

To committee on **Rules**.

*CHRISTINE SINICKI*  
Chairperson  
Committee on Labor

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

#### **Assembly Bill 484**

Relating to: allowing an individual without a qualifying child to claim the earned income tax credit.

Passage:

Ayes: 6 – Representatives Hebl, Steinbrink, Zepnick, Toles, Richards and Wood.

Noes: 4 – Representatives Kerkman, Nass, Lothian and Knodl.

To joint committee on **Finance**.

#### **Assembly Bill 504**

Relating to: a Milwaukee County sales and use tax for parks, recreation, and culture.

Assembly Substitute Amendment 1 adoption:

Ayes: 6 – Representatives Hebl, Steinbrink, Zepnick, Toles, Richards and Wood.

Noes: 4 – Representatives Kerkman, Nass, Lothian and Knodl.

Passage as amended:

Ayes: 6 – Representatives Hebl, Steinbrink, Zepnick, Toles, Richards and Wood.

Noes: 4 – Representatives Kerkman, Nass, Lothian and Knodl.

To joint committee on **Finance**.

*GARY HEBL*  
Chairperson  
Committee on Ways and Means

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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

Passed and asks concurrence in:

**Senate Bill 116**

**Senate Bill 267**  
**Senate Bill 409**

Amended and concurred in as amended:

**Assembly Bill 229** (Senate amendment 1 adopted)

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**ACTION ON THE SENATE MESSAGE**

**Senate Bill 168**

Relating to: supervision of barber or cosmetologist apprentices.

By Senators Taylor, Coggs and Grothman; cosponsored by Representatives Molepske Jr., Brooks, Turner, Young and A. Williams, by request of Department of Regulation and Licensing.

To committee on **Jobs, the Economy and Small Business**.

**Senate Bill 203**

Relating to: claims for loss of society and companionship in medical malpractice cases.

By Senators Plale, Hansen and Coggs; cosponsored by Representatives Richards, Sinicki, Roys, Berceau, A. Williams, Pope–Roberts, Mason, Toles, Cullen, Zepnick, Turner, Parisi and Kessler.

To committee on **Rules**.

**Senate Bill 308**

Relating to: a requirement that an employer permit an employee who is a volunteer fire fighter, emergency medical technician, first responder, or ambulance driver for a volunteer fire department or fire company, a public agency, or a nonprofit corporation to be late for or absent from work if the lateness or absence is due to the employee responding to an emergency that begins before the employee is required to report to work.

By Senators Vinehout, Darling, Hansen, Harsdorf, Lassa, Lehman, Miller, Olsen, Plale, Schultz, Taylor, Wirch and Robson; cosponsored by Representatives Gunderson, Berceau, Bies, Clark, Danou, Dexter, Garthwaite, Gottlieb, Hebl, Hintz, Hraychuck, Huebsch, Kerkman, LeMahieu, Lothian, Meyer, Milroy, Molepske Jr., Mursau, Murtha, Nerison, Nygren, A. Ott, Petersen, Petrowski, Pridemore, Ripp, Schneider, Sherman, Sinicki, Smith, Spanbauer, Steinbrink, Suder, Townsend, Vos, Vruwink, Zigmunt and Brooks.

To committee on **Rules**.

**Senate Bill 321**

Relating to: operation of neighborhood electric vehicles.

By Senators Vinehout, Holperin, Lazich, Erpenbach, Cowles, Ellis, Schultz and Taylor; cosponsored by Representatives Danou, Jorgensen, Radcliffe, Wood, Zigmunt, Ballweg, Van Akkeren, Berceau, Kaufert, Pope–Roberts and Zepnick.

To committee on **Transportation**.

**Senate Bill 325**

Relating to: notification to a parent before chaperoning a sex offender.

By Senators Kreitlow, Lassa and Taylor; cosponsored by Representatives Smith, Vos, Roys, Suder, Pope–Roberts and Bies.

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

**Senate Bill 332**

Relating to: submitting custody study reports to the parties and offering custody study reports in accordance with the rules of evidence.

By Senators Taylor and Plale; cosponsored by Representatives Seidel, Zigmunt, Vruwink, Turner, Clark, Berceau, Sinicki, Grigsby, Kessler and Pridemore.

To committee on **Children and Families**.

**Senate Bill 375**

Relating to: the exchange of electronic records contained in the Consolidated Court Automation Program and in the Statewide Automated Child Welfare Information System between the director of state courts and the Department of Children and Families and providing a penalty.

By Senators Sullivan, Taylor, Coggs, Darling and Lehman; cosponsored by Representatives Knodl, Grigsby, Berceau, Danou and Townsend.

To committee on **Children and Families**.

**Senate Bill 424**

Relating to: regulating certain sport shooting ranges.

By Senators Kreitlow, Taylor, Plale, Lehman, Schultz, Harsdorf, Kedzie and Hansen; cosponsored by Representatives Hubler, Suder, Zigmunt and Ripp.

To committee on **Fish and Wildlife**.

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**ENROLLED BILLS**

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

**Assembly Bill 2**

**Assembly Bill 325**

*PATRICK E. FULLER*

Assembly Chief Clerk

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**REFERENCE BUREAU CORRECTIONS**

**Assembly Bill 615**

1. Page 56, line 5: substitute “(e)” for “(d)”.
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Assembly Amendment 1 to **Senate Bill 191**

1. Page 1, line 7: delete “3” and substitute “4”.
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**SPEAKER'S COMMUNICATIONS**

January 21, 2010

Representative Joe Parisi  
Chair, Assembly Committee on Corrections and the Courts  
Room 126 North, State Capitol  
Madison, WI 53708

Dear Representative Parisi:

I am writing in my capacity as Assembly Speaker to request that the Joint Review Committee on Criminal Penalties prepare a report under Wisconsin Statute 13.525 (5)(b) on Assembly Bill 423, which creates a new crime or revises an existing criminal penalty.

If you have any questions, please do not hesitate to contact me.

Sincerely,  
*MICHAEL J. SHERIDAN*  
Assembly Speaker

January 25, 2010

Representative Joe Parisi  
Co-Chair, Joint Review Committee on Criminal Penalties  
Room 126 North, State Capitol  
Madison, WI 53708

Dear Representative Parisi:

I am writing in my capacity as Assembly Speaker to request that the Joint Review Committee on Criminal Penalties prepare a report under Wisconsin Statute 13.525 (5)(b) on Assembly Bill 677 and Assembly Bill 678, which create a new crime or revises an existing criminal penalty.

If you have any questions, please do not hesitate to contact me.

Sincerely,  
*MICHAEL J. SHERIDAN*  
Assembly Speaker

**COMMUNICATIONS**

January 25, 2010

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Bill 659, Assembly Bill 671 and Assembly Bill 684.

Sincerely,  
*ANNETTE WILLIAMS*  
State Representative  
10th Assembly District

January 25, 2010

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Fuller:

Please withdraw my name as a co-sponsor of Assembly Bill 665, relating to requiring an insurer to make payment directly to a provider who provides the insurer with an assignment of benefits.

Sincerely,  
*ROBERT JAUCH*  
State Senator  
25th Senate District

January 25, 2010

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Fuller:

Please add my name as a co-sponsor of Assembly Bill 685, relating to using an electronic signature on a criminal complaint.

Sincerely,  
*KATHLEEN VINEHOUT*  
State Senator  
31st Senate District