



STATE OF WISCONSIN

Assembly Journal

One-Hundredth Regular Session

FRIDAY, March 2, 2012

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

AMENDMENTS OFFERED

Assembly substitute amendment 2 to **Assembly Bill 201** offered by Representative A. Ott.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 353** offered by Representative Honadel.

Assembly amendment 2 to **Assembly Bill 424** offered by Representative Craig.

Assembly amendment 1 to **Assembly Bill 562** offered by Representative Steineke.

Assembly amendment 2 to **Assembly Bill 572** offered by Representative Krusick.

Assembly amendment 3 to **Assembly Bill 572** offered by Representative Krusick.

Assembly amendment 4 to **Assembly Bill 572** offered by Representative Krusick.

Assembly amendment 5 to **Assembly Bill 572** offered by Representative Krusick.

Assembly amendment 2 to **Assembly Bill 601** offered by Representative Klenke.

Assembly amendment 1 to **Assembly Bill 607** offered by Representative Krusick.

Assembly amendment 1 to **Assembly Bill 626** offered by Representative Kapenga.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 648

Relating to: establishing an assistant state public defender pay progression plan.

By Representatives Richards, Litjens, Berceau, Bernard Schaber, Brooks, E. Coggs, Grigsby, Hebl, Mason, Molepske Jr, Pocan, Pope-Roberts, Roys, Sinicki and Turner; cosponsored by Senators Taylor, C. Larson, Lassa, Hansen, Risser and S. Coggs.

To committee on **Criminal Justice and Corrections**.

Assembly Bill 649

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

By Representatives Jacque, A. Ott and Spanbauer; cosponsored by Senator Taylor.

To committee on **Criminal Justice and Corrections**.

Assembly Bill 650

Relating to: the prohibition against adults knowingly permitting or failing to take action to prevent the illegal consumption of alcohol beverages by underage persons.

By Representatives Jacque, Bernard Schaber, Spanbauer, Berceau, Jorgensen, Kerkman, A. Ott and Stroebel.

To committee on **Criminal Justice and Corrections**.

Assembly Bill 651

Relating to: clean technology grants and making an appropriation.

By Representatives Molepske Jr, C. Taylor, Zepnick, Spanbauer, Hebl, Hulsey, Pope-Roberts, Young, Sinicki, E. Coggs, Roys, Berceau and Vruwink.

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

Assembly Bill 652

Relating to: creation of the Wisconsin Next Generation Reserve Board and Wisconsin next generation reserve fund, authorizing the State of Wisconsin Investment Board to provide certain advice, services, and facilities to state agencies and others, requiring the exercise of rule-making authority, and making appropriations.

By Representatives Marklein and Molepske Jr; cosponsored by Senators Wanggaard and Taylor.

To committee on **Financial Institutions**.

Assembly Bill 653

Relating to: elimination of sick leave for state senators and representatives to the assembly.

By Representatives Marklein, Strachota, August, Craig, Endsley, Jacque, Kapenga, Kestell, Knodl, Knudson, Kooyenga, Kramer, Kuglitsch, Litjens, Murtha, Nygren, J. Ott, Petersen, Steineke, Thiesfeldt, Van Roy, Weininger,

Wynn, Ziegelbauer, Ballweg, Brooks and Stroebel; cosponsored by Senators Galloway, Moulton, Vukmir and Wanggaard.

To committee on **Homeland Security and State Affairs**.

Assembly Bill 654

Relating to: contracting with residential contractors.

By Representatives Krug, Nygren, Spanbauer and Vruwink; cosponsored by Senators Olsen and Taylor.

To committee on **Consumer Protection and Personal Privacy**.

Assembly Bill 655

Relating to: the regulation of aquaculture.

By Representatives Marklein, Krug, Bewley, Brooks, Endsley and Spanbauer; cosponsored by Senators Holperin, Jauch, Kedzie and Schultz.

To committee on **Natural Resources**.

COMMITTEE REPORTS

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

Assembly Bill 534

Relating to: intentional program violations of public assistance programs.

Assembly Amendment 1 adoption:

Ayes: 7 – Representatives Pridemore, Krug, Kestell, Thiesfeldt, Berceau, Seidel and Pope–Roberts.

Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 7 – Representatives Pridemore, Krug, Kestell, Thiesfeldt, Berceau, Seidel and Pope–Roberts.

Noes: 0.

Passage as amended:

Ayes: 4 – Representatives Pridemore, Krug, Kestell and Thiesfeldt.

Noes: 3 – Representatives Berceau, Seidel and Pope–Roberts.

To committee on **Rules**.

DONALD PRIDEMORE
Chairperson
Committee on Children and Families

The committee on **Colleges and Universities** reports and recommends:

Assembly Bill 322

Relating to: accessible instructional materials for students with disabilities enrolled in the University of Wisconsin System or the Technical College System.

Assembly Substitute Amendment 1 adoption:

Ayes: 6 – Representatives Nass, Pridemore, Wynn, Toles, Berceau and Molepske Jr.

Noes: 0.

Passage as amended:

Ayes: 6 – Representatives Nass, Pridemore, Wynn, Toles, Berceau and Molepske Jr.

Noes: 0.

To committee on **Rules**.

Assembly Bill 431

Relating to: grants to technical college district boards under the Workforce Advancement Training Program.

Passage:

Ayes: 6 – Representatives Nass, Pridemore, Wynn, Toles, Berceau and Molepske Jr.

Noes: 0.

To committee on **Rules**.

STEPHEN NASS
Chairperson
Committee on Colleges and Universities

The committee on **Election and Campaign Reform** reports and recommends:

Assembly Bill 472

Relating to: offering anything of value to induce someone to sign or not sign a recall petition and providing a penalty.

Passage:

Ayes: 6 – Representatives Tauchen, Bernier, Stone, Pridemore, Roys and Zamarripa.

Noes: 0.

To committee on **Rules**.

Assembly Joint Resolution 63

Relating to: recall of elective officers and a code of ethics for government officials (first consideration).

Adoption:

Ayes: 4 – Representatives Tauchen, Bernier, Stone and Pridemore.

Noes: 2 – Representatives Roys and Zamarripa.

To committee on **Rules**.

GARY TAUCHEN
Chairperson
Committee on Election and Campaign Reform

The committee on **Financial Institutions** reports and recommends:

Assembly Bill 510

Relating to: deposit placement programs of public depositories.

Passage:

Ayes: 9 – Representatives Kramer, Kerkman, Marklein, Tranel, Craig, Zepnick, Young, Hintz and Richards.

Noes: 0.

To committee on **Rules**.

Assembly Bill 557

Relating to: audits and reports of state savings banks and state savings and loan associations.

Passage:

Ayes: 10 – Representatives Kramer, Kaufert, Kerkman, Marklein, Tranel, Craig, Zepnick, Young, Hintz and Richards.

Noes: 0.

To committee on **Rules**.

Assembly Bill 582

Relating to: regulation of rental–purchase agreements and granting rule–making authority.

Passage:

Ayes: 5 – Representatives Kramer, Kerkman, Marklein, Tranel and Craig.

Noes: 4 – Representatives Zepnick, Young, Hintz and Richards.

To committee on **Rules**.

BILL KRAMER
Chairperson
Committee on Financial Institutions

The committee on **Jobs, Economy and Small Business** reports and recommends:

Assembly Bill 376

Relating to: authorizing the sale or transfer of tax credits in counties experiencing high rates of unemployment.

Assembly Amendment 1 to Assembly Substitute Amendment 1 adoption:

Ayes: 10 – Representatives Williams, Endsley, Stone, Klenke, Knilans, Loudenbeck, Petryk, Bernard Schaber, Toles and Krusick.

Noes: 0.

Assembly Substitute Amendment 1 adoption:

Ayes: 9 – Representatives Williams, Endsley, Stone, Klenke, Knilans, Loudenbeck, Petryk, Bernard Schaber and Toles.

Noes: 1 – Representative Krusick.

Passage as amended:

Ayes: 9 – Representatives Williams, Endsley, Stone, Klenke, Knilans, Loudenbeck, Petryk, Bernard Schaber and Toles.

Noes: 1 – Representative Krusick.

To committee on **Rules**.

Assembly Bill 508

Relating to: authorizing the Wisconsin Health and Educational Facilities Authority to issue bonds to finance projects related to nonprofit facilities.

Assembly Amendment 1 adoption:

Ayes: 10 – Representatives Williams, Endsley, Stone, Klenke, Knilans, Loudenbeck, Petryk, Bernard Schaber, Toles and Krusick.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Williams, Endsley, Stone, Klenke, Knilans, Loudenbeck and Petryk.

Noes: 3 – Representatives Bernard Schaber, Toles and Krusick.

To committee on **Rules**.

Assembly Bill 572

Relating to: tax credit programs administered by the Wisconsin Economic Development Corporation.

Assembly Amendment 1 adoption:

Ayes: 13 – Representatives Williams, Endsley, Stone, Kapenga, Klenke, Knilans, Kuglitsch, Loudenbeck, Petryk, Molepske Jr, Bernard Schaber, Toles and Krusick.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Williams, Endsley, Stone, Kapenga, Klenke, Knilans, Kuglitsch, Loudenbeck, Petryk, Molepske Jr and Bernard Schaber.

Noes: 2 – Representatives Toles and Krusick.

To committee on **Rules**.

Assembly Bill 579

Relating to: licensing of plants that process certain foods made with milk or milk products.

Assembly Substitute Amendment 1 adoption:

Ayes: 9 – Representatives Williams, Endsley, Stone, Kapenga, Klenke, Knilans, Kuglitsch, Loudenbeck and Petryk.

Noes: 4 – Representatives Molepske Jr, Bernard Schaber, Toles and Krusick.

Passage as amended:

Ayes: 9 – Representatives Williams, Endsley, Stone, Kapenga, Klenke, Knilans, Kuglitsch, Loudenbeck and Petryk.

Noes: 4 – Representatives Molepske Jr, Bernard Schaber, Toles and Krusick.

To committee on **Rules**.

Assembly Bill 601

Relating to: the angel investment and early stage seed investment tax credit programs.

Assembly Amendment 1 adoption:

Ayes: 9 – Representatives Williams, Endsley, Stone, Klenke, Knilans, Loudenbeck, Petryk, Bernard Schaber and Toles.

Noes: 1 – Representative Krusick.

Passage as amended:

Ayes: 7 – Representatives Williams, Endsley, Stone, Klenke, Knilans, Loudenbeck and Petryk.

Noes: 3 – Representatives Bernard Schaber, Toles and Krusick.

To committee on **Rules**.

Assembly Bill 607

Relating to: economic development activities of the Wisconsin Housing and Economic Development Authority.

Passage:

Ayes: 9 – Representatives Williams, Endsley, Stone, Klenke, Knilans, Loudenbeck, Petryk, Bernard Schaber and Toles.

Noes: 1 – Representative Krusick.

To committee on **Rules**.

Assembly Bill 626

Relating to: gasoline vapor recovery requirements and granting rule-making authority.

Passage:

Ayes: 10 – Representatives Williams, Endsley, Stone, Klenke, Knilans, Loudenbeck, Petryk, Bernard Schaber, Toles and Krusick.

Noes: 0.

To committee on **Rules**.

MARY WILLIAMS

Chairperson

Committee on Jobs, Economy and Small Business

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

Assembly Bill 417

Relating to: procedures for establishing a claim (suggested as remedial legislation by the Office of the State Treasurer).

Passage:

Ayes: 5 – Representatives J. Ott, T. Larson, Kerkman, Jacque and Craig.

Noes: 2 – Representatives Staskunas and D. Cullen.

To committee on **Rules**.

Assembly Bill 424

Relating to: battery to or threatening a court employee or threatening damage to a courthouse and providing penalties.

Assembly Amendment 1 adoption:

Ayes: 7 – Representatives J. Ott, T. Larson, Kerkman, Jacque, Craig, Staskunas and D. Cullen.

Noes: 0.

Passage as amended:

Ayes: 5 – Representatives J. Ott, T. Larson, Kerkman, Staskunas and D. Cullen.

Noes: 2 – Representatives Jacque and Craig.

To committee on **Rules**.

JIM OTT

Chairperson

Committee on Judiciary and Ethics

ACTION ON THE SENATE MESSAGE

Senate Bill 173

Relating to: the disclosure of electronic juvenile court records to law enforcement agencies and providing a penalty.

By Senators Darling, Lazich, Olsen and Wanggaard; cosponsored by Representatives Vos, Bernier, Brooks, Jacque, Kaufert, Kestell, Knodl, Petersen, Strachota, Stroebel and Ziegelbauer.

To committee on **Rules**.

COMMUNICATIONS

March 2, 2012

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 646, relating to prosecution time limits for the offense of trafficking a child, possession of child pornography, termination of parental rights after committing the offense of trafficking a child, criminal procedure, crime victim compensation, and providing a penalty.

Sincerely,

LOUIS MOLEPSKE, JR.

State Representative

71st Assembly District

March 2, 2012

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 594, relating to vehicles registered as historic military vehicles.

Sincerely,

ROGER RIVARD

State Representative

75th Assembly District

March 2, 2012

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 594, relating to vehicles registered as historic military vehicles.

Sincerely,
GAREY BIES
State Representative
1st Assembly District

In favor of passage of Assembly Bill 397

In favor of concurrence in Senate Bill 314

Against tabling of Assembly Amendment 3 to Senate Bill 338

Against tabling of Assembly Substitute Amendment 1 to Senate Bill 370

Thank you for your time and consideration, and best wishes.

Sincerely,
JOHN STEINBRINK
State Representative
65th Assembly District

March 2, 2012

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 Senate Bill 173, relating to the disclosure of electronic juvenile court records to law enforcement agencies and providing a penalty.

Sincerely,
JON RICHARDS
State Representative
19th Assembly District

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

March 1, 2012

To the Honorable, the Assembly:

We have completed our review of driver improvement surcharge funding, as requested by the Joint Legislative Audit Committee. When a court imposes a fine or forfeiture on an individual for operating a vehicle while intoxicated, statutes require that it also impose a \$365 driver improvement surcharge.

The county in which a surcharge is imposed retains 60.0 percent of the surcharge to help fund an intoxicated driver program that provides alcohol and drug abuse services to individuals convicted of offenses related to operating a vehicle while intoxicated. The county is statutorily required to transfer 40.0 percent of each imposed surcharge to the State.

Surcharge funds transferred to the State are distributed to five state agencies, which in fiscal year (FY) 2010-11 spent a total of \$4.5 million in surcharge funds on a variety of activities that supported local efforts to address alcohol and drug abuse issues. For example, surcharge funds were used to purchase breath alcohol testing instruments for local law enforcement agencies and provide free training on how to use them. In addition, the Department of Health Services awarded \$744,300 to 29 counties in calendar year 2011 as supplemental grants to help fund intoxicated driver programs. The other 43 counties did not request supplemental grants.

To help meet statutorily required budget reductions, we found that state agencies chose to lapse \$755,000 in surcharge funds to the General Fund in FY 2009-10 and \$120,000 in FY 2010-11.

We appreciate the cooperation extended to us by the five state agencies that spent surcharge funds.

Respectfully submitted,
JOE CHRISMAN
State Auditor

March 2, 2012

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

Dear Chief Clerk Fuller:

I would like to submit the votes below that I would have cast on motions during the Assembly's February 21 session for inclusion in the Assembly Journal.

Against tabling of Assembly Amendment 1 to Senate Bill 368

Against tabling of Assembly Substitute Amendment 1 to Senate Bill 368

Against tabling of Assembly Amendment 2 to Senate Bill 368

Against tabling of Assembly Amendment 3 to Senate Bill 368

Against concurrence in Senate Bill 202

In favor of concurrence in Senate Bill 185

In favor of passage of Assembly Bill 291

In favor of concurrence in Senate Bill 260