



STATE OF WISCONSIN Assembly Journal

Ninety-Fifth Regular Session

2:05 P.M.

THURSDAY, March 15, 2001

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

Representative Duff in the chair.

The Assembly dispensed with the call of the roll.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 1** offered by committee on **Tax and Spending Limitations**.

Assembly amendment 1 to **Assembly Bill 60** offered by committee on **Judiciary**.

Assembly amendment 2 to **Assembly Bill 60** offered by committee on **Judiciary**.

Assembly amendment 1 to **Assembly Bill 62** offered by committee on **Urban and Local Affairs**.

Assembly amendment 2 to **Assembly Bill 62** offered by committee on **Urban and Local Affairs**.

Assembly amendment 1 to **Assembly Bill 111** offered by Representative Richards.

Assembly amendment 1 to **Assembly Joint Resolution 24** offered by Representative Ryba.

Assembly substitute amendment 1 to **Senate Bill 54** offered by Representatives Kedzie and Johnsrud.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 00-135

Relating to the stewardship program.
Submitted by Department of Natural Resources.
Report received from Agency, March 13, 2001.
To committee on **Natural Resources**.
Referred on March 15, 2001.

Assembly Clearinghouse Rule 00-171

Relating to immunization of students.
Submitted by Department of Health and Family Services.
Report received from Agency, March 6, 2001.
To committee on **Public Health**.
Referred on March 15, 2001.

Assembly Clearinghouse Rule 00-173

Relating to the tobacco control board's administering and awarding grants for tobacco control and establishing criteria for recipients of the grants.

Submitted by Department of Health and Family Services.
Report received from Agency, March 12, 2001.
To committee on **Public Health**.
Referred on March 15, 2001.

Assembly Clearinghouse Rule 00-176

Relating to environmental insurance requirements for liability exemptions for voluntary remediation.

Submitted by Department of Natural Resources.
Report received from Agency, March 13, 2001.
To committee on **Environment**.
Referred on March 15, 2001.

Assembly Clearinghouse Rule 01-005

Relating to the annual adjustment of thresholds for application of prevailing wage rates.

Submitted by Department of Workforce Development.
Report received from Agency, March 7, 2001.
To committee on **Labor and Workforce Development**.
Referred on March 15, 2001.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 201

Relating to: requiring traffic accident reports to include information on cellular or other mobile telephone use.

By Representatives Staskunas, Gard, Boyle, Carpenter, Miller, Lippert, Plouff, Colon and Berceau; cosponsored by Senators Baumgart, Grobschmidt and Rosenzweig.

To committee on **Highway Safety**.

Assembly Bill 202

Relating to: operating a motor vehicle while using a cellular or other mobile telephone and providing a penalty.

By Representatives Staskunas, Gard, Walker, Carpenter, Ainsworth, Ladwig, J. Lehman, Sykora, Plouff, Albers, Colon and Boyle; cosponsored by Senators Baumgart, Burke, Darling and Rosenzweig.

To committee on **Highway Safety**.

Assembly Bill 203

Relating to: probation, parole, and extended supervision agents responsible for locating absconders.

By Representatives Walker, Duff, Grothman, Gunderson, F. Lasee, Musser, Pettis, Seratti, Staskunas, Stone, Sykora, Townsend, Vrakas, Owens and Ryba; cosponsored by Senators Darling, Burke, Huelsman, Rosenzweig and Schultz.

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

Assembly Bill 204

Relating to: water quality certification for nonfederal wetlands and granting rule-making authority.

By Representatives Plouff, Black, Meyerhofer, Ryba, Young, Berceau, J. Lehman, Hebl, Lassa, Miller, Colon, Morris-Tatum, Kreuser, Sinicki, Krug, Bock, Richards, Huber, Carpenter, Boyle, Pocan and Balow; cosponsored by Senators Baumgart, Risser, Wirch, Burke, Schultz, Robson and Moen.

To committee on **Environment**.

Assembly Bill 205

Relating to: receiverships for public nuisance.

By Representatives La Fave, Townsend, Ryba, Miller, Staskunas, J. Lehman, Cullen, Kreuser, Richards and Coggs; cosponsored by Senators Plache, Burke, Rosenzweig, Darling and Cowles.

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

Assembly Bill 206

Relating to: regulation of social workers, advanced practice social workers, independent social workers, clinical social workers, marriage and family therapists, professional counselors, and art, music, and dance therapists, insurance coverage for services provided by clinical social workers, marriage and family therapists, professional counselors, granting rule-making authority, and providing a penalty.

By Representatives Urban, Vrakas, Krawczyk, Wasserman, Freese, Berceau, Hahn, Lippert, La Fave, Starzyk, Young, Albers, Townsend, Schneider, Ott, Skindrud, Gronemus, Plouff, Kreibich and Carpenter; cosponsored by Senators Grobschmidt, George, Rosenzweig, Plache, Darling, Erpenbach and Huelsman.

To committee on **Health**.

Assembly Bill 207

Relating to: the requirements for examinations for nursing home administrator licenses and for reciprocal nursing home administrator licenses and granting rule-making authority.

By Representatives Wasserman, Johnsrud, Urban, Berceau, Colon, Hahn, La Fave, Pettis, Ryba and Turner; cosponsored by Senators Moen, Darling, Erpenbach and Rosenzweig.

To committee on **Aging and Long-Term Care**.

Assembly Bill 208

Relating to: termination of a tenancy if notice given regarding drug or criminal gang activity.

By Representatives Sykora, Turner, Albers, Stone, Jeskewitz, Lippert, Ryba, Urban, Olsen, Riley, Ladwig, Morris-Tatum, Musser, Staskunas, Krawczyk, Vrakas, Hundertmark, Townsend, Lassa, Berceau, D. Meyer and M.

Lehman; cosponsored by Senators Moore, Plache, Risser, Rosenzweig, Roessler, Darling and Schultz.

To committee on **Housing**.

Assembly Bill 209

Relating to: special observance days in school.

By Representatives Plale, J. Fitzgerald, Kreuser, Urban, Plouff, Kestell, Ryba, Rhoades, Staskunas, Ladwig, Miller, Vrakas, Berceau, Townsend and McCormick; cosponsored by Senators Burke, S. Fitzgerald and Darling.

To committee on **Education**.

Assembly Bill 210

Relating to: apprenticeship training and making appropriations.

By Representatives Owens, Suder, Kestell, McCormick, Starzyk, Krawczyk, Musser, Hahn, Ladwig, Albers, Powers and Sykora; cosponsored by Senator Welch.

To committee on **Labor and Workforce Development**.

Assembly Bill 211

Relating to: the speed limit at certain intersections marked with school crossing signs and providing a penalty.

By Representatives Owens, Walker, Kestell, Powers, Black, Stone, Krawczyk, Ott, Ainsworth, Loeffelholz, J. Lehman, Berceau, Jeskewitz, Lassa, Kreuser, Sykora, Townsend and Friske; cosponsored by Senators Roessler and Darling.

To committee on **Highway Safety**.

Assembly Bill 212

Relating to: participation in the programming of a youth report center as a condition of a juvenile disposition, sanction, deferred prosecution agreement or consent decree.

By Representatives Miller, Walker, Bock, Ladwig, Ryba, Powers, Ott, Pocan, Staskunas, J. Lehman, Stone, Berceau and Balow; cosponsored by Senators M. Meyer, Burke, Roessler, Hansen, Risser, Huelsman, Harsdorf, Darling and S. Fitzgerald.

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

Assembly Bill 213

Relating to: classifying certain county jailers as protective occupation participants under the Wisconsin retirement system and restricting the issues subject to interest arbitration under the Municipal Employment Relations Act.

By Representatives Vrakas, Bies, Turner, Underheim, Sykora, Plouff, Musser, Albers, Balow, Pettis, Seratti and Lippert; cosponsored by Senators Wirch, Burke, George and Breske.

To joint survey committee on **Retirement Systems**.

Assembly Bill 214

Relating to: allowing cities, villages, and towns to authorize municipal fire, emergency medical technician, or first responder departments to deposit, disburse, and expend certain funds.

By Representatives Ott, Kestell, Duff, Wood, M. Lehman, Starzyk, Wade, Ainsworth, Gronemus, Gard, Olsen, Ladwig, Krawczyk, Turner, Musser, Lippert, Freese, Lassa, J. Lehman, McCormick, Sykora, Plouff, Pettis, La Fave, Nass,

Petrowski, Vrakas, Seratti, Townsend and Rhoades; cosponsored by Senators Baumgart, A. Lasee, S. Fitzgerald, Rosenzweig, Darling and Roessler.

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

Assembly Bill 215

Relating to: discharges of dredged or fill material into nonfederal wetlands.

By Representatives Kedzie and Johnsrud.

To committee on **Environment**.

Assembly Bill 216

Relating to: the right to discovery in implied consent cases involving drunk driving.

By Representatives Stone, Vrakas, Hundertmark, Ott, Bies, McCormick, La Fave, Duff, Starzyk and Townsend; cosponsored by Senators Huelsman, Darling and Rosenzweig.

To committee on **Highway Safety**.

Assembly Bill 217

Relating to: sales and taste samples of fruit-based intoxicating liquor for consumption on or off the premises where manufactured or rectified.

By Representatives Skindrud, Ainsworth, Berceau, Black, Plouff and Plale; cosponsored by Senator Erpenbach.

To committee on **State Affairs**.

Assembly Bill 218

Relating to: membership of the dentistry examining board.

By Representatives Powers, Miller, Musser, M. Lehman, Kreibich, Ladwig, Hahn, J. Lehman, Ainsworth, Sykora, Rhoades, Townsend, Berceau and Bock; cosponsored by Senators Robson, Harsdorf, Ellis and Rosenzweig.

To committee on **Health**.

Assembly Bill 219

Relating to: time limits for a police and fire commission or another governing body to render a decision related to the suspension of a law enforcement officer or firefighter.

By Representatives Travis, Musser, Ryba, Turner, J. Lehman, Berceau and Staskunas; cosponsored by Senators Risser and Burke.

To committee on **Labor and Workforce Development**.

Assembly Bill 220

Relating to: prohibiting a parent who has physical placement of a child from taking the child to certain foreign counties without the agreement of the other parent.

By Representative Johnsrud; cosponsored by Senator M. Meyer.

To committee on **Family Law**.

COMMITTEE REPORTS

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

Assembly Bill 60

Relating to: the prohibition against making, possessing, or distributing a representation that depicts nudity, and providing a penalty.

Assembly amendment 1 adoption:

Ayes: 8 – Representatives Gundrum, McCormick, Grothman, Montgomery, Starzyk, Hebl, Colon and Staskunas.

Noes: 0.

Assembly amendment 2 adoption:

Ayes: 8 – Representatives Gundrum, McCormick, Grothman, Montgomery, Starzyk, Hebl, Colon and Staskunas.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Gundrum, McCormick, Grothman, Montgomery, Starzyk, Hebl, Colon and Staskunas.

Noes: 0.

To committee on **Rules**.

Assembly Bill 123

Relating to: who may be appointed personal representative in informal administration.

Passage:

Ayes: 8 – Representatives Gundrum, McCormick, Grothman, Montgomery, Starzyk, Hebl, Colon and Staskunas.

Noes: 0.

To committee on **Rules**.

MARK GUNDRUM

Chairperson

Committee on Judiciary

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

Assembly Bill 176

Relating to: collection of personally identifiable information by certain state entities from Internet sites.

Passage:

Ayes: 6 – Representatives Powers, Montgomery, Nass, Wade, Shilling and Schneider.

Noes: 0.

To committee on **Rules**.

Assembly Bill 191

Relating to: extending the physician-patient privilege to refuse to disclose information to include information provided to health care services review organizations.

Passage:

Ayes: 6 – Representatives Powers, Montgomery, Nass, Wade, Shilling and Schneider.

Noes: 0.

To committee on **Rules**.

Assembly Bill 192

Relating to: encouraging governmental entities and businesses to consider the use of unique personal identifiers and to discontinue the use of social security numbers.

Passage:

Ayes: 5 – Representatives Powers, Montgomery, Nass, Shilling and Schneider.

Noes: 1 – Representative Wade.

To committee on **Rules**.

Assembly Joint Resolution 32

Relating to: urging the Wisconsin congressional delegation to work to enact legislation that would remove social security numbers from hunting and fishing license applications.

Adoption:

Ayes: 6 – Representatives Powers, Montgomery, Nass, Wade, Shilling and Schneider.

Noes: 0.

To committee on **Rules**.

MICHAEL POWERS
Chairperson
Committee on Personal Privacy

The committee on **Tax and Spending Limitations** reports and recommends:

Assembly Bill 1

Relating to: limitations on state appropriations from general purpose revenue.

Assembly substitute amendment 1 adoption:

Ayes: 5 – Representatives F. Lasee, Leibham, Hundertmark, Musser and Seratti.

Noes: 2 – Representatives Richards and Turner.

Passage as amended:

Ayes: 5 – Representatives F. Lasee, Leibham, Hundertmark, Musser and Seratti.

Noes: 2 – Representatives Richards and Turner.

To committee on **Rules**.

FRANK LASEE
Chairperson
Committee on Tax and Spending
Limitations

The committee on **Urban and Local Affairs** reports and recommends:

Assembly Bill 62

Relating to: local ordinances governing drug paraphernalia.

Assembly amendment 1 adoption:

Ayes: 6 – Representatives Gunderson, Starzyk, D. Meyer, Musser, Wasserman and Berceau.

Noes: 0.

Assembly amendment 2 adoption:

Ayes: 6 – Representatives Gunderson, Starzyk, D. Meyer, Musser, Wasserman and Berceau.

Noes: 0.

Passage as amended:

Ayes: 6 – Representatives Gunderson, Starzyk, D. Meyer, Musser, Wasserman and Berceau.

Noes: 0.

To committee on **Rules**.

Assembly Bill 135

Relating to: the requirement to obtain a public warehouse keeper's license.

Passage:

Ayes: 6 – Representatives Gunderson, Starzyk, D. Meyer, Musser, Wasserman and Berceau.

Noes: 0.

To committee on **Rules**.

SCOTT GUNDERSON
Chairperson
Committee on Urban and Local Affairs

MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Senate Joint Resolution 21
Senate Joint Resolution 26
Senate Joint Resolution 27
Senate Joint Resolution 28

Passed and asks concurrence in:

Senate Bill 19
Senate Bill 41
Senate Bill 48
Senate Bill 54
Senate Bill 63
Senate Bill 70

Amended and concurred in as amended:

Assembly Bill 54 (Senate amendment 1 adopted)

Concurred in:

Assembly Joint Resolution 39
Assembly Joint Resolution 43
Assembly Bill 7

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 21

Relating to: urging the Wisconsin congressional delegation to work to enact legislation that would remove social security numbers from hunting and fishing license applications.

By Senators Erpenbach, Baumgart, Breske, Cowles, Darling, Decker, Farrow, George, Hansen, Huelsman, Schultz, Shibilski, Wirch and Zien; cosponsored by Representatives Balow, Albers, Berceau, Boyle, Gronemus, Grothman, Gunderson, Hebl, Hubler, Johnsrud, Kreuser, Krug, F. Lasee, Meyerhofer, Petrowski, Pettis, Plale, Plouff, Pocan, Powers, Reynolds, Schneider, Sherman, Shilling, Skindrud, Sinicki, Staskunas, Stone, Sykora and Young.

To committee on **Personal Privacy**.

Senate Joint Resolution 26

Relating to: proclaiming April as Child Abuse Prevention Month.

By Senators Roessler, Baumgart, Burke, Decker, Grobschmidt, A. Lasee, Plache, Risser, Rosenzweig, Erpenbach and Cowles; cosponsored by Representatives Krug, Kestell, Lassa, Berceau, Bies, Bock, Coggs, Friske, Hahn, Hebl, Jeskewitz, Krawczyk, Kreuser, Ladwig, La Fave, J. Lehman, Lippert, McCormick, D. Meyer, Miller, Musser, Olsen, Owens, Pettis, Plouff, Pocan, Rhoades, Sinicki, Starzyk, Staskunas, Suder, Underheim, Urban, Wade, Wasserman and Young.

To committee on **Rules**.

Senate Joint Resolution 27

Relating to: proclaiming the month of May as "Community Action Month" in the state of Wisconsin.

By Senators Wirch, Roessler, Burke, Shibilski, Schultz, Moen, Rosenzweig, Erpenbach, Risser, Hansen, Decker, Baumgart, Darling, A. Lasee and Chvala; cosponsored by Representatives Olsen, Krug, Ladwig, Shilling, Krawczyk, Turner, Miller, Wade, Gronemus, Bock, Ryba, Loeffelholz, Albers, Sherman, Coggs, Musser, Jeskewitz, Johnsrud, Owens, Plouff, Reynolds, Lippert, Rhoades, Townsend, Huber, Vrakas, Ott, Lassa, Kreuser, Friske, Gunderson, Underheim, Freese, J. Lehman, Berceau, Riley, Sykora and Hubler.

To committee on **Rules**.

Senate Joint Resolution 28

Relating to: the life and public service of Gerald D. Lorge.

By Senators Welch, Risser, Baumgart, Darling, Ellis, George, Roessler, Schultz, Rosenzweig, Harsdorf and Plache; cosponsored by Representatives Hundertmark, Freese, Ladwig, Albers, Schneider, Owens, Skindrud, Coggs, Ott, Musser, Townsend, Stone, Ryba, Sykora, Nass, Huber, Jeskewitz, Miller, Turner, Lippert, Gunderson, D. Meyer, Bies, Wasserman, Petrowski and Plouff.

To committee on **Rules**.

Senate Bill 19

Relating to: requiring headlights and other required lamps on vehicles to be lighted while windshield wipers are being used and providing a penalty.

By Senators Baumgart, Burke and Huelsman; cosponsored by Representatives Ainsworth, J. Lehman, Freese, Huber, Berceau, La Fave, Ott, Powers and Kreuser.
To committee on **Highway Safety**.

Senate Bill 41

Relating to: use of caller identification blocking services by telephone solicitors.

By Senators Erpenbach, Plache, Jauch, Moen, Roessler, Rosenzweig, Grobschmidt, Baumgart, Burke, Decker, Cowles, Hansen and Darling; cosponsored by Representatives Powers, Petrowski, Sinicki, Richards, M. Lehman, Ziegelbauer, Freese, Schooff, Miller, Williams, Steinbrink, Krawczyk, Olsen, Urban, Carpenter, Ott, Boyle, Black, J. Lehman, Staskunas, Bock, Musser, Pocan, Albers, Turner, Ryba, Cullen, Schneider, Kreuser, Gunderson, Huber and Travis.

To committee on **Personal Privacy**.

Senate Bill 48

Relating to: creating an optional holiday for state employees to observe the birthday of Cesar E. Chavez.

By Senators Burke, Erpenbach, George, Moore and Schultz; cosponsored by Representatives Colon, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Gronemus, Kreuser, Krug, J. Lehman, Miller, Morris-Tatum, Pocan, Richards, Riley, Schooff, Sherman, Sinicki, Turner, Williams and Young.

To committee on **Government Operations**.

Senate Bill 54

Relating to: discharges of dredged or fill material into nonfederal wetlands.

By Senator Shibilski.

To committee on **Environment**.

Senate Bill 63

Relating to: division of municipalities into wards; redistricting of supervisory and aldermanic districts; election districts in 1st class city school systems; recording of certain municipal annexations; the effective date of certain annexation and detachment actions; and making an appropriation.

By committee on Senate Organization.

To committee on **Census and Redistricting**.

Senate Bill 70

Relating to: requiring law enforcement officers to report traffic violations and accidents involving any foreign diplomat to the federal department of state.

By Senators Breske, Grobschmidt, Burke, Roessler and Schultz; cosponsored by Representatives Stone, Albers, Turner, Musser, Krawczyk, La Fave, Kreuser and Gunderson, by request of U.S. Department of State.

To committee on **Transportation**.

Assembly Bill 54

Relating to: relinquishing custody of a newborn child and granting rule-making authority.

By Representatives Plale, Jeskewitz, Schooff, Jensen, La Fave, Urban, Bock, Musser, Gronemus, Montgomery, Staskunas, Walker, J. Lehman, Powers, Turner, Ott, Olsen,

Ladwig, Kreuser, Suder, Huber, Kestell, Steinbrink, Freese, Boyle, Ward, Wasserman, Rhoades, Miller, Sykora, Balow, Ainsworth, Sherman, Kreibich, Berceau, Vrakas, Sinicki, Hundertmark, Cullen, Owens, Colon, Albers, Krusick, Krawczyk, Schneider and Hoven; cosponsored by Senators Burke, Rosenzweig, Robson, Grobschmidt, Baumgart, Risser, Plache, Huelsman, Darling, Roessler and S. Fitzgerald, by request of Speaker's Task Force on Abandoned Babies.

To committee on **Rules**.

REFERENCE BUREAU CORRECTIONS

Assembly Joint Resolution 36

1. Page 3, line 19: delete "senate chief clerk" and substitute "assembly chief clerk".

ADJOURNMENT

Representative Underheim moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, March 20.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

2:06 P.M.