



STATE OF WISCONSIN Assembly Journal

Ninety-Eighth Regular Session

WEDNESDAY, January 24, 2007

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

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 06-058

Relating to the scheduling of two schedule I controlled substances, N-benzylpiperazine (BZP) and 2,5 dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7) under chapter 961, Stats., of the Uniform Controlled Substances Act.

Submitted by Department of Regulation and Licensing.
Report received from Agency, January 18, 2007.
To committee on **Criminal Justice**.
Referred on January 24, 2007.

Assembly Clearinghouse Rule 06-059

Relating to the scheduling of two schedule I controlled substances, alpha-methyltryptamine (AMT) and 5-methoxy-N, N-diisopropyltryptamine (5-MeO-DIPT) under chapter 961, Stats., of the Uniform Controlled Substances Act.

Submitted by Department of Regulation and Licensing.
Report received from Agency, January 18, 2007.
To committee on **Criminal Justice**.
Referred on January 24, 2007.

Assembly Clearinghouse Rule 06-078

Relating to procedures for dismissal of faculty in special cases and to procedures for dismissal of academic staff in special cases.

Submitted by University of Wisconsin System.
Report received from Agency, January 16, 2007.
To committee on **Colleges and Universities**.
Referred on January 24, 2007.

Assembly Clearinghouse Rule 06-101

Relating to the Automated Processing Partnership System program and to requiring motor vehicle dealers to issue vehicle titles and registrations electronically, unless exempted by the department.

Submitted by Department of Transportation.
Report received from Agency, January 18, 2007.
To committee on **Transportation**.
Referred on January 24, 2007.

Assembly Clearinghouse Rule 06-107

Relating to cigarette and tobacco products tax bad debt deductions.

Submitted by Department of Revenue.
Report received from Agency, January 17, 2007.
To committee on **Ways and Means**.
Referred on January 24, 2007.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 7

Relating to: honoring the life and public service of Lewis T. Mittness, Jr.

By Representatives Sheridan, Benedict and Hixson;
cosponsored by Senator Robson.
To committee on **Rules**.

Assembly Joint Resolution 8

Relating to: the life and public service of Robert L. Quackenbush.

By Representatives Musser, Nerison, Huebsch and Albers; cosponsored by Senators Schultz, Kapanke and Vinehout.
To committee on **Rules**.

Assembly Joint Resolution 9

Relating to: celebrating March 1, 2007, as St. David's Day.

By Representatives Owens, Gunderson, Hahn, Mursau, Nerison, Townsend and Petrowski; cosponsored by Senators Coggs, Hansen, Kanavas, Lassa, Olsen, Roessler and Wirch.
To committee on **Rules**.

Assembly Bill 23

Relating to: the elimination of the accumulated unused sick leave credit program for state legislators.

By Representatives Wasserman, Nass, Sinicki, Benedict, Gunderson, Hines, Kleefisch, F. Lasee, LeMahieu, Lothian, Molepske, Newcomer, Pridemore, Strachota, Turner, Vukmir, Zepnick and Ziegelbauer; cosponsored by Senators Ellis, Lehman, Cowles, Darling, Grothman, Kapanke, Leibham and Schultz.

To committee on **Labor and Industry**.

Assembly Bill 24

Relating to: exempting amounts claimed for depreciation for purposes of calculating farm and self-employment income under the Medical Assistance and Badger Care health care programs.

By Representatives Hubler, Boyle, Molepske, Gronemus, Berceau, Ziegelbauer, Sherman, Albers, Staskunas, Musser, Black, Pocan, Sheridan, Hahn, Vruwink, Travis, Nelson, Seidel, Jorgensen, Garthwaite, Hilgenberg, Smith, Hraychuck, Shilling, Fields, Gunderson and Hebl; cosponsored by Senators Vinehout, Jauch, Harsdorf, Miller, Schultz, Hansen and Lassa.

To committee on **Health and Healthcare Reform**.

Assembly Bill 25

Relating to: the applicability of rules of the road to private roads located in mobile home parks.

By Representative Parisi; cosponsored by Senator Miller.

To committee on **Transportation**.

Assembly Bill 26

Relating to: liability for disobeying school crossing guards and providing a penalty.

By Representatives Gottlieb, A. Ott, Albers, Ballweg, Berceau, Black, Fields, Gunderson, Hines, Hraychuck, Lothian, Montgomery, Musser, Pope-Roberts, Townsend and Mursau; cosponsored by Senators Lassa, Olsen, Roessler and Schultz.

To committee on **Education**.

Assembly Bill 27

Relating to: reporting of certain information concerning individual contributions received on campaign finance reports.

By joint committee for review of Administrative Rules.

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

Assembly Bill 28

Relating to: creating an individual income tax credit for retirement plan income received by an individual.

By Representatives Lothian, Owens, Nass, J. Fitzgerald, Ziegelbauer, Jeskewitz, Kerkman, Gundrum, Pridemore, Gunderson, Hahn, Musser, Nerison, Hines, Vukmir, Suder, Cullen, Van Roy, Zipperer, Davis, Vos, LeMahieu, Nygren, Albers, Ballweg, Petrowski, Townsend, Bies, A. Ott, Tauchen, Roth, Kramer, Murtha, Petersen and M. Williams; cosponsored by Senators Kedzie, Roessler, Darling, Harsdorf, Schultz, Kanavas, A. Lasee and Lazich.

To committee on **Ways and Means**.

Assembly Bill 29

Relating to: ordering modifications to legal custody or periods of physical placement contingent upon the occurrence of a specified future event or a specified change in conditions.

By Representatives Owens, Albers, Hahn, F. Lasee, Mursau, Musser, Pridemore and Van Roy; cosponsored by Senator A. Lasee.

To committee on **Children and Family Law**.

Assembly Bill 30

Relating to: permitting an educational agency to refuse to employ or to terminate from employment an unpardoned felon.

By Representatives Petrowski, Nass, Ziegelbauer, Albers, Bies, J. Fitzgerald, Friske, Gunderson, Gundrum, Hahn, Hines, Huebsch, Kerkman, Kestell, Kleefisch, Kramer, F. Lasee, LeMahieu, Lothian, Montgomery, Moulton, Murtha, Musser, Nerison, J. Ott, Owens, Petersen, Pridemore, Roth, Rhoades, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, M. Williams, Zipperer and Nygren; cosponsored by Senators Darling, Harsdorf, Kanavas, A. Lasee, Lazich, Leibham, Roessler and Schultz.

To committee on **Education**.

Assembly Bill 31

Relating to: elimination of accumulated sick leave credit program for legislators, justices and judges, and all other state elected officials.

By Representatives Strachota, Kleefisch, Zipperer, Kestell, LeMahieu, Ziegelbauer, Pridemore, Vukmir, Kerkman, Lothian, Hahn, Nygren, Gottlieb, Vos, Bies, Gundrum, J. Ott, J. Fitzgerald, Roth and Van Roy; cosponsored by Senators Kanavas, Darling, Leibham, Kapanke, Grothman, Cowles and Lazich.

To committee on **Labor and Industry**.

Assembly Bill 32

Relating to: prohibiting employment discrimination because an individual is or applies to be a member of, or performs, has performed, applies to perform, or has an obligation to perform active service in, the state defense force, the national guard of any state, or any reserve component of the military forces of the United States.

By Representatives Owens, Albers, Gunderson, Gundrum, Hahn, Kerkman, F. Lasee, Meyer, Mursau, Musser, Nerison, Petrowski, Strachota, Suder, Townsend and Van Roy; cosponsored by Senators Lassa, Leibham, Roessler, Schultz and Sullivan.

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

Assembly Bill 33

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

By Representatives Owens, Albers, Hahn, Gunderson, Mursau and Townsend.

To committee on **Rural Affairs**.

Assembly Bill 34

Relating to: garnishment of the income of a minor.

By Representatives Owens, Hahn, Jeskewitz, Musser, Townsend and Vos; cosponsored by Senators Olsen, Roessler, Schultz and Grothman.

To committee on **Children and Family Law**.

Assembly Bill 35

Relating to: the privilege of self-defense.

By Representatives Owens, Albers, Friske, Gronemus, Gunderson, Hahn, Hines, Jeskewitz, Kerkman, F. Lasee, Mursau, Musser, Nass, A. Ott, Petrowski, Vos and Vukmir; cosponsored by Senators Roessler and Decker.

To committee on **Criminal Justice**.

Assembly Bill 36

Relating to: grants for catastrophic damage caused to urban forests.

By Representatives M. Williams, Gronemus, Mursau, Musser, Albers, Ballweg, Gunderson, Hubler, Nerison and Townsend; cosponsored by Senators Wirch, Roessler and Schultz.

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

COMMITTEE REPORTS

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

Assembly Bill 20

Relating to: providing loans to persons who are paying more property taxes as a result of the Department of Revenue's error in calculating equalized value and making an appropriation.

Assembly Amendment 1 to Assembly Substitute Amendment 1 adoption:

Ayes: 12 – Representatives Kerkman, Lothian, Hahn, Jeskewitz, Wood, Pridemore, Ziegelbauer, Steinbrink, Fields, Hebl, Toles and Kessler.

Noes: 0.

Assembly Substitute Amendment 1 adoption:

Ayes: 12 – Representatives Kerkman, Lothian, Hahn, Jeskewitz, Wood, Pridemore, Ziegelbauer, Steinbrink, Fields, Hebl, Toles and Kessler.

Noes: 0.

Passage as amended:

Ayes: 12 – Representatives Kerkman, Lothian, Hahn, Jeskewitz, Wood, Pridemore, Ziegelbauer, Steinbrink, Fields, Hebl, Toles and Kessler.

Noes: 0.

To joint committee on **Finance**.

SAMANTHA KERKMAN
Chairperson
Committee on Ways and Means

SPEAKER'S APPOINTMENTS

January 17, 2007

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

Dear Patrick:

Pursuant to Wisconsin State Statute Section 15.445(4)(a), please be advised I have appointed Representative Scott Gunderson to the Wisconsin State Fair Park Board.

Sincerely,
MIKE HUEBSCH
Assembly Speaker

COMMUNICATIONS

January 11, 2007

Governor Jim Doyle
State Capitol
Hand Delivered

Dear Governor Doyle:

I would like to appoint the following Democratic Assembly members to the underlying boards.

Building Commission:

Representative Jennifer Shilling

Education Communications Board:

Representative Marlin Schneider

Joint Survey Committee on Retirement Systems:

Representative Dave Travis

Rural Economic Development Board:

Representative Amy Sue Vruwink

State Capitol and Executive Residence Board:

Representative Marlin Schneider

State Fair Park Board:

Representative Tony Staskunas

State Historical Society Board of Curators:

Representative Terese Berceau

Joint Survey Committee on Tax Exemptions:

Representative Mary Hubler

Council on Tourism:

Representative John Steinbrink

WHEDA Board:

Representative Polly Williams

Sincerely,
JIM KREUSER
Assembly Democratic Leader

January 23, 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-sponsor of Assembly Bill 22.

Sincerely,
JOE LEIBHAM
State Senator
9th Senate District

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Health and Family Services
Madison

January 16, 2007

To the Honorable, the Legislature:

In [1997 Act 27](#), the 97-99 Biennial Budget, the Legislature established requirements in state law intended to strengthen protections for children and vulnerable adults in organized care settings. The provisions require, among other things, that designated caregivers conduct background checks on all new and existing staff and bar them from employing anyone who has committed certain crimes or acts. DHFS and (for certain child care providers) counties and local school boards must perform checks on a provider before issuing a license or other credential. Individuals who have committed prohibited crimes or acts may apply to the Department, counties, or school boards for a waiver of the employment or licensing bans upon evidence of rehabilitation.

Sections [48.685\(5g\)](#) and [50.065\(5g\)](#) of the Wisconsin Statutes direct the Department to submit an annual report to the legislature that specifies the number of persons who have sought waivers of employment or licensing bans by requesting to demonstrate that they have been rehabilitated. The report must also specify the number of requests that were approved and the reasons for the success or failure of the requests. Attached is the report for 2006.

Questions about this report should be referred to Diane Welsh, Chief Legal Counsel, at 608-266-1404.

Thank you for distributing this report to members of the Assembly.

Sincerely,
KEVIN R. HAYDEN
Secretary

Referred to committee on **Health and Health Care Reform**.

State of Wisconsin
Department of Administration
Madison

January 22, 2007

To the Honorable, the Legislature:

Included with this correspondence, I am submitting the report of the Department of Administration, Division of Gaming (Gaming), for the second quarter of fiscal year 2007 (October

1, 2006 through December 31, 2006). As required by s. [562.02 \(1\)\(g\)](#), Wis. Stats., the attached materials contain pari-mutuel wagering and racing statistical information, as well as the revenues for the program areas of Racing, Charitable Gaming, Bingo and Indian Gaming. Geneva Lakes Greyhound Track ceased operations on April 1, 2006 and therefore is no longer included in the Pari-Mutuel Wagering Statistics.

If you have any questions or comments regarding this report, please do not hesitate to contact Rachel Meek at (608) 270-2535.

Sincerely,
ROBERT W. SLOEY
Administrator

Referred to committee on **State Affairs**.

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

January 12, 2007

To the Honorable, the Assembly:

This biennial report, which is required under s. [13.94\(1\)\(j\)](#), Wis. Stats., summarizes the Legislative Audit Bureau's statutory responsibilities and highlights significant accomplishments from January 1, 2005 through December 31, 2006.

In the 2005-06 biennium, we produced more than 80 independent audits, evaluations, reviews, opinions, and certifications. This work helps to assure the Legislature and the public that financial transactions and management decisions have been made effectively, efficiently, and in compliance with the law and that the policies and practices of state agencies are consistent with legislative intent. It frequently includes recommendations to improve government programs and services, maximize federal reimbursements, and ensure that public funds are wisely spent and appropriately accounted for.

We are proud to deliver accurate and useful information that enhances accountability and assists the Legislature in its oversight of executive branch agencies. We look forward to serving the Legislature, the Governor, and the people of Wisconsin in the coming years.

Respectfully submitted,
JANICE MUELLER
State Auditor