



# STATE OF WISCONSIN Assembly Journal

## Ninety-Eighth Regular Session

FRIDAY, April 13, 2007

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

### AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 12** offered by Representative Schneider.

Assembly amendment 1 to **Assembly Bill 30** offered by Representative Petrowski.

Assembly amendment 1 to **Assembly Bill 96** offered by Representative Schneider.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 109** offered by Representative Owens.

Assembly substitute amendment 1 to **Assembly Bill 133** offered by Representative Schneider.

Assembly amendment 1 to **Assembly Bill 188** offered by Representative Schneider.

Assembly amendment 1 to **Assembly Bill 201** offered by Representative Musser.

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 42**

Relating to: declaring May as Manufacturing Month in Wisconsin.

By Representative Honadel; cosponsored by Senator Plale.

To committee on **Rules**.

#### **Assembly Joint Resolution 43**

Relating to: Secretary John A. Scocos.

By Representatives Townsend, Albers, Ballweg, Berceau, Bies, Boyle, Friske, Gronemus, Gunderson, Gundrum, Hebl, Hintz, Honadel, Hubler, Jeskewitz, Jorgensen, Kerkman, Kleefisch, Kreuser, Krusick, F. Lasee, LeMahieu, Lothian, Mason, Montgomery, Nass, Nelson, Nygren, A. Ott, Owens, Parisi, Pope-Roberts, Pridemore, Richards, Schneider,

Sheridan, Sherman, Sinicki, Staskunas, Stone, Suder, Toles, Travis, Turner, Vos, Vruwink, Vukmir, M. Williams, Young, Zepnick and Ziegelbauer; cosponsored by Senators Roessler, S. Fitzgerald, Coggs, Darling, Grothman, Kanavas, Kapanke, Kiedzie, Lazich, Lehman, Leibham, Olsen and Schultz.

To committee on **Rules**.

#### **Assembly Joint Resolution 44**

Relating to: the life and service of Specialist Grant A. Dampier of the United States Army.

By Representative Friske; cosponsored by Senator Breske.

To committee on **Rules**.

#### **Assembly Bill 259**

Relating to: the acquisition by the Department of Transportation of land for mitigation related to highway projects.

By Representatives Nygren, Hahn, Jeskewitz, Mursau and Van Roy; cosponsored by Senators Hansen and Roessler, by request of City of Oconto.

To committee on **Transportation**.

#### **Assembly Bill 260**

Relating to: permitting an employer to refuse to employ or to terminate from employment an individual who has been convicted of a sex offense or a violent offense and preempting cities, villages, town, and counties from adopting provisions concerning employment discrimination based on arrest or conviction record that prohibit activity that is allowed under the state fair employment law.

By Representatives Kleefisch, Gunderson, Gundrum, Musser, Nass, A. Ott, Owens, Petersen, Suder, Townsend and Ziegelbauer; cosponsored by Senators Lazich, Leibham, Grothman and Roessler.

To committee on **Criminal Justice**.

#### **Assembly Bill 261**

Relating to: motor vehicle fuel pricing.

By Representatives Schneider and Turner.

To committee on **Transportation**.

#### **Assembly Bill 262**

Relating to: requirements to successfully complete training on use of an automated external defibrillator, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority.

By Representatives Ballweg, Wasserman, Benedict, Berceau, Cullen, Gunderson, Hahn, Hines, Hixson,

Newcomer, Owens, Petersen, Sinicki, Townsend, Young, Van Akkeren, Van Roy and Vruwink; cosponsored by Senators Vinehout, Roessler, Breske, Cowles, Erpenbach, Hansen and Olsen.

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

#### **Assembly Bill 263**

Relating to: state agency status coverage under the Volunteer Health Care Provider Program regardless of applicable health care liability insurance coverage.

By Representatives Wieckert, Wasserman, M. Williams, Sinicki, Jeskewitz, Staskunas, Hahn, Townsend, Musser, Owens, Hines, Bies, Albers, Kaufert, Petrowski, Benedict, Fields, Berceau, Gunderson, Vos, A. Ott and Ballweg; cosponsored by Senators Kreitlow, Roessler, Darling and Lazich.

To committee on **Public Health**.

#### **Assembly Bill 264**

Relating to: prohibiting the transfer of moneys from the injured patients and families compensation fund for unintended purposes.

By Representatives Wieckert, M. Williams, Davis, Pridemore, Owens, Tauchen, Black, Meyer, Nygren, Strachota, LeMahieu, Jeskewitz, Ballweg, Lothian, Musser, Bies, J. Ott, Petrowski, Townsend, Van Roy, Hines, Gunderson, Mursau, F. Lasee and Vos; cosponsored by Senators Kapanke, Kanavas, Olsen, A. Lasee, Lazich, Roessler, Darling and Grothman.

To committee on **Insurance**.

#### **Assembly Bill 265**

Relating to: requiring the Department of Administration to study the feasibility of developing a Wisconsin brand.

By Representatives Wieckert, Mursau, Berceau, Albers, Vos, Owens, Petrowski, Gunderson and Bies; cosponsored by Senators Roessler and A. Lasee.

To committee on **Tourism, Recreation and State Properties**.

#### **Assembly Bill 266**

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

By Representatives Wieckert, Mursau, Townsend, Musser, Owens, Gunderson and Albers; cosponsored by Senators Plale, Roessler, Wirch and Olsen.

To committee on **Natural Resources**.

#### **Assembly Bill 267**

Relating to: retention of personal identification data by retailers.

By Representatives Hixson, Townsend, Berceau, Boyle, Cullen, Hilgenberg, Musser, Pope-Roberts, Sinicki, Travis, Van Akkeren and Young; cosponsored by Senators Lehman and Lassa.

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

#### **Assembly Bill 268**

Relating to: creating an exemption from Public Service Commission regulation for persons who provide electricity from certain alternative energy sources.

By Representatives Wieckert, Berceau, Hahn, Boyle, Kerkman, Musser, Mursau, Wood and Molepske; cosponsored by Senators Miller, Roessler and Schultz.

To committee on **Biofuels and Sustainable Energy**.

#### **Assembly Bill 269**

Relating to: threats to social service workers, juvenile intake workers, or child support workers and providing a penalty.

By Representatives Musser, Hraychuck, Lothian, Zepnick, Hixson, Albers, Berceau, Townsend, A. Ott, Gunderson and Kaufert; cosponsored by Senators Lehman and Roessler.

To committee on **Criminal Justice**.

#### **Assembly Bill 270**

Relating to: changing the members of the Council on Veterans Programs.

By Representatives Musser, Turner, Townsend, Hahn, Hilgenberg, A. Ott, Hines, Albers, Cullen, Gunderson, Vruwink, Mursau, Newcomer and Sheridan; cosponsored by Senators Sullivan, Roessler, Cowles, Risser, Lehman, Lassa, Breske, Darling and Schultz.

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

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## **COMMITTEE REPORTS**

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

#### **Assembly Bill 130**

Relating to: issuing hunting approvals to members of the Wisconsin national guard.

Assembly Substitute Amendment 1 adoption:

Ayes: 13 – Representatives Gunderson, J. Ott, Bies, LeMahieu, M. Williams, Moulton, Nerison, Mursau, Black, Molepske, Hraychuck, Hebl and Mason.

Noes: 0.

Passage as amended:

Ayes: 13 – Representatives Gunderson, J. Ott, Bies, LeMahieu, M. Williams, Moulton, Nerison, Mursau, Black, Molepske, Hraychuck, Hebl and Mason.

Noes: 0.

To committee on **Rules**.

#### **Assembly Bill 131**

Relating to: issuance of certain hunting approvals to certain members of the U.S. armed forces.

Passage:

Ayes: 13 – Representatives Gunderson, J. Ott, Bies, LeMahieu, M. Williams, Moulton, Nerison, Mursau, Black, Molepske, Hraychuck, Hebl and Mason.

Noes: 0.

To committee on **Rules**.

*SCOTT GUNDERSON*  
Chairperson  
Committee on Natural Resources

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**COMMUNICATIONS**

April 10, 2007

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

Dear Patrick:

I am pleased to transmit to you the following reports to the 2007 Legislature on legislation introduced by the Joint Legislative Council:

RL 2007-03 Special Committee on Review of Crimes Against Children  
[2007 Senate Bill 103 and 2007 Assembly Bill 209]

RL 2007-05 Special Committee on Uniform Debt Management Services  
[2007 Assembly Bill 218]

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of these reports are available at the Legislative Council Staff offices, One East Main, Suite 401, or from our web page at <http://www.legis.state.wi.us/lc>.

Sincerely,  
*TERRY C. ANDERSON*  
Joint Legislative Council  
Director

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April 12, 2007

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

Dear Patrick:

I am pleased to transmit to you the following reports to the 2007 Legislature on legislation introduced by the Joint Legislative Council:

RL 2007-04 Special Committee on Highway Weight Limits

RL 2007-10 Special Committee on Municipal Annexation  
[2007 Assembly Bill 254 and 2007 Senate Bill 134; and 2007 Assembly Bill 255 and 2007 Senate Bill 135]  
(Reintroduction)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of

these reports are available at the Legislative Council Staff offices, One East Main, Suite 401, or from our web page at <http://www.legis.state.wi.us/lc>.

Sincerely,  
*TERRY C. ANDERSON*  
Joint Legislative Council  
Director

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April 12, 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 Joint Resolution 41, relating to Designating April as Donate Life Month in Wisconsin.

Sincerely,  
*TAMARA GRIGSBY*  
State Representative  
18th Assembly District

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April 12, 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 Joint Resolution 41, relating to Designating April as Donate Life Month in Wisconsin.

Sincerely,  
*SHELDON WASSERMAN*  
State Representative  
22nd Assembly District

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April 12, 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 Joint Resolution 41, relating to Designating April as Donate Life Month in Wisconsin.

Sincerely,  
*JOE LEIBHAM*  
State Senator  
9th Senate District

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April 12, 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 Joint Resolution 41, relating to Designating April as Donate Life Month in Wisconsin.

Sincerely,  
*ROBERT WIRCH*  
State Senator  
22nd Senate District

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## REFERRAL OF AGENCY REPORTS

State of Wisconsin  
Department of Health and Family Services  
Madison

April 6, 2007

To the Honorable, the Legislature:

The attached report is submitted to the Legislature pursuant to s. 46.27(11g) and s. 46.277(5m) of the state statutes. The state statutes require the Department of Health and Family Services to submit an annual report for the Community Options Program (COP) and the Home and Community-Based Waivers (COP-W/CIP II). The attached report describes the persons served, program expenditures, and services delivered through the COP, COP-Waiver and CIP II programs in calendar year 2005.

The Community Options Program provides services to people who are elderly or who have a physical, developmental or mental disability, and is closely coordinated with all of Wisconsin's Medicaid Home and Community-Based Waivers. With the Department's oversight, county agencies are able to ensure that a comprehensive and individualized

care plan is provided, while maintaining program flexibility and integrity, and maximizing federal matching funds.

With warm regards,  
*KEVIN R. HAYDEN*  
Secretary

Referred to committee on **Aging and Long-Term Care.**

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State of Wisconsin  
Department of Transportation  
Madison

April 12, 2007

To the Honorable, the Legislature:

I am pleased to present to you, for distribution to the Wisconsin Legislature, the annual evaluation report on the Pretrial Intoxicated Driver Intervention Grant Program. It is also available on our website, [www.dot.wisconsin.gov/library/publications/topic/safety.htm](http://www.dot.wisconsin.gov/library/publications/topic/safety.htm). The program, created by section 85.53 Wis. Stats., was established by the legislature in 1997 with the requirement that the Department study its impact and report on its findings.

The Pretrial Intoxicated Driver Intervention Grant Program is intended for offenders who are arrested for their second or subsequent OWI (Operating While Intoxicated) offense. Offender participation may be voluntary or court ordered. It is an intervention model designed to get offenders into counseling, treatment and supervision as soon as possible after the arrest. The program is individual to each community.

As you will see in the report, no community that has begun a program has dropped it. Overall, offenders who successfully completed the program were less likely than non-participants to be re-arrested for subsequent OWI violations. Those who were re-arrested went significantly longer between arrests than non-participants. Currently there are seven counties on a waiting list for funding to begin programs.

I commend those people who have dedicated themselves to making this innovative program a success. There are no "silver bullets" in eradicating impaired driving, but I feel this effort is a vital piece in the total transportation safety effort.

Sincerely,  
*DANIEL W. LONSDORF*  
Bureau of Transportation Safety

Referred to committee on **Transportation.**