



# STATE OF WISCONSIN

# Assembly Journal

## Ninety-Seventh Regular Session

---

MONDAY, February 20, 2006

---

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

---

### AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 588** offered by Representative Townsend.

Assembly amendment 1 to **Assembly Bill 986** offered by Representative Hundertmark.

Assembly amendment 1 to **Assembly Bill 987** offered by Representative Moulton.

Assembly substitute amendment 1 to **Senate Bill 1** offered by Representative Freese.

Assembly substitute amendment 1 to **Senate Bill 473** offered by Representative Gronemus.

---

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 81**

Relating to: the life and military service of Army Specialist Bert Edward Hoyer.

By Representative Rhoades; cosponsored by Senator Harsdorf.

To committee on **Rules**.

#### **Assembly Bill 1030**

Relating to: creating a window replacement loan program and fund, granting rule-making authority, and making an appropriation.

By Representatives Wieckert, F. Lasee, Owens, Sheridan, Kreibich, Vos, Molepske, Ott, Toles, Turner, Young, Grigsby, Fields and Lehman; cosponsored by Senators Coggs, Plale, Roessler, Hansen, Carpenter, Erpenbach, Taylor and Miller.

To committee on **Housing**.

#### **Assembly Bill 1031**

Relating to: contractor notices, claims against certain contractors and suppliers of dwellings, and providing a penalty.

By Representatives Wieckert, Loeffelholz, Shilling, Owens, Musser, Kestell, Jeskewitz, F. Lasee, Montgomery, Gard, Albers, Townsend, Davis, Petrowski, Pettis, Nelson, Kreibich, Ott, Hahn, Suder, Lamb, J. Fitzgerald, Vos, LeMahieu, Gundrum, Rhoades, Gronemus, Vruwink, Huebsch, Seidel, Lothian and Jensen; cosponsored by Senators Olsen, Stepp, Harsdorf, Schultz, Zien, Kedzie, Lazich, Leibham, Roessler, S. Fitzgerald, Darling, Brown and Kanavas.

To committee on **Housing**.

#### **Assembly Bill 1032**

Relating to: payment and repayment of a 1st class city police officer's pay and benefits after suspension or discharge.

By Representatives Toles, Colon, Wasserman, Wood, Richards, A. Williams, Grigsby, Fields, Parisi, Berceau and Jeskewitz; cosponsored by Senators Grothman, Coggs and Taylor.

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

#### **Assembly Bill 1033**

Relating to: authority for an off-duty peace officer to act outside his or her territorial jurisdiction.

By Representatives Krusick, Gundrum, Stone, Ainsworth, Bies, Hahn, Jeskewitz, Lehman, LeMahieu, Musser, Nass, Owens, Sinicki, Zepnick, Friske, Mursau and Kaufert; cosponsored by Senators Lazich, Carpenter and Roessler.

To committee on **Judiciary**.

#### **Assembly Bill 1034**

Relating to: the transfer of funds to the veterans trust fund, exempting certain veterans from tuition and fees at the University of Wisconsin System and at technical colleges, eligibility for tuition fee remissions of unremarried surviving spouses and children of certain deceased veterans, information technology server and network infrastructure staff in the Department of Veterans Affairs, and making an appropriation.

By Representatives Loeffelholz, Musser, Gard, Turner, Ainsworth, Albers, Bies, Boyle, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Hubler, Hundertmark, Kleefisch, Krawczyk, Kestell, Kreibich, Kreuser, Lamb, F. Lasee, LeMahieu, Lothian, Meyer, Molepske, Montgomery, Moulton, Nelson, Nerison, Newcomer, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Schneider, Sheridan, Sherman, Shilling, Sinicki, Steinbrink, Stone, Strachota, Suder, Towns, Townsend, Travis, Van Roy, Vruwink,

Wieckert, M. Williams, Wood, Young, Zepnick, Grigsby and Krusick; cosponsored by Senators S. Fitzgerald, Brown, Breske, Carpenter, Coggs, Erpenbach, Grothman, Hansen, Harsdorf, Kanavas, Kapanke, Lassa, Lazich, Leibham, Olsen, Robson, Roessler, Stepp, Wirsch, Zien, A. Lasee, Taylor and Darling.

To committee on **Veterans Affairs**.

#### **Assembly Bill 1035**

Relating to: making a postsecondary student who has been convicted of possessing, with intent to manufacture, distribute, or deliver, or of manufacturing, distributing, or delivering, a controlled substance or controlled substance analog ineligible for state financial aid and granting rule-making authority.

By Representatives Hahn, Albers, Townsend, Bies, Owens, Ainsworth, Ott and J. Fitzgerald; cosponsored by Senators Leibham, Lazich, Roessler and A. Lasee.

To committee on **Colleges and Universities**.

#### **Assembly Bill 1036**

Relating to: adopting revised Article 5 of the Uniform Commercial Code, concerning letters of credit.

By Representatives Hundertmark, Richards, J. Fitzgerald and Cullen; cosponsored by Senators Stepp and Risser.

To committee on **Financial Institutions**.

#### **Assembly Bill 1037**

Relating to: shareholders of service corporations that carry on the profession of certified public accounting; authority of the Division of Banking over loan companies and insurance premium finance companies; regulation of insurance premium finance companies, mortgage bankers, loan originators, and mortgage brokers; and requirements applicable to consumer loans secured by liens on residential real estate or mobile homes.

By Representative Hundertmark; cosponsored by Senator Stepp.

To committee on **Financial Institutions**.

#### **Assembly Bill 1038**

Relating to: miscellaneous remedial modifications to the Wisconsin Probate Code.

By Representatives Hundertmark, Richards, J. Fitzgerald and Cullen; cosponsored by Senators Kanavas and Risser.

To committee on **Financial Institutions**.

#### **Assembly Bill 1039**

Relating to: persons to whom liability insurance claim settlement checks must be made payable; independent evaluations for insurance coverage of chiropractic treatment; current procedural terminology codes on health insurance claim forms; and direct payment to a chiropractor.

By Representatives Kestell, Freese, Kreibich, Montgomery, Albers, Loeffelholz, Musser, Towns, Ainsworth, Pettis, Krawczyk, Ott, Ballweg, Petrowski and Bies; cosponsored by Senators Schultz, Zien and Carpenter.

To committee on **Insurance**.

#### **Assembly Bill 1040**

Relating to: the erection of outdoor advertising signs in areas zoned for commercial or industrial activity.

By Representatives Mursau, Albers, Gunderson, Hines, Kestell, Lothian, Musser and Pettis; cosponsored by Senators Breske, A. Lasee, Grothman, Lassa and Plale.

To committee on **Transportation**.

#### **Assembly Bill 1041**

Relating to: creating an exemption for certain wetlands for the construction of a structure located in the town of Franklin, Kewaunee County.

By Representatives Bies, F. Lasee, Ainsworth, Ballweg, Gielow, Gunderson, Hahn, Hines, Honadel, Hundertmark, Jensen, Jeskewitz, Kestell, Kleefisch, Krawczyk, LeMahieu, Loeffelholz, Lothian, Montgomery, Moulton, Mursau, Nerison, Newcomer, Nischke, Ott, Petrowski, Pettis, Pridemore, Townsend, Vos, M. Williams and Wood; cosponsored by Senators A. Lasee, Brown, Darling, S. Fitzgerald, Kanavas, Reynolds, Stepp and Zien.

To committee on **Natural Resources**.

#### **Assembly Bill 1042**

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

By Representatives M. Williams, Musser, Hahn, Ainsworth, Lehman, Krawczyk, Albers, Vos, Van Roy, Gunderson and Gronemus; cosponsored by Senators Kapanke, A. Lasee and Harsdorf.

To committee on **Forestry**.

#### **Assembly Bill 1043**

Relating to: issuing of building permits by cities, village, towns, and counties for building projects on land that may have an adverse impact on certain wetlands or certain poorly drained areas and making disclosures regarding certain real property that contains wetland areas.

By Representatives Bies, Albers, Gunderson, F. Lasee, Montgomery, Musser and Owens; cosponsored by Senators A. Lasee, Kanavas, Stepp and Zien.

To committee on **Natural Resources**.

#### **Assembly Bill 1044**

Relating to: the membership of the Kickapoo Reserve Management Board.

By Representative Nerison; cosponsored by Senator Kapanke.

To committee on **Tourism**.

#### **Assembly Bill 1045**

Relating to: the regulation of historic buildings, the State Historic Building Code, and requiring local regulations applicable to historic buildings and structures to facilitate their preservation and restoration.

By Representatives Freese, Richards, Vos, Hahn, Mursau, Berceau, Albers, Hines and Molepske; cosponsored by Senator Risser.

To committee on **Tourism**.

#### **Assembly Bill 1046**

Relating to: creating a nonrefundable individual income tax credit for historic barns.

By Representatives Freese, Richards, Vos, Hahn, Mursau, Berceau, Ott, Albers and Hines; cosponsored by Senator Risser.

To committee on **Tourism**.

#### **Assembly Bill 1047**

Relating to: the supplement to the federal historic rehabilitation tax credit and the state historic rehabilitation tax credit and granting rule-making authority.

By Representatives Freese, Richards, Davis, Vos, Hahn, Mursau, Berceau, Ott, Albers, Hines and Molepske; cosponsored by Senator Risser.

To committee on **Tourism**.

#### **Assembly Bill 1048**

Relating to: a statewide survey to identify and document rural historic properties and making an appropriation.

By Representatives Freese, Richards, Vos, Hahn, Mursau, Berceau, Ott and Hines; cosponsored by Senator Risser.

To committee on **Tourism**.

#### **Assembly Bill 1049**

Relating to: ratification of the Midwest Interstate Passenger Rail Compact.

By Representatives Freese, Loeffelholz, Black, Musser, Hahn, Berceau, Hines, Molepske and Nerison; cosponsored by Senators Cowles and Risser.

To committee on **Transportation**.

#### **Assembly Bill 1050**

Relating to: use of debit cards and providing a penalty.

By Representatives Travis, Ainsworth, Turner, Nass, Lehman, Musser, Hebl and Young; cosponsored by Senator Hansen.

To committee on **Financial Institutions**.

#### **Assembly Bill 1051**

Relating to: objecting to property tax assessments and making claims for unlawful property taxes and excessive property tax assessments.

By Representatives Gottlieb, Musser, Kerkman, Mursau, Gielow, Ott, Kreibich, Bies and Strachota; cosponsored by Senators Kapanke, Breske, Brown and Roessler.

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

#### **Assembly Bill 1052**

Relating to: prohibiting certain rules related to defined network plans and preferred provider plans, requiring defined network plans and preferred provider plans to provide certain notices, requiring the commissioner of insurance to publish a guide describing out-of-network coverage for all defined network plans, and other miscellaneous provisions related to preferred provider plans.

By Representative Nischke; cosponsored by Senator Kapanke.

To committee on **Insurance**.

#### **Assembly Bill 1053**

Relating to: requirements for approval of construction of nuclear power plants.

By Representatives Huebsch, Montgomery, F. Lasee, Ziegelbauer, Bies, Owens, LeMahieu, Nischke, Jeskewitz, Suder, Jensen, Musser, Vos, Albers, Gottlieb, Honadel and Nerison; cosponsored by Senators Leibham, A. Lasee, Reynolds, Zien and Grothman.

To committee on **Energy and Utilities**.

#### **Assembly Bill 1054**

Relating to: authorizing the town of Madison to reduce the territory of an environmental remediation tax incremental district.

By Representative Nischke.

To committee on **Housing**.

#### **Assembly Bill 1055**

Relating to: creating a development zone credit for the license fees paid by certain insurers.

By Representatives Nischke, Stone, Honadel and Richards; cosponsored by Senators Schultz, Kapanke, Kanavas, Lazich and Plale.

To committee on **Insurance**.

---

### **COMMITTEE REPORTS**

The committee on **Criminal Justice and Homeland Security** reports and recommends:

#### **Assembly Bill 290**

Relating to: prohibiting the required implanting of a microchip in an individual and providing a penalty.

Assembly Amendment 1 adoption:

Ayes: 11 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Turner, Krusick, Black, Kessler and Grigsby.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Turner, Krusick, Black, Kessler and Grigsby.

Noes: 0.

To committee on **Rules**.

#### **Assembly Bill 353**

Relating to: harassment of, causing injury to, or theft of a service dog and providing penalties.

Assembly Substitute Amendment 1 adoption:

Ayes: 11 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Turner, Krusick, Black, Kessler and Grigsby.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Turner, Krusick, Black, Kessler and Grigsby.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 772**

Relating to: burglary and providing a penalty.

Passage:

Ayes: 11 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Turner, Krusick, Black, Kessler and Grigsby.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 942**

Relating to: child pornography, sexual exploitation of a child, using a computer to facilitate a child sex crime, child sex offenders working with children, making appropriations, and providing penalties.

Assembly Amendment 1 adoption:

Ayes: 11 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Turner, Krusick, Black, Kessler and Grigsby.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum and Krusick.

Noes: 4 – Representatives Turner, Black, Kessler and Grigsby.

To joint committee on **Finance**.

**Assembly Bill 970**

Relating to: admitting evidence of other crimes in certain criminal proceedings.

Assembly Amendment 1 adoption:

Ayes: 11 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Turner, Krusick, Black, Kessler and Grigsby.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Turner, Krusick, Black, Kessler and Grigsby.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 971**

Relating to: deadline for distributing a physician's or psychologist's report on a criminal defendant or a person committed upon a finding of not guilty by reason of mental disease or defect.

Passage:

Ayes: 11 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Turner, Krusick, Black, Kessler and Grigsby.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 974**

Relating to: eliminate transitional halfway house building authority.

Passage:

Ayes: 8 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Turner and Kessler.

Noes: 3 – Representatives Krusick, Black and Grigsby.

To committee on **Rules**.

**Assembly Bill 975**

Relating to: placement of persons on supervised release.

Passage:

Ayes: 7 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum and Turner.

Noes: 4 – Representatives Krusick, Black, Kessler and Grigsby.

To committee on **Rules**.

**Assembly Bill 992**

Relating to: the Volunteer Fire Fighter and Emergency Medical Technician Service Award Program and the exclusion of wages earned for services performed as a volunteer fire fighter, emergency medical technician, or first responder from partial unemployment benefit determinations.

Passage:

Ayes: 11 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Turner, Krusick, Black, Kessler and Grigsby.

Noes: 0.

To committee on **Rules**.

**Senate Bill 248**

Relating to: aiding a felon and providing penalties.

Concurrence:

Ayes: 10 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Turner, Krusick, Black and Kessler.

Noes: 1 – Representative Grigsby.

To committee on **Rules**.

*SCOTT SUDER*

Chairperson

Committee on Criminal Justice and  
Homeland Security

---

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

**Senate Bill 95**

Relating to: continuing education for dental hygienists.

Assembly Substitute Amendment 1 adoption:

Ayes: 9 – Representatives Underheim, Vukmir, Wieckert, Krawczyk, Hundertmark, Strachota, Moulton, Vruwink and Benedict.

Noes: 0.

Concurrence as amended:

Ayes: 9 – Representatives Underheim, Vukmir, Wieckert, Krawczyk, Hundertmark, Strachota, Moulton, Vruwink and Benedict.

Noes: 0.

To committee on **Rules**.

*GREGG UNDERHEIM*  
Chairperson  
Committee on Health

---

## **SPEAKER'S COMMUNICATIONS**

February 16, 2006

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 208  
Madison, WI 53708

Dear Clerk Fuller:

Pursuant to Assembly Rule [9\(2\)\(a\)](#) and Wisconsin State Statute Section [13.48\(2\)](#), I have appointed Representative Fitzgerald to the Building Commission and removed Representative Montgomery.

Sincerely,  
*JOHN G. GARD*  
Speaker of the Assembly

---

## **EXECUTIVE COMMUNICATIONS**

State of Wisconsin  
Office of the Governor  
Madison

February 17, 2006

To the Honorable Members of the Assembly:

The following bill, originating in the Assembly, has been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
<b>Assembly Bill 213</b>	..... 113 .....	February 16, 2006

Respectfully submitted,  
*JIM DOYLE*  
Governor

---

## **COMMUNICATIONS**

February 15, 2006

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 208  
Madison, WI 53708

Dear Pat,

I am writing to request that my name be added as a co-sponsor of Assembly Bill 1012. This bill relates to the sale of public lands and investment of proceeds from the sale of public lands.

Thank you for your assistance.

Most sincerely,  
*FRED A. RISSER*  
State Senator  
26th Senate District

---

February 16, 2006

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 208  
Madison, WI 53708

Dear Mr. Fuller:

I respectfully request that I be added as a co-sponsor to Assembly Bill 942. Thank you.

Sincerely,  
*KARL VAN ROY*  
State Representative  
90th Assembly District

---

February 17, 2006

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 208  
Madison, WI 53708

Dear Mr. Fuller:

Please add my name as a co-sponsor to Assembly Bill 993. Thank you.

Sincerely,  
*JERRY PETROWSKI*  
State Representative  
86th Assembly District

---

State of Wisconsin  
Office of the Secretary of State  
Madison

To Whom It May Concern:

Acts, Joint Resolutions and Resolutions deposited in this office have been numbered and published as follows:

<u>Bill Number</u>	<u>Act Number</u>	<u>Publication Date</u>
<b>Assembly Bill 698</b>	..... 111 .....	February 27, 2006
<b>Assembly Bill 213</b>	..... 113 .....	March 2, 2006

Sincerely,  
*DOUGLAS LA FOLLETTE*  
Secretary of State