



STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

TUESDAY, March 14, 2006

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 1011** offered by Representative Wieckert.

Assembly amendment 1 to **Senate Bill 394** offered by Representative Benedict.

Assembly amendment 2 to **Senate Bill 394** offered by Representative Benedict.

Assembly amendment 3 to **Senate Bill 394** offered by Representative Benedict.

Assembly amendment 2 to **Senate Bill 612** offered by Representatives Kessler, Young and Richards.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 05–033

Relating to coverage of dental services under the medical assistance program, and affecting small businesses.

Submitted by Department of Health and Family Services.
Report received from Agency, February 27, 2006.

To committee on **State Affairs**.
Referred on March 8, 2006.

Assembly Clearinghouse Rule 05–103

Relating to the veterans assistance program.

Submitted by Department of Veterans Affairs.
Report received from Agency, March 3, 2006.

To committee on **Veterans Affairs**.
Referred on March 14, 2006.

Assembly Clearinghouse Rule 06–004

Relating to the adjustment of thresholds for application of prevailing wage rates and payment and performance assurance requirements and affecting small businesses.

Submitted by Department of Workforce Development.
Report received from Agency, March 2, 2006.

To committee on **Labor**.
Referred on March 13, 2006.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 52

Relating to: Taiwan's participation in the World Health Organization.

By Representatives Freese, Gronemus, Kaufert, Turner, Petrowski, M. Williams and Krawczyk.

To committee on **Rules**.

Assembly Joint Resolution 92

Relating to: the right of the residents of Wisconsin to preventive and primary health care (first consideration).

By Representatives Colon, Fields, Boyle, Sinicki, Turner, Seidel, Zepnick, Berceau, Parisi, Sheridan and Benedict; cosponsored by Senators Lassa and Carpenter.

To committee on **Health**.

Assembly Joint Resolution 93

Relating to: the right of the people to certain health care (first consideration).

By Representative Kreuser.

To committee on **Health**.

Assembly Joint Resolution 94

Relating to: calling for changes to the state's public school funding formula to be enacted by July 1, 2007.

By Representatives Pope–Roberts, Sherman, Lehman, Toles, Berceau, Black, Fields, Grigsby, Hebl, Kessler, Kreuser, Molepske, Nelson, Pocan, Parisi, Richards, Seidel, Sheridan, Shilling, Sinicki, Van Akkeren, Vruwink, Wasserman, Turner and Zepnick; cosponsored by Senators Breske and Carpenter.

To committee on **Education**.

Assembly Joint Resolution 95

Relating to: urging the President and the Congress of the United States to make the Republic of Poland eligible for the United States Department of State's Visa Waiver Program.

By Representatives Petrowski and Suder; cosponsored by Senator Zien.

To committee on **Rules**.

Assembly Bill 1111

Relating to: collection of used wireless telephones and purchase or lease of wireless telephones by state agencies.

By Representative Black.

To committee on **Small Business**.

Assembly Bill 1112

Relating to: mergers, conversions, and other business combinations; merger and conversion reports; the authority of the boards of directors of business corporations and corporate committees; corporate shareholder notices and meetings; the transfer of corporate property to certain affiliates; naming limited partnerships; and providing penalties.

By Representatives McCormick, Lamb, Hahn, Hundertmark, Albers, Townsend and Strachota; cosponsored by Senators Kanavas, Grothman and Leibham.

To committee on **Financial Institutions**.

Assembly Bill 1113

Relating to: motor vehicle accidents while using a cellular telephone, cellular telephone dealers, and providing a penalty.

By Representatives Owens and Ainsworth.

To committee on **Highway Safety**.

Assembly Bill 1114

Relating to: venue, county of responsibility, and determination of county of residence for certain services, commitments, protective placements, and protective services.

By Joint Legislative Council.

To committee on **Health**.

Assembly Bill 1115

Relating to: requiring a report concerning relocations and diversions from nursing homes, intermediate care facilities for the mentally retarded, and centers for the developmentally disabled.

By Representatives Vos, Pope–Roberts, Pridemore, Musser, Newcomer, Albers, Krawczyk, Kerkman, Berceau, Gunderson and LeMahieu; cosponsored by Senators Stepp, Erpenbach, Olsen and Coggs.

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

Assembly Bill 1116

Relating to: salaries of University of Wisconsin System senior executives.

By Representatives Vos, Suder, Ziegelbauer, Kreibich, Kerkman, Musser, Ballweg, Albers, Wood and Bies; cosponsored by Senator Reynolds.

To committee on **Colleges and Universities**.

Assembly Bill 1117

Relating to: creating a refundable individual income tax living wage credit.

By Representatives Grigsby, Berceau, Fields, Kessler, Kreuser, Lehman, Nelson, Parisi, Pocan, Richards, Seidel, Sheridan, Sinicki, Toles, Travis, Turner, A. Williams, Young and Zepnick; cosponsored by Senators Decker, Breske, Miller, Coggs and Robson.

To committee on **Ways and Means**.

Assembly Bill 1118

Relating to: renewals and extensions of business contracts.

By Representatives Kreuser, Turner, Zepnick and Berceau.

To committee on **Small Business**.

Assembly Bill 1119

Relating to: aids payments to the town of Stark for land and improvements in the Kickapoo Valley Reserve.

By Representative Nerison; cosponsored by Senator Kapanke.

To committee on **Tourism**.

Assembly Bill 1120

Relating to: using accumulated unused sick leave credits and health insurance premium credits for the purchase of long–term care insurance for participants under the Wisconsin Retirement System.

By Representatives Petrowski, Ainsworth, Musser, Albers, Ott, Hahn, Owens and Townsend; cosponsored by Senator Roessler.

To committee on **Insurance**.

Assembly Bill 1121

Relating to: requiring Medical Assistance incentive payments to hospitals that establish a physician order entry record system.

By Representatives Wasserman, Ainsworth, Kreuser, Albers, Berceau, Boyle, Gunderson, Hebl, Lehman, Molepske, Nelson, Ott, Pope–Roberts, Seidel, Sherman, Sinicki, Travis and Turner; cosponsored by Senator Risser.

To committee on **Medicaid Reform**.

Assembly Bill 1122

Relating to: the Vernon County District Attorney and making an appropriation.

By Representative Nerison; cosponsored by Senator Kapanke.

To committee on **Judiciary**.

Assembly Bill 1123

Relating to: energy utility customer caller assistance.

By Representatives Sheridan and Benedict; cosponsored by Senator Robson.

To committee on **Energy and Utilities**.

Assembly Bill 1124

Relating to: operating an aircraft recklessly or under the influence of an intoxicant and providing a penalty.

By Representatives Mursau, Krusick, Friske, Ainsworth, Hahn, Jeskewitz, Montgomery, Ott, Sheridan, Van Roy, Wood and Ziegelbauer; cosponsored by Senators Roessler and Lassa.

To committee on **Criminal Justice and Homeland Security**.

Assembly Bill 1125

Relating to: issuing deer tags to owners and vendees under land contracts of certain parcels of land.

By Representatives Mursau, Albers, Davis, Gard, Kaufert, Kleefisch, Krawczyk, LeMahieu, Montgomery, Musser, Ott, Sheridan, Towns, Ward, M. Williams, Meyer, Wood and Friske; cosponsored by Senators Cowles and Breske.

To committee on **Natural Resources**.

Assembly Bill 1126

Relating to: pointing a firearm at or towards a law enforcement officer and providing a penalty.

By Representatives Benedict, Sheridan, Towns, Turner, Sinicki and Musser; cosponsored by Senators Robson and Risser.

To committee on **Criminal Justice and Homeland Security**.

Assembly Bill 1127

Relating to: immunity from liability for a health care provider, health care facility, or employee of a health care provider or health care facility that, in good faith, reports a violation of the law or of a clinical or ethical standard by another health care provider, health care facility, or employee of a health care provider or health care facility.

By Representatives Pridemore and Albers.

To committee on **Health**.

Assembly Bill 1128

Relating to: a Medical Assistance supplementary rate reimbursement for nursing homes and making an appropriation.

By Representatives Shilling, Richards, Vruwink, Krusick, Cullen, Zepnick and Molepske; cosponsored by Senator Carpenter.

To joint committee on **Finance**.

COMMITTEE REPORTS

The joint committee on **Finance** reports and recommends:

Assembly Bill 243

Relating to: the income and franchise tax credit for research and research facilities.

Assembly Substitute Amendment 1 adoption:

Ayes: 11 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades and Meyer; Senators S. Fitzgerald, Lazich, Darling, Leibham and Olsen.

Noes: 3 – Representative Pocan; Senators Cowles and Decker.

Passage as amended:

Ayes: 11 – Representatives Kaufert, Ward, Jensen, Stone, Rhoades and Meyer; Senators S. Fitzgerald, Lazich, Darling, Leibham and Olsen.

Noes: 3 – Representative Pocan; Senators Cowles and Decker.

To committee on **Rules**.

DEAN KAUFERT
Assembly Chairperson
Joint Committee on Finance

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Amended and concurred in as amended:

Assembly Bill 447 (Senate amendment 1 adopted)

Assembly Bill 534 (Senate substitute amendment 1 adopted)

Assembly Bill 574 (Senate amendment 1 adopted)

Assembly Bill 784 (Senate substitute amendment 2 adopted)

Nonconcurrent in:

Assembly amendment 1 to **Senate Bill 103**

Passed and asks concurrence in:

Senate Bill 653

Senate Bill 655

Concurred in:

Assembly Joint Resolution 36

Assembly Joint Resolution 85

Assembly Joint Resolution 86

Assembly Bill 218

Assembly Bill 366

Assembly Bill 588

Assembly Bill 725

Assembly Bill 810

Assembly Bill 905

Assembly Bill 934

Assembly Bill 935

Assembly Bill 969

Assembly Bill 973

Assembly Bill 1008

Assembly Bill 1012

Assembly Bill 1028

Assembly Bill 1036

Assembly Bill 1037

Assembly Bill 1038

Assembly Bill 1060

Assembly Bill 1071

Assembly Bill 1074

Assembly Bill 1077

ACTION ON THE SENATE MESSAGE

Assembly Bill 447

Relating to: regulating elevators, escalators, and other similar conveyances, granting rule-making authority, and providing a penalty.

By Representatives Honadel, Sheridan, Albers, J. Fitzgerald, Hines, Lamb, Lehman, Lothian, Nischke, Ott, Rhoades, Suder, Towns, Van Roy, Vos, Vrakas, Wood and Zepnick; cosponsored by Senators Stepp, Plale, Kanavas and Olsen.

To committee on **Rules**.

Assembly Bill 534

Relating to: sale, by the Department of Transportation, of surplus real property.

By Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gard, Gielow, Gottlieb,

Gronemus, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Steinbrink, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vrakas, Vukmir, Ward, Wieckert, M. Williams and Wood; cosponsored by Senators Zien, Brown, A. Lasee, Leibham, Olsen and Roessler.

To committee on **Rules**.

Assembly Bill 574

Relating to: the prohibition of certain billing practices for consumer goods or services, lawn care service contracts, and providing penalties.

By Representatives Jeskewitz, Ballweg, Black, Grigsby, Hines, Kerkman, Kestell, Lehman, LeMahieu, Molepske, Musser, Nass, Ott, Pope–Roberts, Townsend, Turner, Van Roy and Vrakas; cosponsored by Senators Olsen, Risser and Wirch.

To committee on **Rules**.

Assembly Bill 784

Relating to: a mandatory term of confinement and the maximum term of imprisonment for certain child sex offenses and providing penalties.

By Representatives Suder, Honadel, Kleefisch, Van Roy, Jeskewitz, Nischke, J. Fitzgerald, Gronemus, Montgomery, Mursau, Turner, Albers, Lothian, Sheridan, Hines, Wood, McCormick, Gunderson, Lamb, Nass, Pettis, Pridemore, Musser, LeMahieu, Hundertmark, Moulton and Stone; cosponsored by Senators Darling, Zien, A. Lasee, Roessler, Lazich, Lassa, Grothman and Kanavas.

To committee on **Rules**.

Senate Bill 103

Relating to: the income and franchise tax credit for research and research facilities.

By Senators Kanavas, Darling, Stepp, Leibham, A. Lasee and Roessler; cosponsored by Representatives McCormick, Pettis, Sheridan, Musser, Vos, F. Lasee, Krawczyk, Van Roy, Gunderson, Albers, Hundertmark, Honadel, Townsend and Vrakas.

To committee on **Rules**.

Senate Bill 653

Relating to: contracts with entities to operate resource centers and care management organizations under the Family Care Program.

By Senators Roessler, Darling, A. Lasee, Lassa, Wirch and Erpenbach; cosponsored by Representatives Kaufert, Gielow, Kestell, Shilling, Krawczyk, Underheim, LeMahieu, Mursau, Honadel, Ainsworth, Owens, Jeskewitz, Hahn, McCormick, Musser, Kreuser, Vruwink, Sheridan, Seidel, Lehman, Pope–Roberts and Molepske.

To joint committee on **Finance**.

Senate Bill 655

Relating to: special joint legislative committee on strengthening Wisconsin’s families.

By Senator Schultz; cosponsored by Representatives Loeffelholz, Albers and Freese.

To committee on **Children and Families**.

ENROLLED BILLS

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

- Assembly Bill 114**
- Assembly Bill 131**
- Assembly Bill 156**
- Assembly Bill 217**
- Assembly Bill 254**
- Assembly Bill 365**
- Assembly Bill 428**
- Assembly Bill 429**
- Assembly Bill 449**
- Assembly Bill 454**
- Assembly Bill 536**
- Assembly Bill 588**
- Assembly Bill 596**
- Assembly Bill 609**
- Assembly Bill 614**
- Assembly Bill 678**
- Assembly Bill 722**
- Assembly Bill 736**
- Assembly Bill 742**
- Assembly Bill 750**
- Assembly Bill 800**
- Assembly Bill 849**
- Assembly Bill 851**
- Assembly Bill 912**
- Assembly Bill 957**
- Assembly Bill 981**
- Assembly Bill 986**
- Assembly Bill 1072**

PATRICK E. FULLER
Assembly Chief Clerk

REFERENCE BUREAU CORRECTIONS

Assembly Substitute Amendment 5 to **Senate Bill 1**

1. Page 21, line 15: delete lines 15 and 16.

Assembly Amendment 1 to Assembly Substitute Amendment 1 to **Assembly Bill 678**

In enrolling, the following correction was made:

1. Page 1, line 4: delete “Page 11, line 3: delete lines 3 to 5” and substitute “Page 11, line 4: delete lines 4 and 5”.

CHIEF CLERK REPORTS

March 8, 2006

The Chief Clerk records:

Assembly Bill 20
Assembly Bill 298

Presented to the Governor on Monday, March 13.

PATRICK E. FULLER
Assembly Chief Clerk

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

March 13, 2006

To the Honorable Members of the Assembly:

The following bills, originating in the Assembly, have 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>
Assembly Bill 69	126	March 10, 2006
Assembly Bill 201	127	March 10, 2006
Assembly Bill 456	128	March 10, 2006
Assembly Bill 624	129	March 10, 2006

Respectfully submitted,
JIM DOYLE
Governor

COMMUNICATIONS

March 8, 2006

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

Dear Patrick:

I would like to remove my name as a co-sponsor of Representative Suder's Assembly Bill 439.

Your assistance with this request is greatly appreciated.

Sincerely,
ROB KREIBICH
State Representative
93rd Assembly District

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

Dear Patrick:

Please find below a list of votes I would have cast had I been present for the Natural Resources Executive Session on Wednesday, March 8 for you to record in the Assembly Journal.

Assembly Bill 878:

Moved by Representative Ott, seconded by Representative Krawczyk that Assembly Bill 878 be recommended for passage. AYE

Assembly Bill 999

Moved by Representative Pettis, seconded by Representative Ott that Assembly Amendment 1 be recommended for adoption. AYE

Moved by Representative Pettis, seconded by Representative Ott that Assembly Bill 999 be recommended for passage as amended. AYE

Assembly Bill 1006

Moved by Representative Bies, seconded by Representative M. Williams that Assembly Bill 1006 be recommended for passage. AYE

Assembly Bill 1041

Moved by Representative Krawczyk, seconded by Representative Petrowski that Assembly Bill 1041 be recommended for passage. NO

Senate Bill 551

Moved by Representative Krawczyk, seconded by Representative Petrowski that Senate Bill 551 be recommended for concurrence. NO

Thank you in advance for your assistance with this request.

Sincerely,
GARY HEBL
State Representative
46th 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>
Assembly Bill 69	126	March 24, 2006

Assembly Bill 201 127 March 24, 2006
Assembly Bill 456 128 March 24, 2006
Assembly Bill 624 129 March 24, 2006

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

March 2, 2006

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

To the Honorable, the Legislature:

As required by [2001 Wisconsin Act 57](#), we have completed an evaluation of the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, which is a statewide educational resource for students and their parents and teachers. The program is administered by the Department of Public Instruction (DPI). As part of the program, Act 57 directed DPI to continue operating the residential Wisconsin School for the Deaf in Delavan, to offer youth summer programs, and to provide outreach services to school districts statewide. In fiscal year 2004-05, the program spent \$11.0 million and was authorized 135.6 full-time equivalent positions. Outreach activities accounted for \$1.1 million, or 10.0 percent, of all expenditures in that year.

State of Wisconsin
Joint Legislative Council
Madison

March 8, 2006

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

Enrollment in the residential school decreased from 165 students in the 2000-01 school year to 142 students in the 2004-05 school year. If enrollment continues to decline, staffing changes may need to be considered. We include a recommendation for DPI to report to the Joint Legislative Audit Committee on its efforts to monitor classroom staffing ratios.

Dear Patrick:

I am pleased to transmit to you the following report to the 2005 Legislature on legislation introduced by the Joint Legislative Council:

RL 2005-15 Special Committee on Election Law Review

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

Outreach services have grown significantly, corresponding with additional statutory authority. Outreach staff now provide consultation services for local school districts. In addition, training sessions have increased, and distance learning courses in American Sign Language are provided. We include a recommendation for DPI to update the Joint Legislative Audit Committee on the results of its efforts to increase the technological resources needed to provide additional distance learning courses statewide.

Sincerely,
TERRY C. ANDERSON
Director

We appreciate the courtesy and cooperation extended to us by DPI. Its response follows the report.

Respectfully submitted,
JANICE MUELLER
State Auditor