



STATE OF WISCONSIN Assembly Journal

Ninety-Ninth Regular Session

TUESDAY, November 24, 2009

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

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 531** offered by Representative Hubler.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 96

Relating to: appointment of supreme court justices and elections to consider retention of justices (first consideration).

By Representatives Gottlieb, Stone, Tauchen, Brooks, A. Ott and Ripp; cosponsored by Senator Schultz.

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

Assembly Bill 594

Relating to: notifying a law enforcement agency when certain persons are released from the custody of the Department of Corrections.

By Representatives Staskunas, Gundrum, Danou, Ballweg, Berceau, Bies, Brooks, Gunderson, Kerkman, LeMahieu, Mursau, A. Ott, Petrowski, Spanbauer, Townsend, Turner and Vos; cosponsored by Senators Plale, Darling, Schultz and Hansen.

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

Assembly Bill 595

Relating to: hunting permits issued to persons who are terminally ill.

By Representatives Vruwink, Zigmunt, Turner, Danou, Berceau, Smith, Ballweg, Mursau, Ripp, Suder and Gunderson; cosponsored by Senators Taylor, Schultz and Coggs.

To committee on **Fish and Wildlife**.

Assembly Bill 596

Relating to: designating the Harley-Davidson as the Wisconsin state motorcycle.

By Representatives Young, Milroy, Benedict, Berceau, Brooks, Fields, Kessler, Knodl, Mason, Pridemore, Sinicki,

Turner, Zepnick and Gunderson; cosponsored by Senators Coggs, Hopper, Plale, Sullivan, Taylor and Vinehout.

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

Assembly Bill 597

Relating to: requiring the University of Wisconsin System to obtain the approval of the Joint Committee on Finance in order to acquire property by condemnation.

By Representatives Vruwink, Danou, Sinicki, Soletski, Huebsch, Davis, Ballweg, M. Williams and Zepnick; cosponsored by Senators Cowles, Schultz, Kapanke and Hansen.

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

Assembly Bill 598

Relating to: snowmobile registration, trail use sticker requirements, intoxicated snowmobiling, snowmobile speed limits, calculating the estimated snowmobile gas tax payment, funding for alcohol education programs and state trails, providing penalties, and making appropriations.

By Representatives Danou, Radcliffe, Zepnick, Ripp, LeMahieu, Hebl, Steinbrink, Bies, Kestell, A. Ott, M. Williams, Kerkman, Turner, Van Roy and Hilgenberg; cosponsored by Senators Holperin, Wirch, Lehman, Cowles, Taylor, Erpenbach, Plale, Lassa, Schultz, Olsen, Miller, Hansen and Grothman.

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

Assembly Bill 599

Relating to: a speed limit for the operation of snowmobiles during the hours of darkness.

By Representatives Kaufert, Hubler, Honadel, Black, A. Ott, Ziegelbauer, Brooks, Ballweg, Kerkman, Gottlieb, Berceau, Lothian, Bies, Townsend and Zepnick; cosponsored by Senators Erpenbach, Cowles, Hansen and Taylor.

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

Assembly Bill 600

Relating to: authority of the Public Service Commission regarding fuel costs of certain electric public utilities and granting rule-making authority.

By Representatives Soletski, Montgomery, Zepnick, Benedict, Bies, Colon, Danou, Davis, Dexter, Fields, Friske, Garthwaite, Gunderson, Hintz, Honadel, Huebsch, Mason, Mursau, A. Ott, Petersen, Rhoades, Shilling, Sinicki, Smith, Staskunas, Steinbrink, Suder, Townsend, Van Roy, Vos, Vruwink and Zigmunt; cosponsored by Senators Plale,

Kreitlow, Sullivan, Erpenbach, Taylor, Schultz, Olsen, Harsdorf and Darling.

To committee on **Energy and Utilities**.

Assembly Bill 601

Relating to: membership of Building Commission.

By Representative Sheridan; cosponsored by Senator Decker.

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

Assembly Bill 602

Relating to: designation of the manner of providing fire protection for a town.

By Representatives A. Ott, Lothian, Townsend and Spanbauer; cosponsored by Senator Schultz.

To committee on **Renewable Energy and Rural Affairs**.

Assembly Bill 603

Relating to: operation of all-terrain vehicles to remove snow.

By Representatives Jorgensen, Clark, Ballweg, Townsend, Radcliffe, A. Ott, Suder, Petrowski, Mursau, Gunderson and Kaufert; cosponsored by Senators Holperin, Kreitlow, Cowles, Taylor, Plale, Olsen, Schultz, Erpenbach and Hansen.

To committee on **Renewable Energy and Rural Affairs**.

COMMITTEE REPORTS

The committee on **Colleges and Universities** reports and recommends:

Assembly Bill 135

Relating to: allowing an individual income tax deduction for certain amounts contributed by a divorced or legally separated parent to his or her child's college savings account or college tuition and expenses program and limiting the deduction that may be claimed by a married person who files separately.

Assembly Substitute Amendment 3 adoption:

Ayes: 11 – Representatives Hixson, Smith, Black, Cullen, Soletski, Hintz, Berceau, Nass, Rhoades, Townsend and Gottlieb.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Hixson, Smith, Black, Cullen, Soletski, Hintz, Berceau, Nass, Rhoades, Townsend and Gottlieb.

Noes: 0.

To joint survey committee on **Tax Exemptions**.

KIM HIXSON
Chairperson
Committee on Colleges and Universities

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

Assembly Bill 324

Relating to: impersonating certain officials and providing a penalty.

Passage:

Ayes: 10 – Representatives Turner, Kessler, Staskunas, Soletski, Pasch, Kleefisch, Friske, Kramer, Brooks and Ripp.

Noes: 0.

To Joint Review Committee on **Criminal Penalties**

Assembly Bill 413

Relating to: crimes against children committed by certain persons and creating a penalty.

Passage:

Ayes: 9 – Representatives Turner, Staskunas, Soletski, Pasch, Kleefisch, Friske, Kramer, Brooks and Ripp.

Noes: 1 – Representative Kessler.

To Joint Review Committee on **Criminal Penalties**

Assembly Bill 432

Relating to: notification requirements for persons who must register as sex offenders and who are on school premises and providing penalties.

Passage:

Ayes: 10 – Representatives Turner, Kessler, Staskunas, Soletski, Pasch, Kleefisch, Friske, Kramer, Brooks and Ripp.

Noes: 0.

To Joint Review Committee on **Criminal Penalties**

ROBERT TURNER
Chairperson
Committee on Criminal Justice

The committee on **Elections and Campaign Reform** reports and recommends:

Assembly Bill 330

Relating to: requirements for electors who vote by absentee ballot.

Assembly Amendment 2 adoption:

Ayes: 7 – Representatives Smith, Soletski, Kessler, A. Williams, Stone, Pridemore and J. Ott.

Noes: 0.

Passage as amended:

Ayes: 4 – Representatives Smith, Soletski, Kessler and A. Williams.

Noes: 3 – Representatives Stone, Pridemore and J. Ott.

To committee on **Rules**

Assembly Bill 406

Relating to: challenging the ballots of electors at polling places.

Assembly Amendment 1 adoption:

Ayes: 6 – Representatives Smith, Soletski, Kessler, A. Williams, Pridemore and J. Ott.
Noes: 1 – Representative Stone.

Passage as amended:

Ayes: 4 – Representatives Smith, Soletski, Kessler and A. Williams.
Noes: 3 – Representatives Stone, Pridemore and J. Ott.

To committee on **Rules**.

JEFF SMITH
Chairperson
Committee on Elections and Campaign Reform

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

Assembly Bill 482

Relating to: the minimum sale price of prescription drugs.

Passage:

Ayes: 10 – Representatives Richards, Roys, Benedict, Shilling, Vruwink, Seidel, Pasch, Bernard Schaber, Vukmir and Rhoades.

Noes: 2 – Representatives Strachota and Nygren.

To committee on **Rules**.

JON RICHARDS
Chairperson
Committee on Health and Healthcare Reform

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

Assembly Bill 29

Relating to: the sale of consumer goods containing radio frequency identification tags.

Assembly Substitute Amendment 3 adoption:

Ayes: 7 – Representatives Schneider, Vruwink, Kessler, Staskunas, Gundrum, M. Williams and Pridemore.
Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Schneider, Vruwink, Kessler, Staskunas, Gundrum, M. Williams and Pridemore.
Noes: 0.

To committee on **Rules**.

Assembly Bill 30

Relating to: employer monitoring of employee electronic mail usage.

Assembly Substitute Amendment 1 adoption:

Ayes: 7 – Representatives Schneider, Vruwink, Kessler, Staskunas, Gundrum, M. Williams and Pridemore.
Noes: 0.

Passage as amended:

Ayes: 4 – Representatives Schneider, Vruwink, Kessler and Staskunas.

Noes: 3 – Representatives Gundrum, M. Williams and Pridemore.

To committee on **Rules**.

MARLIN SCHNEIDER
Chairperson
Committee on Personal Privacy

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

Assembly Bill 347

Relating to: the Internet sale of unclaimed personal property by a sheriff.

Passage:

Ayes: 8 – Representatives Berceau, Van Akkeren, Ziegelbauer, Hintz, Parisi, LeMahieu, Gottlieb and Spanbauer.

Noes: 0.

To committee on **Rules**.

TERESE BERCEAU
Chairperson
Committee on Urban and Local Affairs

SPEAKER'S COMMUNICATIONS

November 23, 2009

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

Dear Chief Clerk Fuller:

I am reappointing Representative Roger Roth to the Insurance, Housing and Elections and Campaign Reform Committees now that he is back from his military deployment.

These appointments are effective immediately.

Sincerely,
MICHAEL J. SHERIDAN
Assembly Speaker

COMMUNICATIONS

November 20, 2009

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

Dear Chief Clerk Fuller:

This letter is to inform you of my request to reappoint Representative Roger Roth to serve on the Insurance, Housing and Elections and Campaign Reform Committees. Thank you for your assistance in allowing Representatives Strachota, Honadel and Jim Ott to temporarily replace Representative Roth during his military deployment.

Sincerely,
JEFF FITZGERALD
Assembly Republican Leader

November 24, 2009

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

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Bill 591, relating to authorizing certain optometrists to dispense contact lenses that deliver a therapeutic pharmaceutical agent.

Sincerely,
STEVE HILGENBERG
State Representative
51st Assembly District

November 24, 2009

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

Dear Chief Clerk Fuller:

Please add my name as a co-sponsor of Assembly Bill 591, relating to authorizing certain optometrists to dispense contact lenses that deliver a therapeutic pharmaceutical agent.

Sincerely,
JIM HOLPERIN
State Senator
12th Senate District

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Administration
Madison

November 10, 2009

To the Honorable, the Legislature:

Attached please find the Department of Administration's contractual service purchasing report for Fiscal Year 2009 (FY09) pursuant to § 16.705 (8), Wis. Stats. This report also includes information on cost-benefit analyses produced by state agencies and campuses during FY09. I am pleased to announce positive results that will benefit state taxpayers.

The State of Wisconsin reduced contracting costs again in FY09. Overall contracting decreased from \$449.6 million in FY08 to \$437.3 million in FY09. These results represent a one-year reduction of more than \$12 million or 3% and continue a longer-term downward trend in state contracting.

This report also includes a summary of the 402 cost-benefit analyses produced during FY09. As a result of cost-benefit legislation signed by Governor Doyle in January 2006, Wisconsin Act 89 requires state agencies and campuses to conduct a cost-benefit analysis prior to any proposed contractual service procurement over \$25,000.

State agencies continue to look for opportunities to reduce contractual service costs. Several agencies-including the Departments of Health Services, Revenue, Tourism and Transportation-have renegotiated major service contracts to obtain lower prices from vendors beginning in FY10. In addition, the Department of Administration through its Division of Legal Services, will lead an effort to ensure that contractor positions do not replace state workers who have been laid off or furloughed.

Our Fiscal Year 2009 results and future initiatives are consistent with Governor Doyle's directives to make government run more resourcefully. State government will continue to seek ways to reduce costs, eliminate inefficiencies, and create sustainable sources of savings for state and local governments.

If you have questions about this report, please contact Ron Hermes, Administrator, DOA Division of Enterprise Operations, at 266-5452.

Sincerely,
MICHAEL L. MORGAN
Secretary

Referred to committee on **State Affairs and Homeland Security**.

State of Wisconsin
Department of Administration
Madison

November 17, 2009

To the Honorable, the Legislature:

Please find enclosed the Service Award Program 2008 Annual Report. The Service Award Board approved the report at its

meeting on November 10, 2009. The report provides an overview of the program and outlines the accomplishments for the program year.

Wisconsin State Statute 16.25 (6) requires the Department to submit the report to the Chief Clerk of each house annually describing the activities of the board.

If you have any questions regarding this report, please contact Chris Connor at the Department of Administration, Division of Intergovernmental Relations at 608-267-2704.

Sincerely,
RON HERMES
Secretary, Service Award Board

Referred to committee on **Urban and Local Affairs.**

State of Wisconsin
Investment Board
Madison

November 20, 2009

To the Honorable, the Legislature:

Pursuant to s. 25.17 (14r), Stats., I want to advise you of revisions to SWIB's "Investment Policies, Objectives and Guidelines" approved by the Board of Trustees. These guidelines apply to SWIB's internal investment managers.

The Board made these changes at its August 12 and November 11, 2009, meetings. I have enclosed electronic copies of the revised guidelines, red-lined copies that show the language added or deleted and summaries of the changes.

The reporting requirements in the statutes appear to only apply to internal management and not to contracts we initiate with external managers or changes we make to existing external contracts. However, because of the amount of assets managed by external managers, we decided a few years ago to advise you of any new contracts with external managers or changes we make to existing contracts. In keeping with that decision, we want to advise you that we issued a contract with an active government/credit fixed income manager and amended contracts covering a multi-asset portfolio to allow new strategies and an international small cap equities portfolio to limited exposure to emerging markets. SWIB took these steps to further diversify its holdings, take advantage of opportunities in the global equity markets and control risk.

If you have any questions on any of the changes, please contact me at 266-9451 or Sandy Drew at 261-0182.

Sincerely,
KEVIN BOZARTH
Executive Director

Referred to committee on **Ways and Means.**