

STATE OF WISCONSIN  
**Senate Journal**  
Ninety–Ninth Regular Session

---

WEDNESDAY, March 31, 2010

---

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

---

**CHIEF CLERK'S ENTRIES**

**AMENDMENTS OFFERED**

Senate substitute amendment 1 to **Senate Bill 115** offered by Senator Vinehout.

Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 115** offered by Senator Vinehout.

Senate amendment 1 to **Senate Bill 302** offered by Senator Hansen.

Senate substitute amendment 1 to **Senate Bill 603** offered by Senator Vinehout.

Senate amendment 1 to Senate amendment 1 to **Senate Bill 609** offered by Senator Holperin.

---

**INTRODUCTION, FIRST READING, AND  
REFERENCE OF PROPOSALS**

Read and referred:

**Senate Joint Resolution 65**

Relating to: lead poisoning hazards, lead abatement, and requesting a study.

By Senators Coggs, Jauch, Wirch, Miller and Taylor; cosponsored by Representatives Young, Black, Hebl, Hixson, Garthwaite, Berceau, Turner, Zepnick, Benedict, Bernard Schaber, Pasch and A. Williams.

To committee on **Public Health, Senior Issues, Long–Term Care, and Job Creation.**

Read first time and referred:

**Senate Bill 657**

Relating to: abuse and neglect of patients and residents.

By Senators Robson, Taylor and Vinehout; cosponsored by Representatives Pasch, Zigmunt, Turner, Ziegelbauer, Benedict, Zepnick, Sinicki, Black, Smith and Roys.

To committee on **Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing.**

**Senate Bill 658**

Relating to: public financing of campaigns for the office of justice of the supreme court.

By Senators Kreitlow and Taylor; cosponsored by Representative Hintz.

To committee on **Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing.**

**Senate Bill 659**

Relating to: review by the Joint Committee on Finance of the expenditure of certain federal funds by the Department of Natural Resources.

By Senators Kreitlow, Decker, Taylor, Cowles and Schultz; cosponsored by Representatives Suder, Vos, Zigmunt, Spanbauer, Brooks and Ripp.

To committee on **Transportation, Tourism, Forestry, and Natural Resources.**

---

**REPORT OF COMMITTEES**

The committee on **Public Health, Senior Issues, LongTerm Care, and Job Creation** reports and recommends:–

**Senate Bill 647**

Relating to: payments to hospitals for HIV–related services provided to Medical Assistance recipients.

Introduction and adoption of Senate Amendment 1.

Ayes, 5 – Senators Carpenter, Coggs, Vinehout, Schultz and Kapanke.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Carpenter, Coggs, Vinehout, Schultz and Kapanke.

Noes, 0 – None.

*TIM CARPENTER*

Chairperson

---

The committee on **Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection** reports and recommends:

**Assembly Bill 707**

Relating to: self–service storage facility notices and procedures.

Introduction of Senate Substitute Amendment 1.

Ayes, 5 – Senators Wirch, Plale, Holperin, Hopper and Lazich.

Noes, 0 – None.

Introduction and adoption of Senate Amendment 1 to Senate Substitute Amendment 1.

Ayes, 5 – Senators Wirch, Plale, Holperin, Hopper and Lazich.

Noes, 0 – None.

Adoption of Senate Substitute Amendment 1.

Ayes, 5 – Senators Wirch, Plale, Holperin, Hopper and Lazich.

Noes, 0 – None.

Concurrence as amended.

Ayes, 5 – Senators Wirch, Plale, Holperin, Hopper and Lazich.

Noes, 0 – None.

**Assembly Bill 709**

Relating to: requiring access to toilet facilities in a retail establishment, immunity from civil liability related to use of the toilet facilities, and providing penalties.

Concurrence.

Ayes, 5 – Senators Wirch, Plale, Holperin, Hopper and Lazich.

Noes, 0 – None.

*ROBERT WIRCH*  
Chairperson

**PETITIONS AND COMMUNICATIONS**

Pursuant to Senate Rule 17 (5), Representative Knodl withdrawn as a cosponsor of **Senate Bill 560**.

Pursuant to Senate Rule 17 (5), Representative Pope–Roberts added as a cosponsor of **Senate Bill 656**.

**State of Wisconsin  
Office of the Senate President**

February 4, 2010

The Honorable, the Legislature:

Pursuant to Senate Rule 36(2)(c) and section 13.05(6), 13.52(6), Wisconsin Statutes, the Co–Chairs of the Joint Survey Committee on Tax Exemptions shall prepare and submit a report in writing setting forth an opinion on the desirability of **Senate Bill 351**, relating to requirement before a sale or other transfer of a manufactured and mobile home community, providing an exemption from the real estate transfer fee, and providing a penalty.

Sincerely,

*FRED A. RISSER*  
Senate President

**State of Wisconsin  
Department of Administration**

March 31, 2010

The Honorable, The Legislature:

This report is transmitted as required by s. 20.002(11)(f), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. 13.172(3), Wisconsin Statutes) and confirms that the Department of Administration has found it necessary to exercise the “temporary reallocation of balances” authority provided by this section in order to meet payment responsibilities and cover resulting negative cash balances during the month of February 2010.

On February 1, 2010, the Injured Patients and Families Compensation Fund cash balance closed at a negative \$8.9 million. This negative balance continued through February 16, 2010, when the fund’s cash balance closed at a positive \$3.7 million. The Injured Patients and Families Compensation Fund cash balance reached its intra–month low of a negative \$9.0 million on February 8, 2010. The negative balance was due to the transfer of \$200 million to the Medical Assistance Trust

Fund per 2007 Wisconsin Act 20, and the pending liquidation of fund securities necessary to offset this shortfall.

On February 1, 2010, the Utility Public Benefits Fund cash balance closed at a negative \$12.5 million. This negative balance continued through February 28, 2010, when the fund’s cash balance closed at a negative \$14.8 million. The Utility Public Benefits Fund cash balance reached its intra–month low of a negative \$15.2 million on February 24, 2010. The negative balance was due to the difference in the timing of revenues and expenditures.

On February 1, 2010, the Permanent Endowment Fund cash balance closed at a negative \$2.0 million. This negative balance continued through February 28, 2010, when the fund’s cash balance closed at a negative \$2.0 million. The negative balance was due to the difference in the timing of revenues and expenditures.

On February 1, 2010, the Medical Assistance Trust Fund cash balance closed at a negative \$52.7 million. This negative balance continued through February 28, 2010, when the fund’s cash balance closed at a negative \$232.1 million. The Medical Assistance Trust Fund cash balance reached its intra–month low of a negative \$232.3 million on February 25, 2010. The negative balance was due to the difference in the timing of revenues and expenditures.

On February 1, 2010, the Police and Fire Protection Fund cash balance closed at a negative \$27.8 million (its intra–month low). This negative balance continued through February 28, 2010, when the fund’s cash balance closed at a negative \$25.6 million. The negative balance was due to the difference in the timing of revenues and expenditures.

On February 1, 2010, the Conservation Fund cash balance closed at a negative \$13.9 million. This negative balance continued through February 28, 2010, when the fund’s cash balance closed at a negative \$28.5 million (its intra–month low). The negative balance was due to the difference in the timing of revenues and expenditures.

The Injured Patients and Families Compensation Fund, Utility Public Benefits Fund, Permanent Endowment Fund, Medical Assistance Trust Fund, Police and Fire Protection Fund, and Conservation Fund shortfalls were not in excess of the statutory interfund borrowing limitations and did not exceed the balances of the funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund’s share. Therefore, the monthly calculation by the State Controller’s Office will automatically reflect the use of these temporary reallocations of balance authority, and as a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,

*MICHAEL L. MORGAN*  
Secretary

Referred to joint committee on **Finance**.

**State of Wisconsin  
Department of Health Services**

April 1, 2010

The Honorable, The Legislature:

I am pleased to submit to the Legislature the enclosed report as required by Chapter 153, Wisconsin Statutes. The report describes “the content and number of reports and currency of

information and reports generated in the previous calendar year” by the Wisconsin Hospital Association Information Center (WHAIC). WHAIC produced all required reports.

Sincerely,  
*KAREN E. TIMBERLAKE*  
Secretary

---

**REFERRALS AND RECEIPT OF COMMITTEE  
REPORTS CONCERNING PROPOSED  
ADMINISTRATIVE RULES**

**Senate Clearinghouse Rule 09–121**

Relating to allocation of the midwestern disaster area bonding authority provided to Wisconsin under the federal Heartland Disaster Tax Relief Act of 2008, and affecting small businesses.

Submitted by Department of Commerce.

Report received from Agency, March 25, 2010.

Referred to committee on **Commerce, Utilities, Energy, and Rail**, March 31, 2010.

**Senate Clearinghouse Rule 09–122**

Relating to the veterans tuition reimbursement program.

Submitted by Department of Veterans Affairs.

Report received from Agency, March 30, 2010.

Referred to committee on **Veterans and Military Affairs, Biotechnology, and Financial Institutions**, March 31, 2010.

---

The committee on **Commerce, Utilities, Energy, and Rail** reports and recommends:

**Senate Clearinghouse Rule 09–086**

Relating to the police and fire protection fee created under [2009 Wisconsin Act 23](#).

No action taken.

**Senate Clearinghouse Rule 09–116**

Relating to fees for plan review and inspection of public swimming pools and water attractions and affecting small business.

No action taken.

*JEFFREY PLALE*  
Chairperson