



STATE OF WISCONSIN

Assembly Journal

One-Hundredth Regular Session

THURSDAY, May 5, 2011

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 7** offered by committee on **Election and Campaign Reform**.

Assembly amendment 3 to **Assembly Bill 92** offered by joint committee on **Finance**.

Assembly amendment 4 to **Assembly Bill 92** offered by joint committee on **Finance**.

Assembly amendment 2 to **Assembly Bill 94** offered by joint committee on **Finance**.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 35

Relating to: recognizing May as Lyme Disease Awareness Month.

By Representatives Van Roy, Ziegelbauer, Wynn, Hintz, Williams, Petersen, Spanbauer, Jacques, Hebl, Strachota, Weininger, A. Ott, E. Coggs, Brooks, Pridemore, Meyer and Jorgensen; cosponsored by Senators Lasee, Kedzie, Olsen, Harsdorf, Lassa, Holperin, Risser and Taylor.

To committee on **Rules**.

Assembly Joint Resolution 36

Relating to: commending the University of Wisconsin–Madison men’s basketball team.

By Representatives Jacques, Weininger, Bernier, Bies, Brooks, E. Coggs, Fields, Hebl, Hulsey, Kaufert, Kerkman, Knilans, LeMahieu, Marklein, Mason, A. Ott, Pasch, Rivard, Sinicki, Spanbauer, Steineke, Thiesfeldt and Tranel; cosponsored by Senators Risser, T. Cullen, Galloway, Lasee, Olsen, Schultz, Darling and Taylor.

To committee on **Rules**.

Assembly Joint Resolution 37

Relating to: proclaiming May 2011 as Mental Health Awareness Month.

By Representatives Pasch, Shilling, Grigsby, Spanbauer, Hebl, Roys, Kaufert, Molepske Jr, Bernard Schaber, Bewley, Mason, Zepnick, Young, Milroy, D. Cullen, Berceau, A. Ott, Vruwink, Bernier, E. Coggs, Clark, Fields and Hintz; cosponsored by Senators Hansen, Erpenbach, S. Coggs, Vinehout, Lassa, Wirch, C. Larson, Darling, Galloway, Olsen, Schultz and Taylor.

To committee on **Rules**.

Assembly Bill 115

Relating to: a property tax exemption for a nonprofit resale store.

By Representatives Ziegelbauer, Spanbauer and LeMahieu; cosponsored by Senators Leibham and Schultz.

To committee on **Jobs, Economy and Small Business**.

Assembly Bill 116

Relating to: creating a microstamping requirement for certain handguns, certification of compliance with the microstamping requirement, requiring the exercise of rule-making authority, and providing penalties.

By Representatives Young, E. Coggs, Sinicki, Kessler, Berceau, Grigsby, Hulsey and Turner; cosponsored by Senators S. Coggs and Risser.

To committee on **Criminal Justice and Corrections**.

Assembly Bill 117

Relating to: an addition to the 2009–11 Authorized State Building Program and granting bonding authority.

By Representatives Hulsey, Pocan, Turner, Berceau, Molepske Jr, Roys, Milroy and Kessler; cosponsored by Senators Risser and S. Coggs.

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

Assembly Bill 118

Relating to: aiding a felon and providing penalties.

By Representatives Krusick, Bies, Ballweg, Brooks, Jacques, Knudson, A. Ott, J. Ott, Spanbauer, Strachota, Van Roy, Zepnick and Steineke; cosponsored by Senators Olsen, Kedzie and Lassa.

To committee on **Criminal Justice and Corrections**.

Assembly Bill 119

Relating to: special distinguishing registration plates expressing support for the family members of law enforcement officers who have died in the line of duty.

By Representatives Kaufert, A. Ott, Bernier, Spanbauer, Ziegelbauer, Steineke, Pasch, Turner, Rivard, Zepnick,

Mursau, Endsley, Jorgensen and LeMahieu; cosponsored by Senators Hopper, Ellis and Hansen.

To committee on **Transportation**.

Assembly Bill 120

Relating to: the possession and consumption of alcohol beverages by drivers and passengers on commercial quadricycles, municipal authority to regulate the operation of commercial quadricycles, and providing a penalty.

By Representatives D. Cullen and Ziegelbauer; cosponsored by Senator Taylor.

To committee on **Transportation**.

Assembly Bill 121

Relating to: expanding the eligibility of an unremarried surviving spouse of a veteran to claim the veterans and surviving spouses property tax credit.

By Representatives Petersen, Jacque, Nygren, Kestell, LeMahieu, Pridemore, Marklein, Bies, Brooks, Spanbauer, Murtha, Turner, Mursau, Endsley and Sinicki; cosponsored by Senator Holperin.

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

Assembly Bill 122

Relating to: permitting an educational agency to refuse to employ or to terminate from employment an unpardoned felon.

By Representatives Thiesfeldt, Petrowski, Kestell, Ziegelbauer, Jacque, Spanbauer, Endsley, A. Ott, Nygren, Bernier, Kerkman, Steineke, Brooks, Mursau, Kleefisch, LeMahieu, Kramer, Nass, Bies, Williams, Tauchen, Stone, Petersen, Pridemore, Vos and Ballweg; cosponsored by Senators Darling, Schultz, Galloway, Leibham, Lazich and Wanggaard.

To committee on **Education**.

Assembly Bill 123

Relating to: use of a facsimile firearm and providing a penalty.

By Representatives Van Roy, Spanbauer, Endsley, Rivard, Ballweg, Thiesfeldt and Brooks; cosponsored by Senators Hansen and Risser.

To committee on **Criminal Justice and Corrections**.

Assembly Bill 124

Relating to: theft of certain services and providing a penalty.

By Representatives Farrow, Kleefisch, Bernier, Brooks, Clark, Kaufert, Kestell, Knilans, A. Ott, Petersen, Pridemore, Rivard, Spanbauer, Strachota and Ziegelbauer; cosponsored by Senators Zipperer, Galloway, Holperin, Lasee, Leibham, Olsen and Schultz.

To committee on **Criminal Justice and Corrections**.

Assembly Bill 125

Relating to: membership on the State Trails Council.

By Representatives Kestell, Bernier, Brooks, Endsley and A. Ott; cosponsored by Senators Leibham, Holperin and Taylor.

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

COMMITTEE REPORTS

The committee on **Energy and Utilities** reports and recommends:

Assembly Bill 72

Relating to: wind energy system rules.

Without recommendation pursuant to s. [227.26 \(2\)\(h\)](#) of the Wisconsin Statutes.

To committee on **Rules**.

MARK HONADEL

Assembly Chairperson

Committee on Energy and Utilities

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

Assembly Bill 7

Relating to: requiring certain identification in order to vote at a polling place or obtain an absentee ballot, verification of the addresses of electors, absentee voting procedure in certain residential care apartment complexes and adult family homes, identification cards issued by the Department of Transportation, creating an identification certificate issued by the Department of Transportation, requiring the exercise of rule-making authority, and providing a penalty.

Assembly Substitute Amendment 1 adoption:

Ayes: 5 – Representatives Tauchen, Bernier, Stone, Pridemore and Weininger.

Noes: 3 – Representatives Roys, Kessler and Zamarripa.

Passage as amended:

Ayes: 5 – Representatives Tauchen, Bernier, Stone, Pridemore and Weininger.

Noes: 3 – Representatives Roys, Kessler and Zamarripa.

To joint committee on **Finance**.

GARY TAUCHEN

Chairperson

Committee on Election and Campaign Reform

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

Assembly Bill 92

Relating to: eliminating the enrollment cap for the Milwaukee Parental Choice Program and extending the

program to permit private schools located in Milwaukee County to participate.

May 5, 2011

Passage, with emergency statement (s. 16.47(2) Wisconsin Statutes).

Ayes: 12 – Representatives Vos, Meyer, Strachota, LeMahieu, Nygren and Kleefisch; Senators Darling, Olsen, Harsdorf, Grothman, Leibham and Hopper.

Noes: 4 – Representatives Grigsby and Shilling; Senators Taylor and Jauch.

To committee on **Rules**.

Assembly Bill 94

Relating to: the Milwaukee Parental Choice Program.

Assembly Amendment 1 adoption:

Ayes: 16 – Representatives Vos, Meyer, Strachota, LeMahieu, Nygren, Kleefisch, Grigsby and Shilling; Senators Darling, Olsen, Harsdorf, Grothman, Leibham, Hopper, Taylor and Jauch.

Noes: 0.

Passage as amended, with emergency statement (s. 16.47(2) Wisconsin Statutes).

Ayes: 14 – Representatives Vos, Meyer, Strachota, LeMahieu, Nygren and Kleefisch; Senators Darling, Olsen, Harsdorf, Grothman, Leibham, Hopper, Taylor and Jauch.

Noes: 2 – Representatives Grigsby and Shilling.

To committee on **Rules**.

ROBIN VOS
Assembly Chairperson
Joint Committee on Finance

SPEAKER'S COMMUNICATIONS

DATE: May 4, 2011

TO: Patrick E. Fuller, Assembly Chief Clerk

FROM: Speaker Jeff Fitzgerald

RE: Wisconsin Housing and Economic Development Authority

Assembly Speaker Jeff Fitzgerald has appointed Representative Michelle Litjens to the Wisconsin Housing and Economic Development Authority Board of Directors.

Please call if you have any questions.

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

Dear Chief Clerk Fuller:

As Assembly Speaker, pursuant to Assembly Rule 9, I am temporarily appointing Representatives Berceau, Kessler and Hulsey to replace Representatives Barca, Seidel and Clark, solely for the Assembly Rules committee meeting on Thursday, May 5, 2011.

Sincerely,
JEFF FITZGERALD
Assembly Speaker

COMMUNICATIONS

May 5, 2011

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 Joint Resolution 35, relating to recognizing May as Lyme Disease Awareness Month.

Sincerely,
JIM STEINEKE
State Representative
5th Assembly District

May 5, 2011

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 57, relating to certain controlled substances and providing a penalty.

Sincerely,
NEAL KEDZIE
State Senator
11th Senate District

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Revenue
Madison

April 29, 2011

To the Honorable, the Legislature:

I am submitting the quarterly report of the Wisconsin Lottery for the quarter ending March 31, 2011, as required by s. 565.37

(3), Wis. Stats. The attached materials contain unaudited Wisconsin Lottery year-to-date Revenue and Expenditure information.

Lottery sales were \$133.6 million for the quarter, up 11.8% from the same quarter last year. For the year, sales are at \$369.2 million, up 4.2% over last year.

The information reported here is a summary and is not intended to be a complete financial accounting of Wisconsin Lottery operations.

If you have any questions or comments regarding this report, please feel free to contact me at (608) 266-6466.

Sincerely,
RICHARD G. CHANDLER
Secretary of Revenue

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

State of Wisconsin
Department of Administration
Madison

April 29, 2011

To 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 March 2011.

On March 1, 2011, the Medical Assistance Trust Fund cash balance closed at a negative \$192.3 million. This negative balance continued through March 31, 2011, when the fund’s cash balance closed at a negative \$221.2 million. The Medical Assistance Trust Fund cash balance reached its intra-month low of a negative \$222.9 million on March 24, 2011.

On March 1, 2011, the Police and Fire Protection Fund cash balance closed at a negative \$29.6 million (its intra-month low). This negative balance continued through March 31, 2011, when the fund’s cash balance closed at a negative \$25.5 million.

On March 1, 2011, the Conservation Fund cash balance closed at a negative \$21.6 million. This negative balance continued through March 15, 2011, when the fund’s cash balance closed at a positive \$23.5 million. The Conservation Fund cash balance reached its intra-month low of a negative \$24.2 million on March 10, 2011.

On March 1, 2011, the Democracy Trust Fund cash balance closed at a negative \$901 thousand. This negative balance continued through March 31, 2011, when the fund’s cash balance closed at a negative \$901 thousand.

On March 2, 2011, the Support Collections Trust Fund cash balance closed at a negative \$4.3 million. This negative balance continued intermittently through March 10, 2011, when the fund’s cash balance closed at a positive \$1.1 million. The Support Collections Trust Fund cash balance reached its intra-month low of a negative \$5.4 million on March 7, 2011.

On March 25, 2011, the Environmental Fund cash balance closed at a negative \$54 thousand. This negative balance continued through March 31, 2011, when the fund’s cash balance closed at a negative \$170 thousand (its intra-month low).

On March 28, 2011, the Lottery Fund cash balance closed at a negative \$6.0 million. This negative balance continued through March 31, 2011, when the fund’s cash balance closed at a negative \$6.6 million (its intra-month low).

The Medical Assistance Trust Fund, Police and Fire Protection Fund, Conservation Fund, Democracy Trust Fund, Support Collections Trust Fund, Environmental Fund, and Lottery Fund shortfalls were due to the difference in the timing of revenues and expenditures, 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,
MIKE HUEBSCH
Secretary

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

State of Wisconsin
Wisconsin Office of Energy Independence
Madison

May 2, 2011

To the Honorable, the Legislature:

As required by s. 16.045 (5) Wis. Stats., I am submitting the annual Wisconsin Biofuels and Alternative Fuel Use Report for distribution to the appropriate standing committees.

Should you or Legislative members have questions, please contact me at 608-266-1521.

Sincerely,
MARIA REDMOND
Grants Administrator/Biofuels Sector
Specialist
Wisconsin Office of Energy Independence

Referred to committee on **Energy and Utilities**.