

STATE OF WISCONSIN
Senate Journal
One–Hundredth Regular Session

TUESDAY, August 30, 2011

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

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

Read first time and referred:

Senate Bill 173

Relating to: the disclosure of electronic juvenile court records to law enforcement agencies and providing a penalty.

By Senators Darling, Lazich, Olsen and Wanggaard; cosponsored by Representatives Vos, Bernier, Brooks, Jacque, Kaufert, Kestell, Knodl, Petersen, Strachota, Stroebel and Ziegelbauer.

To committee on **Judiciary, Utilities, Commerce, and Government Operations.**

Senate Bill 174

Relating to: closing the parental choice program for eligible school districts to additional school districts.

By Senators Ellis, Cowles, S. Fitzgerald, Olsen, Jauch, T. Cullen, Taylor, Schultz, Lassa and Hansen; cosponsored by Representatives Vos, Kestell, Brooks, Krug and Endsley.

To committee on **Education.**

Senate Bill 175

Relating to: restricting eligibility for the homestead tax credit.

By Senators Lasee and Galloway; cosponsored by Representatives Thiesfeldt, Kapenga, Kooyenga, Craig, Strachota and LeMahieu.

To committee on **Public Health, Human Services, and Revenue.**

OATH OF OFFICE

On Saturday, August 27, 2011, Jennifer Shilling took and subscribed the oath of office in La Crosse, which was administered by the Honorable Shirley Abrahamson, Chief Justice of the Wisconsin Supreme Court.

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Government Accountability Board**

August 26, 2011

The Honorable, The Senate:

I am pleased to provide you with a copy of the official canvass of the August 16, 2011 Recall Election vote for the

office of State Senator, along with the determination by the designee of the Chairperson of the Government Accountability Board of the winners.

With this letter, I am delivering the Certificates of Election and transmittal letters for the winner to you for distribution.

If the Government Accountability Board can provide you with further information or assistance, please contact our office.

Sincerely,
KEVIN J. KENNEDY
Director & General Counsel

**Statement of Canvass
for
State Senator**

RECALL ELECTION, August 16, 2011

I, Gerald C. Nichol, designee of the Chairperson of the Government Accountability Board, certify that the attached tabular statements, as compiled from the certified returns made to the Government Accountability Board by the several counties of the state, contain a correct abstract of the total number of votes given for the election of a candidate for State Senator, at a Recall Election held in the several election districts in said counties on the sixteenth day of August, 2011.

I DO, THEREFORE, DETERMINE AND CERTIFY that the following candidate, having each received the greatest number of votes, is duly elected State Senator:

<u>Senate District</u>	<u>Elected</u>
12th District	Jim Holperin
22nd District	Robert W. Wirch

Done in the City of Madison, this 26th day of August, 2011.

JUDGE GERALD C. NICHOL
Designee of the Chairperson
Government Accountability Board

**State of Wisconsin
Office of the Senate Majority Leader**

August 26, 2011

The Honorable, The Senate:

Pursuant to Senate Rule 20 (2) (a), I am making the following appointments.

Senate Standing Committees:

To the Committee on **Agriculture, Forestry and Higher Education:** Senator Schultz (Chair)

To the Committee on **Economic Development and Veterans and Military Affairs**: Senator Leibham (Chair), Senator Darling (Vice–Chair), Senator Galloway and removing Senate Zipperer

To the Committee on **Energy, Biotechnology and Consumer Protection**: Senator Kedzie (Vice–Chair) and Senator Wanggaard

To the Committee on **Financial Institutions and Rural Issues**: Senator Grothman (Chair)

To the Committee on **Workforce Development, Small Business and Tourism**: Senator Olsen and Senator Cowles (Vice–Chair)

Joint Committees:

To the Joint Committee on **Finance**: Senator Zipperer

To the Joint Survey Committee on **Retirement Systems**: Senator Kedzie (Chair)

To the Joint Survey Committee on **Tax Exemptions**: Senator Lasee (Chair)

Please feel free to contact me with any questions.

Sincerely,
SCOTT FITZGERALD
Senate Majority Leader

**State of Wisconsin
Office of the Senate Majority Leader**

August 26, 2011

The Honorable, The Senate:

Pursuant to Section [238.02 \(1\)](#) Wisconsin Statutes and Senate Rule [20](#), I am appointing Senator Rich Zipperer to the Wisconsin Economic Development Corporation.

Please feel free to contact me with any questions.

Sincerely,
SCOTT FITZGERALD
Senate Majority Leader

**State of Wisconsin
Joint Legislative Council**

August 23, 2011

The Honorable, The Senate:

I am pleased to transmit to you the following report to the 2011 Legislature on legislation introduced by the Joint Legislative Council as well as activities of this committee:

- RL 2011–02 Special Committee on Review of the Managed Forest Land Program.

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

Sincerely,
TERRY C. ANDERSON
Director

**State of Wisconsin
Legislative Audit Bureau**

August 25, 2011

The Honorable, The Legislature:

The Legislative Audit Bureau is required by s.13.94 (1) (dc), Wis. Stats., to contract for the performance of an actuarial audit of the Wisconsin Retirement System (WRS) at least once every five years. After a formal request–for–proposal process, a contract was awarded to the Segal Company for an independent audit of the actuarial valuation as of December 31, 2009. The services provided under this contract primarily focused on verification and analysis of actuarial assumptions and valuation methods used for the WRS by the Department of Employee Trust Funds (ETF) and its consulting actuary, Gabriel, Roeder, Smith and Company.

Enclosed is the actuary’s audit report along with responses from ETF and its consulting actuary. The findings, conclusions, and recommendations in the report are those of Segal. Audit Bureau staff managed the audit contract but were not involved in the fieldwork, analysis, or writing of the audit report.

Segal concludes that the stated methods and assumptions used in the 2009 actuarial valuation were reasonable and properly employed in determining the costs of the WRS and notes that the five–year smoothing mechanism used for the WRS is reasonable and meets actuarial standards. Segal also offers several recommendations to improve the consulting actuary’s annual actuarial valuations, including working with ETF to improve the presentation of asset information, expanding the description of the actuarial cost method, and applying an assumption related to optional forms of payment elected by some members who retire after a certain age.

Segal’s actuarial audit does not evaluate various changes to the WRS that were implemented after December 31, 2009, including changes enacted as part of [2011 Wisconsin Acts 10](#) and [32](#). Changes to actuarial economic assumptions for the WRS that the ETF Board approved in March 2011, including a reduction of the investment return assumption from 7.8 percent to 7.2 percent, likewise occurred outside of the valuation period covered by Segal’s audit and therefore were not evaluated.

We acknowledge the professional manner in which Segal staff performed this independent actuarial audit and appreciate the cooperation provided by staff of ETF and its consulting actuary.

Sincerely,
JOE CHRISMAN
Interim State Auditor

**State of Wisconsin
Groundwater Coordinating Council**

August, 2011

The Honorable, The Legislature:

The Groundwater Coordinating Council (GCC) is pleased to release its 2011 Report to the Legislature. The GCC was formed in 1984 to help state agencies coordinate non–regulatory activities and exchange information on groundwater. For the past 27 years, the GCC has served as a model for interagency coordination and cooperation among state agencies, the Governor, local and federal government, and the university. It is one of the few groups in the nation to effectively coordinate groundwater activities in its state from an advisory position.

This report summarizes and provides links to information on GCC and agency activities related to groundwater protection and management in FY 11 (July 1, 2010 to June 30, 2011). The links also provide information on the condition of the groundwater resource. At the end of this report are the GCC’s

recommendations titled Directions for Future Groundwater Protection.

(<http://dnr.wi.gov/org/water/dwg/gcc/rtl/2011/Report/Recommendations.doc>). The report and supporting materials will be made available online at <http://dnr.wi.gov/org/water/dwg/gcc/rtl/gccreport2011.htm>.

Highlights of the State's groundwater protection activities this past year include:

Research and monitoring contributing to our understanding of many groundwater issues including: nitrate, mercury methylation, biofuel cropping, antibiotics, climate change, water use, and fecal contamination.

Implementation of the Great Lakes Compact (2008 Wisconsin Act 227).

The Water Resources Library made considerable progress in providing full-text reports of UWS and DNR groundwater monitoring and research projects through the UW Ecology and Natural Resources Digital Collection at <http://digital.library.wisc.edu/1711.dl/EcoNatRes.Groundwater>.

We hope you will find this report to be a useful reference in protecting Wisconsin's valuable groundwater resource.

Sincerely,
KEN JOHNSON
Chair

ADVICE AND CONSENT OF THE SENATE

**State of Wisconsin
Office of the Governor**

August 26, 2011

The Honorable, The Senate:

This letter is to remove the following appointment from consideration for confirmation by the Wisconsin Senate:

LANDREMAN, STEVEN, of Kenosha, as a member of the Earned Early Release Review Commission to serve for the term ending March 1, 2013.

Respectfully submitted,
SCOTT WALKER
Governor

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

The committee on **Natural Resources and Environment** reports and recommends:

Senate Clearinghouse Rule 07-082

Relating to ambient air quality standards and affecting small business.

No action taken.

NEAL KEDZIE
Chairperson

Referred to joint committee for review of **Administrative Rules**, pursuant to 227.19(5)(a), Wisconsin Statutes.