



STATE OF WISCONSIN

Assembly Journal

Ninety-Seventh Regular Session

11:05 A.M.

THURSDAY, November 3, 2005

The Assembly met in the Assembly Chamber located in the State Capitol.

Representative Gottlieb in the chair.

The Assembly dispensed with the call of the roll.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 653** offered by Representative Lehman.

Assembly amendment 3 to **Assembly Bill 709** offered by Representative Wasserman.

Assembly amendment 1 to **Senate Bill 34** offered by Representative Pridemore.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 63

Relating to: the life of Reggie Lisowski.

By Representatives Honadel, Sinicki, Gunderson, Hines, Jensen, Jeskewitz, Lothian, Montgomery, Owens, Petrowski, Pocan, Sheridan, Staskunas, Stone, Turner, Van Akkeren and Zepnick; cosponsored by Senators Plale and Taylor.

To committee on **Rules**.

Assembly Bill 807

Relating to: establishing a publicly financed health care system for residents of this state, creating the Department of Health Planning and Finance, Health Policy Board, and regional consumer health councils, granting rule-making authority, and making appropriations.

By Representatives Benedict, Berceau, Black, Boyle, Fields, Grigsby, Kessler, Parisi, Pocan, Pope-Roberts and Sheridan; cosponsored by Senators Miller, Carpenter, Erpenbach, Risser, Robson and Wirch.

To joint committee on **Finance**.

Assembly Bill 808

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, registration and voting procedures for certain persons who are convicted of felonies, and the fee for an identification card issued by the Department of Transportation.

By Representatives Cullen, Lehman, Sheridan, Van Akkeren and Shilling; cosponsored by Senators Decker and Breske.

To committee on **Campaigns and Elections**.

Assembly Bill 809

Relating to: creating an income and franchise tax credit for motor vehicles that use gasoline and ethanol mixtures as fuel.

By Representatives Sheridan, Freese, Hahn, Benedict, Bies, Davis, Gronemus, Gunderson, Hebl, Hines, Kreibich, Lamb, Lothian, Molepske, Musser, Seidel, Towns, Turner and Vruwink; cosponsored by Senators Harsdorf and Hansen.

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

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Senate Joint Resolution 48

Passed and asks concurrence in:

Senate Bill 132

Senate Bill 135

Senate Bill 341

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 48

Relating to: honoring Ms. Rosa Louise Parks for her lifelong dedication to equal rights for all citizens, for her positive impact on American history, and for the legacy of civil rights that she has left for us to defend.

By Senators Taylor, Cogg, Robson, Risser, Jauch, Plale, Hansen, Erpenbach, Wirch, Miller, Darling, Olsen, Harsdorf and Brown; cosponsored by Representatives Turner, A. Williams, Lehman, Young, Colon, Toles, Grigsby, Kessler,

Fields, Sherman, Boyle, Black, Sinicki, Berceau, Shilling, Pocan, Pope-Roberts, Vruwink, Molepske, Seidel, Parisi, Benedict, Hebl, Sheridan, Jeskewitz, Krawczyk, Gronemus, Lothian, Kerkman, Albers and Staskunas.

To committee on **Rules**.

Senate Bill 132

Relating to: payment of litigation expenses of emergency medical services personnel, fire fighters, first responders, and law enforcement or correctional officers.

By Senators Kanavas, Kedzie, Stepp, Brown, Roessler and Coggs; cosponsored by Representatives Davis, Montgomery, Hahn, Ainsworth, Bies, Gunderson, Gundrum, Jensen, Townsend, Ott, Vos, Rhoades, Hines, Van Roy, Jeskewitz, Friske, Gronemus and Musser.

To committee on **Rules**.

Senate Bill 135

Relating to: requiring that personal flotation devices be worn by certain underage persons in certain boats.

By Senators Roessler, Cowles, Lassa and Miller; cosponsored by Representatives Freese, Staskunas, Ainsworth, Albers, Berceau, Bies, Black, Hahn, Hines, Jensen, Krawczyk, Lehman, Molepske, Nerison, Ott, Owens, Sheridan, Stone, Townsend and Van Roy.

To committee on **Rules**.

Senate Bill 341

Relating to: voter registration for certain victims of domestic abuse, sexual assault, or stalking.

By Senators Roessler, Brown, Darling, Olsen, A. Lasee, Kanavas, Erpenbach and Taylor; cosponsored by Representatives Kreibich, Kaufert, Berceau, Hundertmark, Freese, Owens, Shilling, Albers, Parisi, Hines, Van Roy, Musser, Turner, Molepske, Lehman and Cullen.

To committee on **Rules**.

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 155
Assembly Bill 211
Assembly Bill 522

PATRICK E. FULLER
Assembly Chief Clerk

SPEAKER'S COMMUNICATIONS

November 3, 2005

Mr. Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 208
Madison, WI 53708

Dear Patrick:

I have appointed Representative Vos to fill the current vacancy on the Joint Survey Committee on Retirement Systems.

Sincerely,
JOHN G. GARD
Speaker

REFERENCE BUREAU CORRECTIONS

Assembly Amendment 1 to **Assembly Bill 709**

1. Page 1, line 2: delete that line.

GOVERNOR'S VETO MESSAGE

November 3, 2005

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 499**. This bill would criminalize some of the most promising scientific techniques used by stem cell researchers, not only potentially delaying cures to some of humanity's oldest and deadliest diseases but also costing Wisconsin jobs in the future.

While we can all agree that human cloning is not acceptable, it has already been prohibited by the federal Food and Drug Administration. The real purpose of this bill is to restrict stem cell research, which holds enormous potential for our state as well as the promise of curing juvenile diabetes, spinal cord injuries, and Parkinson's disease. Allowing our scientists to search for cures to diseases isn't about being liberal or conservative. It's about being compassionate. And respect for human life means you don't turn your back on cures that can save lives.

It is a sad irony that a bill criminalizing promising scientific research comes to my desk one month after Wisconsin was designated as the nation's Stem Cell Bank by the National Institutes of Health. This bill sends the wrong signal to the nation about Wisconsin. Wisconsin should continue to recruit and welcome the nation's best scientists, not treat them like criminals.

Finally, this bill would undo all of our efforts to expand biomedical and medical technology businesses. Wisconsin biotech firms already employ approximately 22,000 people and contribute \$6.9 billion annually to the state economy.

It is unfortunate that the United States Congress has so far turned its back on stem cell research, refusing to support

important legislation to accelerate stem cell research. We should not follow their example in Wisconsin.

I hope that this veto will send a clear message to the Legislature, the scientific community, and to families who are hoping and praying for cures: Wisconsin will remain at the forefront of stem cell research.

Respectfully submitted,
JAMES DOYLE
Governor

Sinicki on the Assembly Committee on Agriculture. As you know, Representative Steinbrink has a broad range of knowledge on agricultural matters, and I am confident that he will be an excellent addition to the committee.

If you have any questions, or would like to discuss this matter with me personally, please feel free to contact my office. Thank you in advance for your immediate attention.

Sincerely,
JIM KREUSER
Assembly Democratic Leader

COMMUNICATIONS

State of Wisconsin
Revisor of Statutes Bureau
Madison

DATE: November 1, 2005
TO: Patrick E. Fuller
Assembly Chief Clerk

Robert Marchant
Senate Chief Clerk
FROM: Gary L. Poulson
Assistant Revisor of Statutes
SUBJECT: Rules published in the October 31, 2005,
Wisconsin Administrative [Register, No. 598](#).

The following rules have been published:

- Clearinghouse Rule [01-156](#) effective 11-01-2005
- Clearinghouse Rule [04-076](#) effective 11-01-2005
- Clearinghouse Rule [04-137](#) effective 11-01-2005
- Clearinghouse Rule [05-004](#) effective 11-01-2005
- Clearinghouse Rule [05-005](#) effective 11-01-2005
- Clearinghouse Rule [05-015](#) part eff. 11-01-2005
- Clearinghouse Rule [05-017](#) part eff. 04-01-2006
- Clearinghouse Rule [05-017](#) part eff. 11-01-2005
- Clearinghouse Rule [05-017](#) part eff. 02-01-2006
- Clearinghouse Rule [05-025](#) effective 11-01-2005
- Clearinghouse Rule [05-028](#) effective 11-01-2005
- Clearinghouse Rule [05-030](#) effective 11-01-2005
- Clearinghouse Rule [05-031](#) part eff. 11-01-2005
- Clearinghouse Rule [05-038](#) effective 11-01-2005
- Clearinghouse Rule [05-047](#) effective 11-01-2005
- Clearinghouse Rule [05-048](#) effective 11-01-2005
- Clearinghouse Rule [05-063](#) effective 11-01-2005

November 2, 2005

Representative Al Ott, Chairperson
Assembly Committee on Agriculture
323 North, State Capitol
Madison, WI 53708

Dear Representative Ott,

This is to inform you, effective immediately, Representative John Steinbrink will be replacing Representative Christine

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Natural Resources
Madison

November 1, 2005

To the Honorable, the Legislature:

Attached to this letter is the Environmental Improvement Fund Biennial Report for the 2003-2005 biennium. The report provides information on the activities and operations of the program during the previous biennium. This report is submitted in accordance with s. [281.59\(3\)\(j\)](#), Wis. Stats.

If you have any questions regarding the Biennial Report, please contact Bob Ramharter at 266-3916 or Frank Hoadley at 266-2305.

Sincerely,
MICHELE YOUNG
Director
Bureau of Community Financial Assistance
Department of Natural Resources
FRANK HOADLEY
Capital Finance Director
Department of Administration

Referred to committee on **Natural Resources**.

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

October 27, 2005

To the Honorable, the Assembly:

As required by s. [13.94\(1\)\(de\)](#), Wis. Stats., we have completed a financial audit of the Local Government Property Insurance Fund, which provides property insurance to counties, towns, villages, school districts, and other local units of government. The Property Fund is administered by the Office of the Commissioner of Insurance (OCI). As of June 30, 2004, it insured \$35.9 billion in property owned by 1,203 local units of government. We have provided an unqualified auditor's report on the Property Fund's financial

statements for the fiscal years (FYs) ending June 30, 2004, 2003, 2002, and 2001.

Because of changes in reinsurance coverage and increases in claims, the Property Fund experienced net losses of \$8.1 million for the three-year period ending June 30, 2003. In response, OCI increased policyholder premiums. Following this increase, the Property Fund ended FY 2003-04 with net income of \$9.2 million and a surplus of \$24.5 million. OCI monitors the surplus level and believes it is currently appropriate in light of recent loss experience and recent changes in reinsurance.

In completing our audit, we encountered a serious documentation problem: a subcontractor for the previous fund administrator destroyed nearly all claim files for FYs 2000-01 and 2001-02. In order to provide the necessary documentation and assurances that claim payments were properly made, OCI had the destroyed claim files re-created with the assistance of the current fund administrator and local governments. OCI was able to provide an adequate level of documentation to allow us to provide an unqualified opinion on the financial statements.

We appreciate the courtesy and cooperation extended to us by OCI staff and the private firms responsible for administration of the Property Fund. OCI's response follows our report.

Respectfully submitted,
JANICE MUELLER
State Auditor

State of Wisconsin
Department of Administration
Madison

October 31, 2005

To the Honorable, the Assembly:

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 September 2005.

On September 6, 2005, the **General Fund** cash balance closed at a negative \$12.1 million. The fund's negative cash balance continued intermittently until September 22, 2005, when the fund's cash balance closed at a positive \$3.8 million. **The General Fund** cash balance reached its intramonth low of a negative \$264.9 million on September 19, 2005. The negative balance was due to the difference in the timing of revenues and expenditures.

The General Fund shortfall was 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,
STEPHEN E. BABLITCH
Secretary

ADJOURNMENT

Representative Wieckert moved that the Assembly stand adjourned until 11:00 A.M. on Tuesday, November 8.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

11:06 A.M.