



STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

4:15 P.M.

THURSDAY, December 8, 2005

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

Representative Schneider in the chair.

The Assembly dispensed with the call of the roll.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 221** offered by Representative Pettis.

Assembly substitute amendment 1 to **Assembly Bill 586** offered by Representatives Gunderson and Gard.

Assembly amendment 2 to **Assembly Bill 588** offered by Representative Townsend.

Assembly amendment 1 to **Assembly Bill 654** offered by committee on **Children and Families**.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 675** offered by Representative Albers.

Assembly amendment 1 to **Assembly Bill 801** offered by Representative Towns.

Assembly substitute amendment 1 to **Assembly Bill 826** offered by committee on **Children and Families**.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 05-082

Relating to specific information signs.
Submitted by Department of Transportation.
Report received from Agency, November 30, 2005.
To committee on **Transportation**.
Referred on December 8, 2005.

Assembly Clearinghouse Rule 05-095

Relating to allowing the operation of double bottoms and certain other vehicles on certain specified highways.
Submitted by Department of Transportation.
Report received from Agency, December 2, 2005.
To committee on **Transportation**.
Referred on December 8, 2005.

Assembly Clearinghouse Rule 05-099

Relating to small employer uniform employee application for group health insurance.
Submitted by Insurance Commissioner.
Report received from Agency, November 30, 2005.
To committee on **Insurance**.
Referred on December 8, 2005.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 858

Relating to: the number of Blue Books that are distributed to members of the legislature.

By Representatives Lothian, Davis, Berceau, Gunderson, Gundrum, Jeskewitz, Kleefisch, Krawczyk, Lehman, Montgomery, Musser, Nass, Strachota and Van Roy; cosponsored by Senator Roessler.

To committee on **Government Operations and Spending Limitations**.

Assembly Bill 859

Relating to: prohibited meeting times of the assembly, senate, and legislative members of committees and other bodies.

By Representative Pocan.

To committee on **Assembly Organization**.

Assembly Bill 860

Relating to: an assessment on large employers that do not provide subsidized health care coverage, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, requiring the exercise of rule-making authority, and providing a penalty.

By Representatives Berceau, Nelson, Lehman, Black, Pope-Roberts, Sinicki, Zepnick and Molepske; cosponsored by Senators Hansen, Robson, Taylor and Miller.

To committee on **Labor**.

Assembly Bill 861

Relating to: creating an individual income tax deduction for health and fitness center memberships.

By Representatives Hines, F. Lasee, Kreibich, Vos, Lehman, Krawczyk, Towns, Musser, Albers, Suder, Ballweg

and Molepske; cosponsored by Senators Harsdorf, A. Lasee, Leibham and Breske.

To committee on **Public Health**.

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

Assembly Bill 862

Relating to: self-funded employer groups for providing health care coverage.

By Representatives Vos, Kerkman, Nischke, Bies, Hahn, Hines, Jensen, Jeskewitz, Kreibich, F. Lasee, Ott, Owens and Wood; cosponsored by Senators Stepp and Reynolds.

To committee on **Insurance**.

Assembly Bill 863

Relating to: the Property Tax Deferral Loan Program of the Wisconsin Housing and Economic Development Authority.

By Representatives Berceau, Boyle, Fields, Young, Pocan, Staskunas, Ballweg and Molepske; cosponsored by Senators Hansen, Decker and Erpenbach.

To committee on **Housing**.

Assembly Bill 864

Relating to: authorizing a person to transport an unencased firearm in a motor vehicle under certain circumstances.

By Representatives Gunderson, Suder, Gronemus, Hahn, Hines, Jensen, Krawczyk, F. Lasee, Lothian, Mursau, Musser, Boyle, Nass, Pettis, Petrowski, Van Roy and M. Williams; cosponsored by Senators Brown, A. Lasee, Breske, Decker, Grothman and Reynolds.

To committee on **Natural Resources**.

Assembly Bill 865

Relating to: restoring the right to vote to a person barred from voting as a result of a felony conviction.

By Representatives Parisi, Grigsby, Albers, Black, Boyle, Fields, Pocan, Pope-Roberts, Berceau and Kessler; cosponsored by Senators Taylor and Miller.

To committee on **Campaigns and Elections**.

Assembly Bill 866

Relating to: the earned release program.

By Representatives Parisi, Turner, Fields, Grigsby, Hines, Boyle, Pocan, Zepnick, Black, Berceau, Travis, Sheridan, Kessler, Toles, Seidel and Wood; cosponsored by Senators Carpenter and Risser.

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

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

Senate Bill 426

Concurred in:

Assembly Joint Resolution 59

Assembly Joint Resolution 65

Assembly Joint Resolution 66

Assembly Joint Resolution 69

Assembly Bill 59

Assembly Bill 103

Assembly Bill 113

Assembly Bill 184

Assembly Bill 544

Assembly Bill 593

Assembly Bill 627

Assembly Bill 635

Assembly Bill 762

Assembly Bill 844

ACTION ON THE SENATE MESSAGE

Senate Bill 426

Relating to: various changes in the unemployment insurance law, authorized positions for the department of justice, making appropriations, and providing penalties.

By Senator Zien.

To committee on **Insurance**.

COMMUNICATIONS

December 6, 2005

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

Dear Chief Clerk Fuller:

I am writing to remove my name as a co-sponsor of Assembly Bill 791, legislation that would promote the use of advanced directives for new Medicaid recipients.

This legislation was originally a suggestion that was discussed by the Assembly Medicaid Reform Committee. It was generally viewed as positive change to our Medicaid law. I was unaware that there was a similar requirement that was already part of Federal law. I requested Legislative Council to prepare a memo that would compare Assembly Bill 791 and current federal law. The memo demonstrates that Assembly Bill 791 is unnecessary. Because of this, I request that my name be removed from Assembly Bill 791.

Thank you for your immediate attention to this matter. If you have any questions, please feel free to contact me.

Sincerely yours,
JEAN HUNDERTMARK
State Representative
40th Assembly District

December 7, 2005

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

Dear Mr. Fuller :

I am writing to ask that my vote be changed from NAY to AYE on passage of Assembly Bill 844, relating to the Health Insurance Risk Insurance Plan.

As a co-sponsor of Assembly Bill 844, I did not intend to vote against the proposal, but I have been alerted that my vote has been recorded as such due to an apparent button malfunction. I respectfully request that the Assembly Journal be amended to reflect that I voted in favor of passage of Assembly Bill 844. I also ask that any allowable action be taken to ensure that my intended vote is reflected in all other records maintained in the Assembly.

Thank you for your time and attention to this matter. If you have any questions, please feel free to contact me.

Sincerely,
AMY SUE VRUWINK
State Representative
70th Assembly District

December 7, 2005

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

Dear Chief Clerk Fuller:

I am writing to request that my vote on passage for Assembly Bills 26, 219, 258, 428, 429, 432, 443, 581, 746, 775 and 844 on the Assembly floor on December 6, 2005, be recorded as Green/Aye.

Please record my vote on adoption of Assembly Joint Resolutions 26 and 69 on the Assembly floor on December 6, 2005, as Green/Aye.

In addition, please record my vote on concurrence on Senate Bills 132 and 180 on the Assembly floor on December 6, 2005, as Green/Aye.

Finally, please record my vote on concurrence with Senate Amendment 1 to Assembly Bill 264 on the Assembly floor on December 6, 2005, as Green/Aye.

Thank you for your time and consideration.

Sincerely,
MICHAEL J. SHERIDAN
State Representative
44th Assembly District

December 7, 2005

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

Dear Mr. Fuller :

I am writing to ask that my vote be changed from NAY to AYE on passage of Assembly Bill 844, relating to the Health Insurance Risk Insurance Plan.

As a co-sponsor of Assembly Bill 844, I did not intend to vote against the proposal, but I have been alerted that my vote has been recorded as such due to an apparent button malfunction.

I respectfully request that the Assembly Journal be amended to reflect that I voted in favor of passage of Assembly Bill 844. I also ask that any allowable action be taken to ensure that my intended vote is reflected in all other records maintained in the Assembly.

Thank you for your time and attention to this matter. If you have any questions, please feel free to contact me.

Sincerely,
JENNIFER SHILLING
State Representative
95th Assembly District

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

December 8, 2005

To the Honorable, the Assembly:

We have completed a financial audit of the State Life Insurance Fund for the years ending December 31, 2004, 2003 and 2002. This work was performed to meet our audit requirements under s. 13.94(1)(de), Wis. Stats. Our audit opinion on the Fund's financial statements, which are prepared on the basis of accounting prescribed or permitted by the Commissioner of Insurance, was included in report 05-17.

As required by Government Auditing Standards, we are providing you with the auditor's report on internal control over financial reporting, compliance with laws and regulations, and other matters. We identified a material weakness related to the Fund's financial reporting of investments. In addition, we report concerns because the Fund's surplus-to-assets ratio of 2.68 percent as of December 31, 2004, was below the statutory guideline of a minimum of 7.0 percent. We discuss other accounting errors and concerns related to the reconciliation of cash transactions recorded on the Fund's accounting system and in the State's central accounting records. Finally, we make recommendations for improved internal controls related to the processing of computerized information.

Your office's responses to our recommendations are included in the text so that readers may see your intended resolution of the matters discussed. In future audits, the Audit Bureau will determine the extent to which the findings in this letter have been resolved.

Our auditors found your staff to be helpful and responsive to their requests. We appreciate the courtesy and cooperation extended to us during the audit.

Sincerely,
JANICE MUELLER
State Auditor

ADJOURNMENT

Representative Underheim moved that the Assembly stand adjourned until 11:00 A.M. on Tuesday, December 13.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

4:16 P.M.