



STATE OF WISCONSIN

Assembly Journal

One-Hundredth Regular Session

THURSDAY, June 2, 2011

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

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 49** offered by Representative LeMahieu.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 62** offered by Representative Kestell.

Assembly amendment 1 to **Assembly Bill 64** offered by committee on **Transportation**.

Assembly amendment 1 to **Assembly Bill 81** offered by committee on **Transportation**.

Assembly amendment 1 to **Assembly Bill 132** offered by committee on **Transportation**.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 43

Relating to: the life and public service of Sheriff Raymond Klink.

By Representatives Farrow, Bernier, Brooks, Kramer, Kuglitsch, Molepske Jr, Spanbauer, Steineke and Tranel; cosponsored by Senators Vukmir, Galloway, Kedzie, Lassa, Lazich and Miller.

To committee on **Rules**.

Assembly Joint Resolution 44

Relating to: the life and public service of Virgil D. Roberts and honoring his many accomplishments.

By Representatives Doyle and Shilling; cosponsored by Senator Kapanke.

To committee on **Rules**.

COMMITTEE REPORTS

The committee on **Transportation** reports and recommends:

Assembly Bill 50

Relating to: agreements relating to motor carrier liability.

Passage:

Ayes: 15 – Representatives Petrowski, Farrow, A. Ott, Stone, Van Roy, Honadel, Ripp, Endsley, Knilans, Steinbrink, Vruwink, Bernard Schaber, Jorgensen, Bewley and Hulsey.

Noes: 0.

To committee on **Rules**.

Assembly Bill 64

Relating to: single trip permits for the movement of oversize mobile homes, manufactured homes, and modular homes.

Assembly Amendment 1 adoption:

Ayes: 15 – Representatives Petrowski, Farrow, A. Ott, Stone, Van Roy, Honadel, Ripp, Endsley, Knilans, Steinbrink, Vruwink, Bernard Schaber, Jorgensen, Bewley and Hulsey.

Noes: 0.

Passage as amended:

Ayes: 15 – Representatives Petrowski, Farrow, A. Ott, Stone, Van Roy, Honadel, Ripp, Endsley, Knilans, Steinbrink, Vruwink, Bernard Schaber, Jorgensen, Bewley and Hulsey.

Noes: 0.

To committee on **Rules**.

Assembly Bill 81

Relating to: special identification cards issued by the Department of Transportation providing parking privileges for persons with physical disabilities and providing a penalty.

Assembly Amendment 1 adoption:

Ayes: 15 – Representatives Petrowski, Farrow, A. Ott, Stone, Van Roy, Honadel, Ripp, Endsley, Knilans, Steinbrink, Vruwink, Bernard Schaber, Jorgensen, Bewley and Hulsey.

Noes: 0.

Passage as amended:

Ayes: 15 – Representatives Petrowski, Farrow, A. Ott, Stone, Van Roy, Honadel, Ripp, Endsley, Knilans, Steinbrink, Vruwink, Bernard Schaber, Jorgensen, Bewley and Hulsey.

Noes: 0.

To committee on **Rules**.

Assembly Bill 132

Relating to: motor vehicle dealers.

Assembly Amendment 1 adoption:

Ayes: 15 – Representatives Petrowski, Farrow, A. Ott, Stone, Van Roy, Honadel, Ripp, Endsley, Knilans, Steinbrink, Vruwink, Bernard Schaber, Jorgensen, Bewley and Hulsey.
Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Petrowski, Farrow, A. Ott, Stone, Van Roy, Honadel, Ripp, Endsley, Steinbrink, Vruwink, Bernard Schaber, Jorgensen, Bewley and Hulsey.
Noes: 1 – Representative Knilans.

To committee on **Rules**.

Senate Bill 26

Relating to: bonding authority for major interstate bridge projects.

Concurrence:

Ayes: 13 – Representatives Petrowski, Farrow, A. Ott, Stone, Van Roy, Honadel, Ripp, Endsley, Knilans, Steinbrink, Vruwink, Jorgensen and Bewley.
Noes: 2 – Representatives Bernard Schaber and Hulsey.

To committee on **Rules**.

Senate Bill 41

Relating to: agreements relating to motor carrier liability.

Concurrence:

Ayes: 15 – Representatives Petrowski, Farrow, A. Ott, Stone, Van Roy, Honadel, Ripp, Endsley, Knilans, Steinbrink, Vruwink, Bernard Schaber, Jorgensen, Bewley and Hulsey.
Noes: 0.

To committee on **Rules**.

JERRY PETROWSKI
Chairperson
Committee on Transportation

REFERENCE BUREAU CORRECTIONS

Assembly Bill 161

1. Page 4, line 10: delete “Maintain” and substitute “The board shall maintain”.
2. Page 4, line 14: delete “Designate” and substitute “The board shall designate”.
3. Page 28, line 1: delete “September partisan” and substitute “September”.

SPEAKER’S COMMUNICATIONS

DATE: June 2, 2011
TO: Patrick E. Fuller, Assembly Chief Clerk
FROM: Speaker Jeff Fitzgerald
RE: Minority Leader’s Committee Appointments

Assembly Speaker Jeff Fitzgerald, in accordance with Assembly Rules 9 (2)(c) has confirmed Assembly Minority Leader Peter Barca’s appointment of Representative Steve Doyle to the Committee on Tourism, Recreation, and State Properties and the Committee on Insurance.

Assembly Speaker Jeff Fitzgerald would also like to confirm Assembly Minority Leader Peter Barca’s revision of two previous nominations, with the intention that Representative Steve Doyle replaces Representative Brett Hulsey on the Committee on Transportation and also replaces Kelda Helen Roys on the Committee on Rural Economic Development and Rural Affairs.

Furthermore, Assembly Speaker Jeff Fitzgerald has confirmed Assembly Minority Leader Peter Barca’s appointment of Representative Gary Hebl to the Assembly Committee on Criminal Justice and Corrections.

COMMUNICATIONS

May 31, 2011

Speaker Jeff Fitzgerald
State Capitol, Room 211 West
PO Box 8953
Madison, WI 53708

Speaker Fitzgerald:

This letter is to nominate newly elected Representative Steve Doyle for appointments to 2011-12 legislative standing committees.

Under Assembly Rule 9 (c), the Minority Leader is charged with nominating minority members for appointment by the Speaker to legislative standing committees.

I would like to nominate Representative Doyle to fill the open positions on both the Committee on Tourism, Recreation and State Properties and the Committee on Insurance.

I would also like to revise two nominations made earlier this session. I would like to nominate Representative Doyle to serve on both the Committee on Transportation in the place of Representative Brett Hulsey and on the Committee on Rural Economic Development and Rural Affairs in the place of Representative Kelda Helen Roys.

Thank you for your assistance with these assignments. Please contact me if I can be of assistance to you.

Sincerely,
PETER W. BARCA
Assembly Minority Leader
64th Assembly District

June 2, 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 2011 Assembly Bill 89, relating to application of the open meetings law to legislative party caucuses.

Sincerely,
LOUIS J. MOLEPSKE, JR
State Representative
71st Assembly District

June 2, 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 Bill 100, relating to evidentiary recordings of persons under the age of 18 engaging in sexually explicit conduct and certain sex offenses against children and providing penalties.

Sincerely,
ANDRE JACQUE
State Representative
2nd Assembly District

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Administration
Madison

May 31, 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 April 2011.

On April 1, 2011, the Medical Assistance Trust Fund cash balance closed at a negative \$192.2 million. This negative balance continued through April 30, 2011, when the fund’s cash balance closed at a negative \$211.0 million. The Medical Assistance Trust Fund cash balance reached its intra-month low of a negative \$215.3 million on April 7, 2011.

On April 1, 2011, the Police and Fire Protection Fund cash balance closed at a negative \$25.5 million (its intra-month low). This negative balance continued through April 30, 2011, when the fund’s cash balance closed at a negative \$15.6 million.

On April 1, 2011, the Democracy Trust Fund cash balance closed at a negative \$901 thousand. This negative balance continued through April 30, 2011, when the fund’s cash balance closed at a negative \$901 thousand.

On April 7, 2011, the Environmental Fund cash balance closed at a negative \$282 thousand. This negative balance continued through April 30, 2011, when the fund’s cash balance closed at a negative \$10.9 million (its intra-month low).

On April 6, 2011, the Lottery Fund cash balance closed at a negative \$84 thousand. This negative balance continued through April 8, 2011, when the fund’s cash balance closed at a positive \$5.0 million. The Lottery Fund cash balance reached its intra month low of a negative \$373 thousand on April 7, 2011.

The Medical Assistance Trust Fund, Police and Fire Protection Fund, Democracy 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
Department of Health Services
Madison

June 2, 2011

To the Honorable, the Legislature:

The Department of Health Services (DHS) is submitting the attached State Annual Performance Report for the Birth to 3 Program to meet the requirement in s. 51.44 (5)(c) to report on the Department’s progress in implementing this program. The report, which covers federal fiscal year 2009, was submitted to the federal government to meet grant requirements.

The report highlights the very positive outcomes produced by the Birth to 3 Program. The vast majority, over 95 percent, of

children are served in their homes or other settings for typically developing children, such as child care centers. Parent satisfaction with the program remains high. In addition, required compliance with federal indicators identified by the Department of Education, Office of Special Education Programs (OSEP) demonstrated compliance between 88 and 100 percent.

In the past year, the state and counties have engaged in a broad array of evidence-based practices to improve the quality of the program. These efforts will continue to ensure that children with disabilities and their families are well served by Wisconsin's Birth to 3 Program. Of particular interest was an intensive collaborative effort with the Department of Public Instruction (DPI) that includes ongoing improvement of transition processes for children leaving the Birth to 3 Program and beginning special education services provided by local school districts. These efforts have improved the successful transition to schools from 47 percent of children in federal fiscal year 2007 to 88 percent of children in 2009.

Wisconsin's Birth to 3 Program is recognized nationally as an innovative and exemplary program in support of families during their child's dynamic period of development. Please contact Darsell Johns at (608) 267-3270 if you have questions regarding this report.

Sincerely,
DENNIS G. SMITH
Secretary

Referred to committee on **Children and Families**.

AGENCY REPORTS

State of Wisconsin
Investment Board
Madison

May 25, 2011

To the Honorable, the Legislature:

As required by section 25.17 (14m), WI Stats., I am

submitting the 2010 Goals, Strategies and Performance Report for the State of Wisconsin Investment Board (SWIB). This report provides information about how SWIB invested the assets we manage and how the investments performed. The report primarily focuses on the Wisconsin Retirement System's (WRS) Core Trust Fund (CTF) and Variable Trust Fund (VTF), which comprised 94% of all assets we invested in 2010.

Following the worst down market since the Great Depression, the markets and the WRS both continued to rebound in 2010. The CTF returned 12.4%, exceeding its benchmark by 0.2%, and the VTF returned 15.6%, exceeding its benchmark by 0.3%. With the exception of real estate, all asset classes outperformed the markets.

The additional positions that SWIB secured in 2008 and 2009 played a key role in outperforming the markets. Because of those positions, SWIB was able to increase the amount of assets invested internally from 21% to 47% by the end of 2010. Because the cost of internal management is considerably less than external, SWIB saved approximately \$13 million in 2010 in fees charged to the funds.

The WRS has a shared risk and reward feature whereby employees, retirees and employers share the investment gains and losses. The CTF's earnings or losses are smoothed over five years, while the VTF's are recognized for the year earned. As a result of the devastating losses in 2008, retirees saw a 2.1% reduction in 2009 in the CTF portion of their benefit, followed by further reductions in 2010 and 2011 of 1.3% and 1.2%, respectively.

Although the markets have made a significant recovery in the past two years, they remain volatile and no one can predict if the recovery will continue. To protect the funds in future down or flat markets, we are taking steps and implementing strategies, discussed in the report, to reduce our risk exposure and better prepare the funds for both good and bad markets.

Please let me know if you have any questions about the report or the markets in general.

Sincerely,
KEITH BOZARTH
Executive Director