



# STATE OF WISCONSIN

# Assembly Journal

## One-Hundredth Regular Session

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TUESDAY, February 7, 2012

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

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### AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 110** offered by Representative Litjens.

Assembly amendment 1 to **Assembly Bill 118** offered by Representative Krusick.

Assembly amendment 2 to **Assembly Bill 453** offered by Representative Severson.

Assembly substitute amendment 1 to **Assembly Bill 488** offered by Representative Litjens.

Assembly substitute amendment 1 to **Assembly Bill 491** offered by Representative Petrowski.

Assembly amendment 1 to **Assembly Bill 504** offered by Representative Ballweg.

Assembly amendment 1 to **Assembly Bill 525** offered by Representative Roys.

Assembly amendment 1 to **Assembly Bill 534** offered by Representative Krug.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 104**

Relating to: the life and public service of Richard (Dick) Bolender.

By Representatives Honadel, Stone, Jorgensen, Pasch, Turner, Craig, J. Ott, Brooks and Ziegelbauer; cosponsored by Senators C. Larson, Taylor and Miller.

To committee on **Rules**.

#### **Assembly Joint Resolution 105**

Relating to: the life and public service of Darin Arthur Renner.

By Representatives Vos, Meyer, LeMahieu, Nygren, Strachota, Kleefisch, Grigsby and Mason; cosponsored by

Senators Darling, Olsen, Harsdorf, Leibham, Grothman, Zipperer, Taylor and Jauch.

To committee on **Rules**.

#### **Assembly Bill 530**

Relating to: reports on implementation of federal health reform.

By Representatives Craig, Knilans, Wynn, August, Knudson, Bernier, Farrow, Jacque, Kapenga, Kleefisch, Kooyenga, Kramer, Kuglitsch, T. Larson, LeMahieu, Litjens, Nass, Spanbauer, Stroebel and Thiesfeldt; cosponsored by Senators Vukmir, Kedzie, Lasee, Lazich and Galloway.

To committee on **Insurance**.

#### **Assembly Bill 531**

Relating to: requiring legislation for agencies to take an action to, request federal moneys to, and use state moneys to assist the federal government to implement federal health reform.

By Representatives Craig, Wynn, August, Knudson, Knilans, Bernier, Farrow, Honadel, Jacque, Kapenga, Kooyenga, Kramer, Kuglitsch, LeMahieu, T. Larson, Nass, Steineke, Stroebel, Thiesfeldt and Weininger; cosponsored by Senators Vukmir, Galloway, Grothman, Lasee and Lazich.

To committee on **Insurance**.

#### **Assembly Bill 532**

Relating to: creating a neighborhood business revitalization loan guarantee program in the Wisconsin Housing and Economic Development Authority.

By Representatives Clark, Bewley, C. Taylor, Zepnick, Hebl, Berceau, Roys, Sinicki, Mason, Grigsby and Fields; cosponsored by Senators Holperin, Schultz, Risser, Hansen and Taylor.

To committee on **Rural Economic Development and Rural Affairs**.

#### **Assembly Bill 533**

Relating to: the state main street program and business area revitalization services.

By Representatives Clark, Spanbauer, Bewley, Hebl, Zepnick, Berceau, Roys, Grigsby, Sinicki, Mason, Fields and C. Taylor; cosponsored by Senators Holperin, Schultz, Taylor, Hansen and Risser.

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

#### **Assembly Bill 534**

Relating to: intentional program violations of public assistance programs.

By Representatives Krug, Knodl, Ballweg, Endsley, Jacque, Kerkman, Kestell, Knudson, T. Larson, Marklein, A. Ott, Pridemore, Spanbauer, Steineke, Strachota, Thiesfeldt, Van Roy, Vos, Wynn, Ziegelbauer, J. Ott and Rivard; cosponsored by Senators Darling and Lazich.

To committee on **Children and Families**.

#### **Assembly Bill 535**

Relating to: exception to local levy limits for the village of Warrens.

By Representatives Radcliffe and Vruwink; cosponsored by Senators Vinehout and Lassa.

To committee on **Ways and Means**.

#### **Assembly Bill 536**

Relating to: increasing the allowable number of project plan amendments, and lengthening the time during which tax increments may be allocated and expenditures for project costs may be made, for Tax Incremental District Number 3 in the city of Middleton.

By Representatives Kleefisch, Roys and Pope–Roberts; cosponsored by Senators Grothman, Erpenbach and Risser.

To committee on **Ways and Means**.

#### **Assembly Bill 537**

Relating to: the disclosure of electronic juvenile court records to other juvenile courts, municipal courts, courts of criminal jurisdiction, district attorneys and other prosecutors, and law enforcement agencies and providing a penalty.

By Representatives Richards, Berceau, Jacque, Kooyenga, Krusick, Sinicki, Spanbauer, Staskunas, Thiesfeldt, Turner and Danou; cosponsored by Senator Carpenter.

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

#### **Assembly Bill 538**

Relating to: changes to product liability law and the law governing remedies against manufacturers, distributors, sellers, and promoters of a product.

By Representatives Kooyenga and Vos; cosponsored by Senators Grothman and S. Fitzgerald.

To committee on **Judiciary and Ethics**.

#### **Assembly Bill 539**

Relating to: authorizing the Board of Regents of the University of Wisconsin System to establish an optional retirement system for its employees.

By Representatives Strachota, Spanbauer, A. Ott, Brooks and Thiesfeldt.

To committee on **Colleges and Universities**.

To joint survey committee on **Retirement Systems**.

#### **Assembly Bill 540**

Relating to: training in traumatic brain injury awareness for law enforcement officers, tribal officers, emergency medical technicians, and first responders and granting rule-making authority.

By Representatives Berceau, Pasch, Pocan, Radcliffe, Roys, Spanbauer and Zepnick; cosponsored by Senators Hansen, Lassa and Taylor, by request of Brain Injury Association of Wisconsin.

To committee on **Public Health and Public Safety**.

#### **Assembly Bill 541**

Relating to: portable electronics insurance and providing a penalty.

By Representatives Nygren, Brooks and Molepske Jr; cosponsored by Senators Lasee and Schultz.

To committee on **Insurance**.

#### **Assembly Bill 542**

Relating to: the definition of municipality for purposes of tax refund setoffs.

By Representatives Kerkman, Brooks, Endsley, Spanbauer and Wynn; cosponsored by Senators Galloway and Holperin.

To committee on **Ways and Means**.

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## COMMITTEE REPORTS

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

#### **Assembly Bill 384**

Relating to: weapons that may be used to hunt certain animals and requirements for establishing open hunting seasons for those animals.

Assembly Amendment 1 adoption:

Ayes: 16 – Representatives Mursau, Rivard, Williams, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens, Molepske Jr, Mason, Danou, Clark, Milroy and Hulsey.

Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 16 – Representatives Mursau, Rivard, Williams, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens, Molepske Jr, Mason, Danou, Clark, Milroy and Hulsey.

Noes: 0.

Passage as amended:

Ayes: 16 – Representatives Mursau, Rivard, Williams, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens, Molepske Jr, Mason, Danou, Clark, Milroy and Hulsey.

Noes: 0.

To committee on **Rules**.

*JEFFREY MURSAU*

Chairperson

Committee on Natural Resources

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## REFERENCE BUREAU CORRECTIONS

#### **Assembly Bill 376**

1. Page 5, line 1: delete “(5) (a) REPAYMENT.” and substitute “(5) REPAYMENT. (a)”.

**COMMUNICATIONS**

February 6, 2012

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 397, relating to failing to report the death of a child or to report a missing child, moving the corpse of a child, hiding a corpse to collect public benefits, and providing penalties.

Sincerely,  
*CHAD WEININGER*  
State Representative  
4th Assembly District

February 7, 2012

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 527, relating to commissioners of the Public Service Commission; notices, orders, and determinations of the commission; certificates of authority issued by the commission; approval of contracts by the commission; electricity sales from certain wholesale merchant plants; public utility removal of certain electric service lines; renewable resource credits; tampering or interfering with utility equipment; granting rule-making authority; and providing penalties.

Sincerely,  
*KATHY BERNIER*  
State Representative  
68th Assembly District

**REFERRAL OF AGENCY REPORTS**

State of Wisconsin  
Department of Children and Families  
Madison

January 30, 2012

To the Honorable, the Legislature:

Enclosed is an updated copy of the Child Abuse and Neglect Report, 2010 Data, pursuant to s. 48.981. The report corrects a minor technical error identified in the original December 2011 report. Please replace the copy you received in December 2011 with this updated copy.

Sincerely,  
*ELOISE ANDERSON*  
Secretary

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

State of Wisconsin  
Department of Administration  
Madison

January 31, 2012

To the Honorable, the Legislature:

In compliance with Wisconsin Statute 16.548, enclosed, please find the Wisconsin Office of Federal/State Relations quarterly report, to be submitted to the Legislature for the fourth quarter of 2011. This report provides information on the activities of the Office and the status of federal legislation of concern to the State of Wisconsin.

Please contact me if you have any questions about this material.

Sincerely,  
*MIKE HUEBSCH*  
Secretary

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

University of Wisconsin  
Department of Family Medicine  
Madison

February 7, 2012

To the Honorable, the Legislature:

Pursuant to Wisconsin Statute 13.106 (3), attached please find the UW School of Medicine and Public Health report on our family medicine program. Please let me know if you have questions or concerns. Thank you.

Sincerely,  
*LISA MARONEY*  
State Relations  
UW Health

Referred to committee on **Colleges and Universities.**

**AGENCY REPORTS**

State of Wisconsin  
State of Wisconsin Investment Board  
Madison

January 31, 2012

To the Honorable, the Legislature:

Pursuant to s. 25.17 (14r), Stats., I want to advise you of revisions to SWIB's "Investment Policies, Objectives and Guidelines" approved by the Board of Trustees. These

guidelines apply to SWIB's internal investment managers. The Board made these changes at its November 16, 2011, meeting. I have enclosed an electronic copy of the revised guidelines, a red-lined copy that shows the language added or deleted and a summary of the changes.

The reporting requirements in the statutes appear to only apply to internal management and not to contracts we initiate with external managers or changes we make to existing external contracts. However, because of the amount of assets managed by external managers, we decided years ago to advise you of any new contracts with external managers or changes we make to existing contracts.

In keeping with that decision, we want to advise you that we eliminated three global portfolios, amended one of the investment management agreements for an inflation protected portfolio, and issued a contract with three hedge fund managers. The contracts with the last three managers are in keeping with the Board's asset allocation decision to lower the Core Trust Fund's exposure to risk from equities by making small allocations to risk parity and hedge funds. SWIB took these steps to further diversify its holdings and control risk.

If you have any questions on any of the changes, please contact Vicki Hearing at 261-2415.

Sincerely,  
*KEITH BOZARTH*  
Executive Director

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State of Wisconsin  
Legislative Audit Bureau  
Madison

February 3, 2012

To the Honorable, the Assembly:

The Joint Legislative Audit Committee has directed the Audit Bureau to conduct a comprehensive audit of FoodShare Wisconsin, which is the State's program implementing the

federal Food Stamp Act of 1964 to assist low-income individuals and families in purchasing food. Although our comprehensive evaluation is ongoing, we have identified issues that require further review by the Department of Health Services (DHS) at this time.

Eligibility for FoodShare benefits is based on the composition of an "assistance group," which generally includes all or most members living in a household. Federal law requires that assistance groups be able to spend benefits anywhere in the country, and \$32.9 million of the \$1.1 billion in fiscal year (FY) 2010-11 FoodShare purchases, or 3.0 percent of the total, were made outside of Wisconsin and in every state in the nation.

It may be more convenient or economical for FoodShare recipients who live in border areas of Wisconsin to purchase food in a contiguous state. However, we identified FY 2010-11 FoodShare purchases made outside of Wisconsin that may indicate inappropriate benefit use. For example, we found 152 assistance groups that had purchases exceeding \$500 that were made exclusively outside of Wisconsin and more than 50 miles from their reported Wisconsin residences. These assistance groups, representing 0.04 percent of the 382,449 assistance groups receiving benefits on June 30, 2011, made purchases totaling \$324,187, including \$151,187 (46.6 percent) that was spent entirely in noncontiguous states. We also identified 334 instances in which a FoodShare card was used to make a purchase in Wisconsin on the same day that the card's account number was entered manually to make a purchase in a noncontiguous state.

We are providing this information to DHS so that it may promptly identify and address instances in which assistance groups used their FoodShare benefits inappropriately.

We appreciate the courtesy and cooperation extended to us by DHS in completing this analysis. DHS's response follows the appendix.

Respectfully submitted,  
*JOE CHRISMAN*  
State Auditor