



# STATE OF WISCONSIN Assembly Journal

## Ninety-Eighth Regular Session

TUESDAY, April 10, 2007

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

### AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 26** offered by Representative Gottlieb.

Assembly amendment 1 to **Assembly Bill 153** offered by Representative Wasserman.

Assembly amendment 1 to **Assembly Bill 206** offered by committee on **Small Business**.

### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 06-086**

Relating to pools and water attractions, and relating to small business.

Submitted by Department of Health and Family Services. Report received from Agency, March 28, 2007.

To committee on **Public Health**.

Referred on April 10, 2007.

#### **Assembly Clearinghouse Rule 06-099**

Relating to medical standards for driver licensing and general standards for school bus endorsements.

Submitted by Department of Transportation.

Report received from Agency, April 4, 2007.

To committee on **Transportation**.

Referred on April 10, 2007.

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Bill 232**

Relating to: the amount of the exemption from income tax withholding requirements for employees of a county fair association.

By Representatives Gunderson, Nerison, Albers, Ballweg, Bies, Hahn, Hines, Kerkman, Lothian, LeMahieu,

Mursau, Musser, Nass, A. Ott, Petrowski, Townsend, Vos and Vruwink; cosponsored by Senators Lassa, Kedzie, Breske, Lehman, A. Lasee, Olsen and Schultz.

To committee on **Rural Affairs**.

#### **Assembly Bill 233**

Relating to: granting high school diplomas to certain veterans with service-connected disabilities.

By Representatives Sheridan, Musser, Bies, Berceau, Gunderson, Hahn, Hebl, Jorgensen, Kreuser, Lothian, Molepske, Petrowski, Sinicki, Travis, Townsend and A. Williams; cosponsored by Senators Sullivan, Leibham, Hansen, Kreitlow, Lassa, Plale, Schultz and Wirch.

To committee on **Education**.

#### **Assembly Bill 234**

Relating to: the use of pesticides by veterinarians and veterinary technicians.

By Representatives Hines, A. Ott, Ballweg, Bies, Davis, Gronemus, Gunderson, Hahn, Jorgensen, Molepske, Mursau, Musser, Nerison, Owens, Petrowski, Tauchen, Townsend, Vruwink, M. Williams and Wood; cosponsored by Senators Lassa, Vinehout, Ellis, Grothman, Harsdorf, Kapanke, Kedzie, A. Lasee, Olsen, Plale, Risser and Schultz.

To committee on **Agriculture**.

#### **Assembly Bill 235**

Relating to: an income and franchise tax credit for workplace wellness programs, granting rule-making authority, and requiring the exercise of rule-making authority.

By Representatives Moulton, Kramer, Sheridan, Van Roy, Vukmir, Nygren, Vruwink, Albers, Musser, Wood, Petersen, Davis, M. Williams, A. Ott, Petrowski, LeMahieu, Gunderson, Montgomery, Kestell, Molepske, Townsend, Hines and Kleefisch; cosponsored by Senators Lassa, Roessler, Plale, Darling, Schultz and Leibham.

To committee on **Small Business**.

#### **Assembly Bill 236**

Relating to: extending the period of wage garnishment.

By Representatives Sheridan, Krusick, Staskunas, Nass and Albers; cosponsored by Senators Coggs, Lassa, Olsen and Roessler.

To committee on **Corrections and Courts**.

#### **Assembly Bill 237**

Relating to: imposing a tax on the sale of soft drinks, creating a dental access trust fund, creating grants for dental

public health and dental education projects, and making appropriations.

By Representatives Bies, Zepnick, Albers, Benedict, Berceau, Black, Grigsby, Hebl, Molepske, A. Ott, Pocan, Sheridan, Sherman, Soletski, Townsend, Turner, A. Williams and Young; cosponsored by Senator Miller.

To committee on **Health and Healthcare Reform**.

#### **Assembly Bill 238**

Relating to: requiring the Department of Transportation to study vehicle size and weight limits.

By Joint Legislative Council.

To committee on **Transportation**.

#### **Assembly Bill 239**

Relating to: automated teller machine charges for international accounts.

By Representatives Van Roy, Albers, Gunderson, Hahn, Jeskewitz, Mursau, Musser, A. Ott, J. Ott, Petrowski, Townsend, M. Williams, Vos, Sheridan, Ballweg and Montgomery; cosponsored by Senators Sullivan, Grothman, Hansen, A. Lasee, Lassa, Roessler and Schultz.

To committee on **Financial Institutions**.

#### **Assembly Bill 240**

Relating to: prohibiting certain persons from refusing to honor, or from attempting to avoid honoring, a document of gift for donation of an anatomical gift.

By Representatives Staskunas, Van Akkeren, Pocan, Berceau, Cullen, Hebl, Townsend, Molepske and Sinicki; cosponsored by Senators Lehman, Risser, Darling, Coggs and Kreitlow.

To committee on **Judiciary and Ethics**.

#### **Assembly Bill 241**

Relating to: graffiti and providing a penalty.

By Representatives Staskunas, Zepnick, Sinicki, Lothian, Hahn, Vos, Musser, Sheridan and Ziegelbauer; cosponsored by Senators Plale, Carpenter, A. Lasee, Leibham, Darling, Schultz and Lassa.

To committee on **Criminal Justice**.

#### **Assembly Bill 242**

Relating to: notice for child abuse, vulnerable adult, and harassment injunctions.

By Representatives Kramer, Hines, Musser, Vukmir, Berceau, A. Ott, Nass, M. Williams, Gunderson, Hraychuck, Cullen and Ballweg; cosponsored by Senators Lassa, Lazich, Olsen, Darling, Hansen, Coggs, Roessler and Lehman.

To committee on **Criminal Justice**.

#### **Assembly Bill 243**

Relating to: prohibiting consideration of veterans disability payments when ordering maintenance.

By Representatives Musser, Bies, Albers, A. Ott, Turner, Hines, Lothian and Owens; cosponsored by Senator Plale.

To committee on **Children and Family Law**.

#### **Assembly Bill 244**

Relating to: eliminating the personal property tax.

By Representatives Albers, Fields, Vukmir, Ballweg, Vos, Bies, Strachota, Gunderson, Townsend, Musser, Owens and Mursau; cosponsored by Senators Schultz and Lazich.

To committee on **Ways and Means**.

#### **Assembly Bill 245**

Relating to: battery to a district attorney or assistant district attorney and providing a penalty.

By Representatives Molepske, Albers, Montgomery, Musser, Zepnick, Travis, J. Ott, Wood, Ballweg, Townsend, Bies, Gunderson, Gundrum, Hixson, Sinicki, Berceau, Black, Hraychuck, A. Ott and Mursau; cosponsored by Senators Sullivan, Harsdorf, Lehman, Roessler, Lassa, Schultz, Plale and Darling.

To committee on **Criminal Justice**.

#### **Assembly Bill 246**

Relating to: identification for purposes related to the purchase of alcohol beverages.

By Representatives Sheridan, Musser, Albers, Berceau, Boyle, Hahn, Kaufert, Montgomery, Mursau, Nass, Sinicki and Vruwink; cosponsored by Senators Breske, Darling, Grothman, Lehman, Miller and Plale.

To committee on **State Affairs**.

#### **Assembly Bill 247**

Relating to: notification of the state regarding a medical malpractice claim.

By Representatives Montgomery, Berceau, Sheridan, Staskunas, A. Ott, Hahn and Newcomer; cosponsored by Senators Risser, Sullivan, Grothman, Coggs and Plale.

To committee on **Judiciary and Ethics**.

#### **Assembly Bill 248**

Relating to: powers and duties of part-time court commissioners.

By Representatives Molepske, Ballweg, Hahn, Berceau, Cullen and Mursau; cosponsored by Senators Lassa and Grothman.

To committee on **Corrections and Courts**.

#### **Assembly Bill 249**

Relating to: conditions prior to disposition for a juvenile who is not being held in secure or nonsecure custody and providing a penalty.

By Representatives Albers, J. Ott, Berceau, Hahn, Gunderson and Townsend; cosponsored by Senators Roessler and Grothman.

To committee on **Corrections and Courts**.

#### **Assembly Bill 250**

Relating to: public financing of campaigns for the office of justice of the supreme court, making appropriations, and providing penalties.

By Representatives Hintz, Hilgenberg, Berceau, Black, Boyle, Benedict, Cullen, Garthwaite, Hebl, Kreuser, Mason, Musser, Parisi, Pocan, Richards, Shilling, Sinicki, Smith, Soletski, Travis and Pope-Roberts; cosponsored by Senators Coggs, Erpenbach, Jauch, Lassa, Lehman, Risser and Schultz.

To committee on **Elections and Constitutional Law**.

**Assembly Bill 251**

Relating to: discharge of firearm near municipality park and providing a penalty.

By Representatives Bies, Mursau, Townsend and Sheridan; cosponsored by Senators Roessler, Darling and Lassa.

To committee on **Criminal Justice**.

**Assembly Bill 252**

Relating to: the maximum amount of a Wisconsin higher education grant.

By Representatives Molepske, Berceau, Staskunas, Cullen, Hixson and Soletski; cosponsored by Senators Erpenbach, Lehman, Roessler, Coggs and Lassa.

To committee on **Colleges and Universities**.

**Assembly Bill 253**

Relating to: the apportionment of law enforcement services costs among counties and municipalities.

By Representatives Gottlieb, Steinbrink, Jeskewitz, Hixson and Turner.

To committee on **Urban and Local Affairs**.

**Assembly Bill 254**

Relating to: municipal boundary agreements and the use of alternative dispute resolution in municipal boundary disputes.

By Joint Legislative Council.

To committee on **Urban and Local Affairs**.

**Assembly Bill 255**

Relating to: Department of Administration advisory review of certain annexations.

By Joint Legislative Council.

To committee on **Urban and Local Affairs**.

**Assembly Bill 256**

Relating to: removing the age requirement for the veterans and surviving spouses property tax credit.

By Representatives Hubler, Boyle, Hraychuck, Travis, Bies, Hahn, Turner, Berceau, Sheridan, Sinicki, Hebl, A. Williams and Townsend; cosponsored by Senators Kreitlow, Roessler, Schultz, Wirch, Plale, Hansen, Leibham and Lassa.

To committee on **Ways and Means**.

**Assembly Bill 257**

Relating to: requirements for selection as the official state newspaper.

By Representatives Hubler, Boyle, Hilgenberg, Hahn, Berceau, Musser, Pope-Roberts, Kreuser and Hraychuck; cosponsored by Senators Breske and Kreitlow.

To committee on **State Affairs**.

**Assembly Bill 258**

Relating to: permitting an employer to offer financial incentives to encourage or discourage employee use of a lawful product.

By Representatives Nygren, Moulton, Albers, Ballweg, Davis, Hines, F. Lasee, LeMahieu, Montgomery, Musser, A.

Ott, Petersen, Strachota, Tauchen and Vos; cosponsored by Senators Cowles, Roessler and Schultz.

To committee on **Insurance**.

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**COMMUNICATIONS**

April 6, 2007

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53708

Dear Chief Clerk Fuller:

Please remove my name as a co-sponsor of Assembly Bill 187.

Sincerely,  
*ROBERT WIRCH*  
State Senator  
22nd Senate District

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**REFERRAL OF AGENCY REPORTS**

State of Wisconsin  
Department of Revenue  
Madison

March 15, 2007

To the Honorable, the Legislature:

I am submitting the quarterly report of the Wisconsin Lottery for the quarter ending December 31, 2006. As required by s. [565.37\(3\)](#), Wis. Stats., the attached materials contain unaudited Wisconsin Lottery year to date Revenue and Expenditure information.

The information reported here is a summary and is not intended to be a complete financial accounting of Wisconsin Lottery operations.

If you have any questions or comments regarding this report, please feel free to contact me at 608-266-6466.

Sincerely,  
*ROGER M. ERVIN*  
Secretary of Revenue

Referred to committee on **State Affairs**.

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State of Wisconsin  
Department of Administration  
Madison

March 30, 2007

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 February 2007.

On February 16, 2007, the Conservation Fund cash balance closed at a negative \$873.0 thousand. This negative balance continued through February 28, 2007, when the fund's cash balance closed at a negative \$4.2 million. The Conservation Fund cash balance reached its intra-month low of a negative \$5.1 million on February 22, 2007. The negative balance was due to the difference in the timing of revenues and expenditures.

On February 1, 2007, the Wisconsin Health Education Loan Repayment Fund cash balance closed at a negative \$1.0 thousand. This negative balance continued through February 28, 2007, when the fund's cash balance closed at a negative \$2.0 thousand. The Wisconsin Health Education Loan Repayment Fund cash balance reached its intra-month low of a negative \$2.0 thousand on February 6, 2007. The negative balance was due to the difference in the timing of revenues and expenditures.

The Conservation Fund and Wisconsin Health Education Loan Repayment Fund shortfalls 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 funds 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,  
*MICHAEL L. MORGAN*  
Secretary

Referred to committee on **Ways and Means**.

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**AGENCY REPORTS**

State of Wisconsin  
Legislative Audit Bureau  
Madison

March 30, 2007

To the Honorable, the Assembly:

We have completed our annual financial and compliance audit of the State of Wisconsin. This audit satisfies state agencies' audit requirements under the federal Single Audit Act of 1984, as amended, and the federal Office of Management and

Budget Circular A-133. It also assists us in meeting audit requirements under s. 13.94, Wis. Stats.

This audit covers \$9.4 billion in federal financial assistance that state agencies administered in fiscal year (FY) 2005-06. We assessed the propriety of revenues and expenditures and tested internal controls and compliance with laws and regulations for 16 federal programs that were selected for review using risk-based assessment criteria established by the federal government.

Our report contains the auditor's reports on internal control over financial reporting and on compliance with program requirements and our unqualified audit opinion on the State of Wisconsin Schedule of Expenditures of Federal Awards. We also discuss the results of our follow-up to prior audit findings. Overall, state agencies have complied with federal grant requirements and have taken steps to address findings included in last year's single audit report. However, we report internal control deficiencies and several areas of federal noncompliance, and we question \$14,697 in costs charged to the federal programs, in addition to \$4.4 million already returned. The federal government will contact state agencies to resolve the findings and questioned costs included in our report.

We appreciate the courtesy and cooperation extended to us by state agency staff during our audit. Agencies' comments on individual findings, along with their corrective action plans to address our concerns, are included within the agency narratives.

Respectfully submitted,  
*JANICE MUELLER*  
State Auditor

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State of Wisconsin  
Investment Board  
Madison

March 30, 2007

To the Honorable, the Legislature:

As provided in section 25.17(14m), Wis. Stats., attached is the annual Goals, Strategies and Performance Report for the State of Wisconsin Investment Board (SWIB). This report provides you with information about how we invested the Core and Variable Retirement Trust funds during 2006 and how well our investments performed. The report also discusses our costs of management in 2006 compared to 2005.

Please let me know if you have any questions or comments about the report.

Sincerely,  
*DAVID C. MILLS*  
Executive Director