



STATE OF WISCONSIN Assembly Journal

Ninety-Eighth Regular Session

MONDAY, January 7, 2008

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

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 61** offered by Representative Gottlieb.

Assembly amendment 2 to **Assembly Bill 61** offered by Representative Gottlieb.

Assembly amendment 2 to **Assembly Bill 477** offered by Representative Albers.

Assembly amendment 1 to **Assembly Bill 601** offered by Representative Hines.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 07-096

Relating to creating a limited line of authority for travel insurance in Wisconsin.

Submitted by Insurance Commissioner.

Report received from Agency, December 28, 2007.

To committee on **Insurance**.

Referred on January 7, 2008.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 86

Relating to: the life and public service of Dale J. Bolle.

By Representatives Ziegelbauer, F. Lasee, Bies, Boyle, Cullen, Gronemus, Hubler, Jeskewitz, Kaufert, Kreuser, Musser, A. Ott, Petrowski, Seidel, Staskunas, Toles, Travis, Van Akkeren and Zipperer; cosponsored by Senators A. Lasee, Cowles, Leibham, Coggs, Darling, Erpenbach, Grothman, Hansen, Harsdorf, Lazich, Lehman, Miller, Robson, Roessler and Taylor.

To committee on **Rules**.

Assembly Joint Resolution 87

Relating to: the life and public service of Jane R. Henkel.

By Representatives Black, Wieckert and Pope-Roberts; cosponsored by Senators Risser and Erpenbach.

To committee on **Rules**.

Assembly Bill 669

Relating to: assignment of income and earnings to pay a municipal court judgment.

By Representatives Krusick, Gottlieb, Ballweg, Jeskewitz, Petrowski, Strachota and Zepnick; cosponsored by Senators Plale, Darling, Lassa and Olsen, by request of Wisconsin Alliance of Cities, League of Wisconsin Municipalities and the City of Milwaukee.

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

Assembly Bill 670

Relating to: the terms of teacher employment contracts.

By Representatives Pridemore, Albers, LeMahieu, Nass, Owens, Vos, Townsend, Honadel, Strachota, Kramer and Nygren; cosponsored by Senators Grothman and Kanavas.

To committee on **Education Reform**.

Assembly Bill 671

Relating to: excluding from taxable income gains from a Wisconsin business.

By Representatives Strachota, Pridemore, Vos, Jeskewitz, Moulton, Gronemus, Roth, Hahn, LeMahieu, Nass, F. Lasee, M. Williams, Petrowski and Zipperer; cosponsored by Senators Kanavas, S. Fitzgerald, Darling, Olsen, Roessler and Leibham.

To committee on **Jobs and The Economy**.

COMMITTEE REPORTS

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

Assembly Bill 333

Relating to: disposal of ash resulting from the burning of a structure.

Passage:

Ayes: 12 – Representatives Gunderson, J. Ott, Bies, LeMahieu, M. Williams, Moulton, Nerison, Mursau, Black, Steinbrink, Hraychuck and Mason.

Noes: 2 – Representatives Molepske and Hebl.

To committee on **Rules**.

Assembly Bill 342

Relating to: possession of certain nonnative wild animals of the family felidae and granting rule-making authority.

Assembly Substitute Amendment 1 adoption:

Ayes: 14 – Representatives Gunderson, J. Ott, Bies, LeMahieu, M. Williams, Moulton, Nerison, Mursau, Black, Molepske, Steinbrink, Hraychuck, Hebl and Mason.

Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Gunderson, J. Ott, Bies, LeMahieu, M. Williams, Moulton, Nerison, Mursau, Black, Molepske, Steinbrink, Hraychuck, Hebl and Mason.

Noes: 0.

To committee on **Rules**.

Assembly Bill 401

Relating to: hunting of deer during the open bow hunting season.

Passage:

Ayes: 14 – Representatives Gunderson, J. Ott, Bies, LeMahieu, M. Williams, Moulton, Nerison, Mursau, Black, Molepske, Steinbrink, Hraychuck, Hebl and Mason.

Noes: 0.

To committee on **Rules**.

Assembly Bill 532

Relating to: restrictions relating to soil testing and the installation, design, maintenance, repair, and sale of private sewage systems and providing a penalty.

Assembly Amendment 1 adoption:

Ayes: 14 – Representatives Gunderson, J. Ott, Bies, LeMahieu, M. Williams, Moulton, Nerison, Mursau, Black, Molepske, Steinbrink, Hraychuck, Hebl and Mason.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Gunderson, J. Ott, Bies, LeMahieu, M. Williams, Moulton, Nerison, Mursau and Hebl.

Noes: 5 – Representatives Black, Molepske, Steinbrink, Hraychuck and Mason.

To committee on **Rules**.

SCOTT GUNDERSON
Chairperson
Committee on Natural Resources

The committee on **Tourism, Recreation and State Properties** reports and recommends:

Assembly Bill 265

Relating to: requiring the Department of Administration to study the feasibility of developing a Wisconsin brand.

Passage:

Ayes: 7 – Representatives Kaufert, M. Williams, Gunderson, Bies, Hines, Van Roy and Schneider.

Noes: 1 – Representative Young.

To committee on **Rules**.

Assembly Bill 422

Relating to: issuing annual vehicle admission receipts for motor buses for entry to state parks and other vehicle admission areas under the jurisdiction of the Department of Natural Resources.

Passage:

Ayes: 8 – Representatives Kaufert, M. Williams, Gunderson, Bies, Hines, Van Roy, Young and Schneider.

Noes: 0.

To committee on **Rules**.

Assembly Bill 465

Relating to: attractions displayed on highway specific information signs.

Passage:

Ayes: 8 – Representatives Kaufert, M. Williams, Gunderson, Bies, Hines, Van Roy, Young and Schneider.

Noes: 0.

To committee on **Rules**.

Senate Bill 279

Relating to: attractions displayed on highway specific information signs.

Concurrence:

Ayes: 8 – Representatives Kaufert, M. Williams, Gunderson, Bies, Hines, Van Roy, Young and Schneider.

Noes: 0.

To committee on **Rules**.

DEAN KAUFERT
Chairperson
Committee on Tourism, Recreation and State Properties

REFERENCE BUREAU CORRECTIONS

Assembly Bill 567

1. Page 8, line 17: delete “(4)” and substitute “(5)”.

Assembly Substitute Amendment 1 to **Assembly Bill 567**

1. Page 8, line 17: delete “(4)” and substitute “(5)”.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

January 4, 2008

To the Honorable Members of the Assembly:

The following bills, originating in the Assembly, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Assembly Bill 254	43	January 4, 2008
Assembly Bill 341	44	January 4, 2008
Assembly Bill 279	45	January 4, 2008

Respectfully submitted,
JIM DOYLE
 Governor

REFERRAL OF AGENCY REPORTS

State of Wisconsin
 Parkside
 Kenosha

December 20, 2007

To the Honorable, the Legislature:

Attached please find the report pursuant to Chapter 118.40(2r)(f). This report has been prepared by the Charter School office on behalf of Chancellor Keating and is submitted to your office pursuant to s. 13.172(2).

Should you have questions or need additional information you can contact me at UW-Parkside, my email address is Haubruch@uwp.edu. Note that I am only part-time and email works best for contacting me.

Respectfully yours,
PAUL A. HAUBRICH, PH.D.
 Charter School Consultant

Referred to committee on **Education Reform**.

COMMUNICATIONS

State of Wisconsin
 Office of the Secretary of State
 Madison

To Whom It May Concern:

Acts, Joint Resolutions and Resolutions deposited in this office have been numbered and published as follows:

<u>Bill Number</u>	<u>Act Number</u>	<u>Publication Date</u>
Assembly Bill 254	43	January 18, 2008
Assembly Bill 341	44	January 18, 2008
Assembly Bill 279	45	January 18, 2008

Sincerely,
DOUGLAS LA FOLLETTE
 Secretary of State

January 4, 2008

State of Wisconsin
 Wisconsin Technical College System
 Madison

January 3, 2008

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

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Bill 647. Thank you.

Sincerely,
STEVE HILGENBERG
 State Representative
 51st Assembly District

January 7, 2008

To the Honorable, the Legislature:

This letter certifies that all sixteen Wisconsin Technical Colleges have provided sexual assault and harassment orientation, materials and information to students as required under state statute 38.12(11) for the 2007-2008 school year.

Individual college letters assuring compliance are on file in our office at this time. If you have any questions or need additional information, please contact Linda Fahey, System Equal Opportunity Officer at 267-2479.

Sincerely,
DANIEL CLANCY, PRESIDENT
 Wisconsin Technical College System

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

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

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Bill 566. Thank you.

Sincerely,
BOB ZIEGELBAUER
 State Representative
 25th Assembly District

State of Wisconsin
 Department of Health and Family Services
 Madison

January 7, 2008

To the Honorable, the Legislature:

The Department of Health and Family Services operates BadgerCare under Wis. Stats. s. 49.665. This statute also requires the Department to submit an annual report summarizing the BadgerCare program and its progress. This submission fulfills that legislative requirement.

BadgerCare was established under the terms of the federal State Children's Health Insurance Program (SCHIP) which was enacted through the federal budget of 1997. The SCHIP program provided states with the option of creating a new independent program to insure children or expanding the state's existing Medicaid program. Under 1997 Act 27, the Wisconsin Legislature created BadgerCare as an SCHIP Medicaid expansion program. Following recent federal requirements the State added a separate SCHIP program under BadgerCare to cover the unborn children of immigrants.

Attached is a chart showing enrollment and expenditures in BadgerCare by state fiscal year. BadgerCare began enrolling residents in July 1999. BadgerCare leverages significant amounts of federal funding for health care coverage of eligible Wisconsin residents.

In his 2007 State of the State Address, Governor Doyle emphasized access to health care coverage and committed to ensuring that all of Wisconsin's children and more adults have access to health care. This commitment resulted in the creation of a single health care safety net—BadgerCare Plus. The Department will implement BadgerCare Plus in February 2008.

BadgerCare Plus will cover eligible children and help ensure that 98 percent of Wisconsin's citizens have access to health care. The program will provide coverage and enhanced benefits for more pregnant women while simplifying the program and promoting prevention and healthy behaviors.

BadgerCare Plus will merge Family Medicaid, BadgerCare, and Healthy Start to form a comprehensive health insurance program for low income children and families. The program may also eventually incorporate other programs such as the General Assistance Medical Program (GAMP) in Milwaukee.

Wisconsin will lead the nation in streamlining health care eligibility by making BadgerCare Plus more efficient and less costly to administer. The expansion of managed care and the administrative savings from streamlining the eligibility process will generate a savings of approximately \$17.4 million over the first two years of BadgerCare Plus. We look forward to keeping Wisconsin on the cutting edge of quality and efficient health care coverage for those in need.

With warm regards,
KEVIN R. HAYDEN
Secretary

Referred to committee on **Health and Health Care Reform.**

State of Wisconsin
Department of Regulation and Licensing
Madison

January 7, 2008

To the Honorable, the Legislature:

Attached please find the annual report of the Controlled Substances Board. As a statutory requirement, the report

must be prepared and filed with the Chief Clerk of each house of the legislature.

Sincerely,
TOM RYAN
Director, Bureau of Health Professions

Referred to committee on **Criminal Justice.**

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

December 14, 2007

Dear Mr. Morgan and Mr. Censky:

We have completed a financial audit of the State of Wisconsin as of and for the fiscal year ended June 30, 2007. We have issued an unqualified auditor's report on the fair presentation of the basic financial statements. The financial statements and related opinion are included in the State of Wisconsin's Comprehensive Annual Financial Report, which is published by the Department of Administration.

During the course of our audit, we identified a variety of internal control concerns at various state agencies that are required to be reported under Government Auditing Standards. As provided for in these standards, we are furnishing you with the auditor's report on internal control over financial reporting and on compliance and other matters. The state agencies' responses to our concerns and recommendations are included in the text of the report so that readers may see the State's intended resolution of the matters discussed. In future audits, we will determine the extent to which findings in the report have been resolved.

We appreciate the courtesy and cooperation extended to us by the Department of Administration and other state agencies during the audit.

Sincerely,
JANICE MUELLER
State Auditor

State of Wisconsin
Legislative Audit Bureau
Madison

December 18, 2007

To the Honorable, the Assembly:

We have completed a financial audit of the State of Wisconsin Educational Communications Board (ECB) Television Network to meet our audit requirements under s. 13.94, Wis. Stats., and as requested by ECB to fulfill the audit requirements of the Corporation for Public Broadcasting. The Corporation requires audited financial statements of public broadcasting entities to determine future funding levels.

ECB, which is an agency of the State of Wisconsin, operates a television network of 5 digital stations and 5 analog stations,

as well as a radio network of 13 FM stations and 1 AM station. The Television Network reported \$11.2 million in support and revenue during fiscal year (FY) 2006-07, including state support, member contributions, funding from the Corporation for Public Broadcasting, and various other grants.

Our audit report contains the ECB Television Network's financial statements and related notes as of and for the periods ending June 30, 2007, and June 30, 2006. We were able to issue an unqualified independent auditor's report on these statements.

We appreciate the courtesy and cooperation extended to us by ECB staff during the audit.

Respectfully submitted,
JANICE MUELLER
State Auditor

State of Wisconsin
Legislative Audit Bureau
Madison

December 18, 2007

To the Honorable, the Assembly:

We have completed a financial audit of the State of Wisconsin Educational Communications Board (ECB) Radio Network to meet our audit requirements under s. 13.94, Wis. Stats., and as requested by ECB to fulfill the audit requirements of the Corporation for Public Broadcasting. The Corporation requires audited financial statements of public broadcasting entities to determine future funding levels.

ECB, which is an agency of the State of Wisconsin, operates a radio network of 13 FM stations and 1 AM station, as well as a television network of 5 digital stations and 5 analog stations. The Radio Network reported \$8.9 million in support and revenue during fiscal year (FY) 2006-07, including state support, member contributions, funding from the Corporation for Public Broadcasting, and various other grants.

Our audit report contains the ECB Radio Network's financial statements and related notes as of and for the periods ending June 30, 2007, and June 30, 2006. We were able to issue an unqualified independent auditor's report on these statements.

We appreciate the courtesy and cooperation extended to us by ECB staff during the audit.

Respectfully submitted,
JANICE MUELLER
State Auditor

State of Wisconsin
Legislative Audit Bureau
Madison

December 18, 2007

To the Honorable, the Assembly:

We have completed a financial audit of the Wisconsin Public Broadcasting Foundation, Inc.'s Television Fund and Radio Fund, as requested by the Wisconsin Educational Communications Board. The Foundation was organized by the Educational Communications Board under s. 39.12 and ch. 181, Wis. Stats., on September 29, 1983, for the exclusive purpose of raising funds for the Wisconsin educational radio and television networks.

We completed this audit in conjunction with our audits of the Wisconsin Educational Communications Board television and radio networks, reports 07-17 and 07-18. The Foundation's financial operations are separate and independent from the State of Wisconsin. The Foundation's financial statements are presented in two separate funds (radio and television) to accommodate reporting requirements and the Educational Communications Board's desire to maintain the funds separately.

Our audit report contains the Foundation's financial statements and related notes as of and for the periods ending June 30, 2007, and June 30, 2006. We were able to issue an unqualified independent auditor's report on these statements.

We appreciate the courtesy and cooperation extended to us by Educational Communications Board staff during the audit.

Respectfully submitted,
JANICE MUELLER
State Auditor

State of Wisconsin
Legislative Audit Bureau
Madison

December 20, 2007

To the Honorable, the Assembly:

We completed an annual financial audit of the Department of Employee Trust Funds in April 2007, as requested by the Department and to fulfill our audit requirements under s. 13.94(1)(dd), Wis. Stats. The audit covered the period of January 1, 2005 through December 31, 2005. The 2005 financial statements and our unqualified opinion on them are included in the Department's recently issued financial report, which provides information on the financial position and activity of various benefit programs available to public employees. The late issuance of the Department's financial report was a result of delays in its completion by the Department.

The largest program administered by the Department is the Wisconsin Retirement System, which reported net assets of \$71.5 billion at the end of 2005 and provided benefits totaling \$3.1 billion during 2005. Positive investment returns contributed to the net increase in retirement assets of \$3.6 billion. At the end of 2005, the Wisconsin Retirement System was 99.5 percent funded based on actuarial measures that compare the actuary's valuation of assets to the estimated value of the benefit obligations for services already rendered by present and future retirees.

Accompanying this letter is a management letter we provided to the Department. As required by Government Auditing

Standards, we include an auditor's report on internal control and compliance with the management letter. We identified three reportable conditions required to be reported under these standards:

- the existence of outstanding balances in clearing accounts that the Department needs to review and eliminate;
- a continuing concern with the lack of cash reconciliations on a program level; and
- the lack of a written signed agreement with and review of invoices from the third-party administrator for the Badger Rx Gold Program.

As noted in the management letter responses, the Department is making progress in addressing our concern with the

outstanding balances in the clearing accounts. Further, the Department agrees with the value of completing cash reconciliations on a program level, but it has made limited progress to date because of other financial reporting priorities. Finally, the Department plans to obtain a signed agreement with the third-party administrator for the Badger Rx Gold Program. It does not agree with the recommendation for regular reviews of invoices for the program, but instead plans to rely on periodic compliance audits of it. We will continue to monitor and report on these areas in future audits.

We appreciate the courtesy and cooperation extended to us by Department staff during our audit.

Respectfully submitted,
JANICE MUELLER
State Auditor