



STATE OF WISCONSIN Assembly Journal

Ninety-Ninth Regular Session

MONDAY, November 16, 2009

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

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 580

Relating to: petitions and management plans for the designation of managed forest land; transferrals of ownership of managed forest land; establishing stumpage values, filing cutting reports, and estimating withdrawal taxes under the managed forest land program; signatures and authentication requirements for orders under the forest croplands program; granting rule-making authority; making an appropriation; and providing a penalty.

By Representatives Clark, Friske, Mursau and Turner; cosponsored by Senators Holperin and Taylor.

To committee on **Forestry**.

Assembly Bill 581

Relating to: use of lamps on vehicles when visibility is limited by climatic conditions and providing a penalty.

By Representatives Lothian, Brooks, Townsend, Kaufert, Gunderson, Berceau, A. Ott, Bies, Turner and Benedict; cosponsored by Senators Lehman, Holperin, Schultz, Taylor, Olsen and A. Lasee.

To committee on **Transportation**.

Assembly Bill 582

Relating to: eliminating the authority of municipalities and counties to impose a local motor vehicle registration fee.

By Representatives Nass, Vukmir, Vos, Knodl, Lothian, Bies, Kramer and Petrowski; cosponsored by Senators Grothman and A. Lasee.

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

Assembly Bill 583

Relating to: requiring passage of a supplemental examination in reading instruction to obtain a teaching license.

By Representatives Ripp, Suder, Townsend, A. Ott, Brooks, Gunderson, Kestell and Spanbauer; cosponsored by Senators Taylor, Darling and Lassa.

To committee on **Education**.

Assembly Bill 584

Relating to: screening pupils for phonemic awareness and rapid naming.

By Representatives Ripp, Suder, Townsend, A. Ott, Brooks, Gunderson, Kestell, Spanbauer and Davis; cosponsored by Senators Taylor, Darling and Lassa.

To committee on **Education**.

COMMITTEE REPORTS

The committee on **Personal Privacy** reports and recommends:

Assembly Bill 171

Relating to: unlawful use of a global positioning device and providing a penalty.

Assembly Substitute Amendment 1 adoption:

Ayes: 6 – Representatives Schneider, Vruwink, Kessler, Gundrum, M. Williams and Pridemore.

Noes: 0.

Passage as amended:

Ayes: 6 – Representatives Schneider, Vruwink, Kessler, Gundrum, M. Williams and Pridemore.

Noes: 0.

To committee on **Rules**.

Assembly Bill 193

Relating to: the privilege of self-defense.

Assembly Substitute Amendment 1 adoption:

Ayes: 5 – Representatives Schneider, Vruwink, Gundrum, M. Williams and Pridemore.

Noes: 1 – Representative Kessler.

Passage as amended:

Ayes: 5 – Representatives Schneider, Vruwink, Gundrum, M. Williams and Pridemore.

Noes: 1 – Representative Kessler.

To committee on **Rules**.

MARLIN SCHNEIDER

Chairperson

Committee on Personal Privacy

The committee on **Renewable Energy and Rural Affairs** reports and recommends:

Assembly Bill 239

Relating to: limiting a city's and village's use of direct annexation and authorizing limited town challenges to an annexation.

Assembly Amendment 1 adoption:

Ayes: 12 – Representatives Jorgensen, Hilgenberg, Garthwaite, Smith, Dexter, Danou, Vruwink, Petrowski, Lothian, Ballweg, Davis and Ripp.

Noes: 2 – Representatives Radcliffe and Tauchen.

Passage as amended:

Ayes: 13 – Representatives Jorgensen, Hilgenberg, Garthwaite, Smith, Dexter, Danou, Vruwink, Tauchen, Petrowski, Lothian, Ballweg, Davis and Ripp.

Noes: 1 – Representative Radcliffe.

To committee on **Rules**.

Assembly Bill 260

Relating to: extraterritorial plat approval on basis of land's use.

Passage:

Ayes: 14 – Representatives Jorgensen, Hilgenberg, Radcliffe, Garthwaite, Smith, Dexter, Danou, Vruwink, Tauchen, Petrowski, Lothian, Ballweg, Davis and Ripp.

Noes: 0.

To committee on **Rules**.

ANDY JORGENSEN
Chairperson
Committee on Renewable Energy and
Rural Affairs

CHIEF CLERK REPORTS

The Chief Clerk records:

Assembly Bill 138

Presented to the Governor on Friday, November 13.

PATRICK E. FULLER
Assembly Chief Clerk

GOVERNOR'S VETO MESSAGE

November 13, 2009

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 138** in its entirety. This bill would require the Secretary of the Department of Natural Resources to be nominated by the Natural Resources Board, and with the advice and consent of the Senate, appointed for a four-year term.

The appointment of the Secretary of the Department of Natural Resources has long been debated in Wisconsin, with

impassioned supporters on both sides. However, I believe the people and natural resources of our state are best served with a Secretary appointed by the Governor. Our impressive environmental record shows this to be the case.

With the strong backing of the Governor, we have taken significant steps to improve our environment. Among our many accomplishments are:

- **RENEWABLE PORTFOLIO STANDARDS:** We were one of the first states in the nation to establish renewable portfolio standards, setting energy policies that create jobs, clean our air and water and save us money.

- **CHARTER STREET:** We converted the largest coal burning power plant in state government into a 100% biomass and natural gas plant, reducing our reliance on fossil fuels and creating markets for agriculture and forest products.

- **REGULATORY REFORM:** We eliminated the backlog in air permits while maintaining the highest environmental standards. Air permits that used to take as long as two or three years are now issued, on average, in 50 days, with water permits issued in 45 days. Many of the permits allow existing companies to install new technologies to reduce pollution, a benefit to the environment and public health.

- **LAND CONSERVATION:** We fought for the reauthorization and expansion of the Stewardship program to preserve valuable natural areas and wildlife habitat, protect water quality and expand opportunities for outdoor recreation. Since 2003, we have protected nearly 250,000 acres of land.

- **IMPROVED AIR QUALITY:** We improved Wisconsin's air quality by reducing mercury emissions by 90 percent and implementing a series of air quality rules, protecting public health and the environment.

- **INCREASED ENFORCEMENTS:** In my time as Governor, DNR has averaged more notices of violation and more referrals to the Department of Justice for environmental violations than the previous nine years.

- **GROUNDWATER PROTECTIONS:** As Governor, I called for, and signed into law, a bill that ensures communities will have access to the clean water for their citizens and for future generations.

- **GREAT LAKES PROTECTION:** We made history with the passage of the Great Lakes Compact, ensuring the protection of the world's largest fresh water basin for generations to come.

- **WATER QUALITY:** We made it a priority to clean up PCBs and polluted sediment in our water. Projects like the Kinnickinnic River clean-up in Milwaukee and the St. Louis River in Superior and Duluth are now complete. And after years of lawsuits, major dredging finally began on the Lower Fox River, the largest river clean-up in U.S. history.

- **INVASIVE SPECIES:** In my budgets, we have tripled funding to fight aquatic invasive species and launched a program to help communities and organizations stop their spread.

- **CARP BARRIER:** We have worked with other Midwest Governors and the federal government to construct a barrier

to keep Asian Carp out of Lake Michigan, providing more than \$67,000 in DNR resources.

- **SUSTAINABLE FORESTRY MANAGEMENT:** For the first time, we have developed Biomass Harvest Guidelines to ensure our forests are managed sustainably, allowing harvesting for our paper industry and emerging bio-fuels while maintaining our forests for future generations.
- **FOREST CERTIFICATION:** We made forest certification an important part of my Grow Wisconsin initiative. Now all Wisconsin state and county forest land has been third-party certified as sustainable, providing a competitive edge in this green industry and assuring citizens that our forest resources will be available in the future.

A board appointed Secretary could not have achieved these and other important environmental measures alone. A Secretary alone could not have brought together Governors from eight states to pass the Great Lakes Compact. A Secretary alone could not have prioritized and expanded Stewardship funds during tough budget times. A Secretary alone could not have moved forward major air quality measures. But working with a direct line to the Governor, major environmental progress is possible.

The DNR Secretary is also an integral part of a Governor's Cabinet, playing a regular and key role in interagency projects. The DNR sits on the Governor's BioCabinet, developing new policies to grow green jobs in Wisconsin and practices to conserve energy. In June 2008, the DNR worked closely with the Department of Transportation to respond to massive flooding, working with DOT to quickly restore Lake Delton after the lake was drained due to historic floods. The Cabinet, and state government, is able to do more with the DNR at the table.

Finally, a Secretary appointed by the Governor ensures a direct line of accountability for citizens concerned about the natural resources policy of the State of Wisconsin. All Cabinet agencies provide critical functions, yet no one suggests the Secretaries of Revenue or Health Services should not be accountable to the Governor and the people of the state. While sound science, data and citizen input will always be the guiding forces of decision making at the DNR, voters choose a Governor because they agree with the vision he or she has for the entire state—including protecting natural resources.

Over the past 50 years, the scope of the departments authority to protect natural resources has grown dramatically. With this comes great responsibility to exercise power wisely. When the department is part of the Governor's Administration, the Governor is directly responsible for decisions made by the department.

When I ran for office I pledged to be a strong defender of the environment, to reform our regulatory process, to work to remove mercury from our air, to expand the Stewardship program, to increase the use of biofuels and move towards energy independence. I believe we were able to accomplish

these and other major environmental efforts because a Governor was working closely with a Governor-appointed DNR Secretary.

Respectfully submitted,
JIM DOYLE
Governor

COMMUNICATIONS

November 13, 2009

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53703

Dear Chief Clerk Fuller:

Due to my absence during session on November 5, 2009, I am writing to indicate how I would have voted on the bills that were taken up before the Assembly on that day.

November 5, 2009

Senate Bill 223, concurrence – no
Senate Bill 41, concurrence – no
Assembly Bill 403, adoption – aye
Senate Bill 331

Tabling of AA 1 – no
Tabling of AA 2 – no
Tabling of AA 3 – no
Tabling of AA 5 – no
Tabling of AA 6 – no
Tabling of AA 7 – no
Tabling of AA 8 – no
Tabling of AA 9 – no
Tabling of AA 10 – no
Tabling of AA 11 – no

Senate Bill 331, concurrence – aye
Senate Bill 371

Tabling of AA 1 – aye
Tabling of AA 2 – aye

Senate Bill 371 concurrence – aye
Senate Bill 370, concurrence – aye
Assembly Bill 138

Senate Amendment 1, concurrence – no
Senate Bill 372

Tabling of AA 1 – no
Tabling of AA 2 – no

Senate Bill 372, concurrence – no
Assembly Bill 75 Partial Item Veto D-6, withdrawn from Rules – aye

Sincerely,
MARK HONADEL
State Representative
21st Assembly District