

STATE OF WISCONSIN

Senate Journal

Ninety–Ninth Regular Session

TUESDAY, November 24, 2009

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

CHIEF CLERK'S ENTRIES

The Chief Clerk makes the following entries dated **Friday, November 20, 2009**.

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS

Read first time and referred:

Senate Bill 405

Relating to: the powers and duties of the board of school directors and the superintendent of schools in a first class city school district, awarding a grant to a nonprofit corporation, requiring a referendum, and granting rule–making authority.

By Senators Taylor, Plale and Carpenter; cosponsored by Representatives Colon, Fields, Richards, Staskunas, Hintz and Danou.

To committee on **Education**.

Senate Bill 406

Relating to: snowmobile registration, trail use sticker requirements, intoxicated snowmobiling, snowmobile speed limits, calculating the estimated snowmobile gas tax payment, funding for alcohol education programs and state trails, providing penalties, and making appropriations.

By Senators Holperin, Wirch, Lehman, Cowles, Taylor, Erpenbach, Plale, Lassa, Schultz, Olsen, Miller, Hansen and Grothman; cosponsored by Representatives Danou, Radcliffe, Zepnick, Ripp, LeMahieu, Hebl, Steinbrink, Bies, Kestell, A. Ott, M. Williams, Kerkman, Turner, Van Roy and Hilgenberg.

To committee on **Transportation, Tourism, Forestry, and Natural Resources**.

Senate Bill 407

Relating to: eligibility for academic excellence higher education scholarships.

By Senators Miller, Taylor and Hansen; cosponsored by Representatives Ballweg, Smith, Pope–Roberts, Hebl, A. Ott, Townsend, Bies, Brooks and LeMahieu.

To committee on **Agriculture and Higher Education**.

Senate Bill 408

Relating to: the exception to the assessment of withdrawal taxes and fees against a landowner who transfers ownership of managed forest land for siting a public safety communications tower.

By Senators Jauch, Lassa, Taylor and Schultz; cosponsored by Representatives Hubler, Turner, Montgomery, Ziegelbauer, Petersen, Bies, Mursau, Zepnick, Kestell and Brooks.

To committee on **Transportation, Tourism, Forestry, and Natural Resources**.

Senate Bill 409

Relating to: a postsecondary education tax credit for businesses; increasing annual limits on angel investment tax credits; awarding grants to the WiSys Technology Foundation, Inc.; business plan competitions and an emerging technology center in the University of Wisconsin System; rural outsourcing grants; requiring the Department of Commerce to award grants to a high–technology business development corporation and grants for converting manufacturing facilities; increasing funding for certain economic development programs; a pilot program providing microloans for the creation of new businesses; increasing funding for certain technical college training program grants; providing an exemption from emergency rule procedures; granting rule–making authority; and making appropriations.

By Senators Lassa, Kreitlow, Sullivan, Lehman, Vinehout, Jauch, Hansen, Holperin, Miller, Robson, Erpenbach, Risser, Plale, Decker, Taylor, Wirch, Carpenter and Coggs; cosponsored by Representatives Molepske Jr., Cullen, Zigmunt, Smith, Turner, Berceau, Zepnick, Vruwink, Dexter and Schneider.

To committee on **Economic Development**.

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

Senate Clearinghouse Rule 09–071

Relating to revenue limit exemptions for energy efficiencies.

Submitted by Department of Public Instruction.

Report received from Agency, November 20, 2009.

Referred to committee on **Education**, November 20, 2009.

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Senator Holperin added as a coauthor of **Senate Bill 402**.

State of Wisconsin Government Accountability Board

November 5, 2009

The Honorable, The Legislature:

The Military and Overseas Vote Empowerment (MOVE) Act signed by the President into law last week, amends the Help

America Vote Act (HAVA) of 2002 and the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) to address a number of problems with absentee voting for military and overseas citizens. Key among those problems as studied by Congress is that military and overseas voters are disenfranchised by lengthy mailing delays. The MOVE Act now requires states to take a number of steps to address this issue including transmitting ballots to military and overseas voters no later than 45 days before the election unless a waiver is granted by the Federal Voting Assistance Program (FVAP).

The Government Accountability Board (Board) is currently analyzing the various requirements of the MOVE Act and taking all necessary steps to implement this Federal legislation for the November 2010 election as required. The 45-day absentee ballot transmission deadline however, cannot be met under the current statutorily-defined election calendar. As such, during its December 14, 2009, meeting, I will seek the Board's approval to request a waiver of this requirement from FVAP.

Simply stated, applying for the waiver requires Wisconsin, along with ten other states, to explain the hardship that prevents the state from compliance and provide a comprehensive plan to ensure that military and overseas citizens are able to receive absentee ballots that have been requested and submit their marked ballots to the appropriate Wisconsin election official in time to have the ballot counted. The good news is, we are already doing a great deal of what the MOVE Act mandates for Wisconsin's Uniformed and Overseas electors. Wisconsin is one of the few states whose current absentee voting provisions have been recognized as providing military and overseas citizens with enough time to vote.

Once we have completed our analysis of the possible impact of the MOVE Act on Wisconsin and determined how we plan to meet the various requirements, we will provide additional information. We anticipate receiving further details on the waiver process from FVAP and will keep you apprised of our progress.

If you or your staff have questions, please contact me or my lead staff person, David Buerger, Elections Specialist, at (608) 267-0951, or via email at david.buerger@wisconsin.gov. Thank you.

Sincerely,
KEVIN KENNEDY
Director and General Counsel

**State of Wisconsin
Department of Administration**

November 17, 2009

The Honorable, The Legislature:

Please find enclosed the Service Award Program 2008 Annual Report. The Service Award Board approved the report at its meeting on November 10, 2009. The report provides an overview of the program and outlines the accomplishments for the program year.

Wisconsin State Statute 16.25(6) requires the Department to submit the report to the Chief Clerk of each house annually describing the activities of the board.

If you have any questions regarding the report, please contact Chris Connor at the Department of Administration, Division of Intergovernmental Relations at (608) 267-2704.

Sincerely,
RON HERMES
Secretary, Service Award Board

ADVICE AND CONSENT OF THE SENATE

**State of Wisconsin
Office of the Governor**

November 23, 2009

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HANSON-DREW, ALICE, of Shorewood, as a member of the Marriage and Family Therapy Professional Counseling and Social Work Examining Board, to serve for the term ending July 1, 2013.

Respectfully Submitted,
JIM DOYLE
Governor

Read and referred to committee on **Children and Families and Workforce Development**.

**State of Wisconsin
Office of the Governor**

November 16, 2009

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint VETTE, JOHN, of Oshkosh, as a member of the Fox River Navigational System Authority, to serve for the term ending July 1, 2010.

Respectfully Submitted,
JIM DOYLE
Governor

Read and referred to committee on **Transportation, Tourism, Forestry, and Natural Resources**.

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

The committee on **Transportation, Tourism, Forestry, and Natural Resources** reports and recommends:

Senate Clearinghouse Rule 09-051

Relating to fishing on the inland, outlying, and boundary waters of Wisconsin.

No action taken.

JIM HOLPERIN
Chairperson