

STATE OF WISCONSIN  
**Senate Journal**  
Ninety–Ninth Regular Session

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TUESDAY, December 1, 2009

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

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**CHIEF CLERK’S ENTRIES**

The Chief Clerk makes the following entries dated **Friday, November 27, 2009**.

**PETITIONS AND COMMUNICATIONS**

Pursuant to Senate Rule [17 \(5\)](#), Senator Kapanke added as a coauthor of **Senate Bill 118**.

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The Chief Clerk makes the following entries dated **Monday, November 30, 2009**.

**BILLS PRESENTED TO THE GOVERNOR**

The Chief Clerk records:

- Senate Bill 40**
- Senate Bill 80**
- Senate Bill 170**
- Senate Bill 241**
- Senate Bill 253**
- Senate Bill 259**
- Senate Bill 349**

Presented to the Governor on 11–30–2009.

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**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin  
Legislative Reference Bureau**

November 30, 2009

To the Honorable, the Legislature:

The following rules have been published in the November 30, 2009 Wisconsin Administrative [Register No. 647](#):

<b>Clearinghouse Rules</b>	<b>Effective Date(s)</b>
<b>08–111</b> .....	12–1–2009
<b>09–003</b> .....	12–1–2009
<b>09–021</b> .....	12–1–2009
<b>09–031</b> .....	12–1–2009
<b>09–036</b> .....	1–1–2010
<b>09–049</b> .....	12–1–2009

Sincerely,  
*BRUCE J. HOESLY*  
Senior Legislative Attorney/Code Editor

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**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin  
Office of the Governor**

December 1, 2009

To the Honorable, the Senate:

The following bill(s), originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State:

<b>Bill Number</b>	<b>Act Number</b>	<b>Date Approved</b>
<b>Senate Bill 259</b> .....	Act 80 .....	December 1, 2009
<b>Senate Bill 241</b> .....	Act 85 .....	December 1, 2009
<b>Senate Bill 253</b> .....	Act 88 .....	December 1, 2009
<b>Senate Bill 40</b> .....	Act 89 .....	December 1, 2009

(Vetoed in Part)

Respectfully Submitted,  
*JIM DOYLE*  
Governor

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**State of Wisconsin  
Office of the Governor**

December 1, 2009

The Honorable, The Senate:

I have approved Senate Bill 40 as [2009 Wisconsin Act 89](#) and have deposited it in the Office of the Secretary of State. While I applaud the bill’s efforts to reform campaign financing for Supreme Court Justice elections, I have exercised the partial veto to ensure that the legislation as amended meets the original intent of the authors.

Senate Bill 40 establishes public financing for the election of Justice of the Supreme Court by creating the financing option and two supplemental grants for the participating candidate. One supplemental grant relates to disbursements by a nonparticipating candidate and the other relates to independent disbursements made by other entities. Under the independent disbursement section, the bill as amended deducts the base grant amount from the supplemental grant, reducing funding available to a participating candidate.

I am partially vetoing section 17 [as it affects s. [11.513\(2\)](#)] to ensure that, if independent disbursements exceed the threshold established in the bill, a participating candidate will receive a supplemental grant equal to the first independent disbursement dollar expended or obligated to be expended, without a reduction equal to the base grant amount.

I believe the partial veto I made to SB 40 brings the effect of the bill in alignment with the bill’s original intent and helps to ensure the integrity of Wisconsin’s Supreme Court.

Respectfully Submitted,  
*JIM DOYLE*  
Governor

**LEGISLATIVE REFERENCE BUREAU CORRECTIONS**

**CORRECTIONS IN:**

**2009 SENATE BILL 394**

Prepared by the Legislative Reference Bureau  
(December 1, 2009)

1. Page 2, line 2: delete “rock, fruit,” and substitute “rock,”.

**State of Wisconsin  
Government Accountability Board**

November 24, 2009

The Honorable, The Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

For more detailed information about these lobbyists and organizations and a complete list of organizations and people authorized to lobby the 2009–2010 session of the legislature, visit the Government Accountability Board’s web site at: <http://ethics.state.wi.us/>.

Meyer, Bob	American Cancer Society
Mitchell, Susan	School Choice Wisconsin
Engel, Andrew	Alliance of Automobile Manufacturers
Broberg, Jennifer	Continental Mapping Consultants, Inc.
Petersen, Eric	Continental Mapping Consultants, Inc.
Amos–Sikora, Lamar	Amalgamated Transit Union Local 998

Also available from the Wisconsin Government Accountability Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by organizations that employ lobbyists.

Sincerely,  
*KEVIN KENNEDY*  
Director and General Counsel

**State of Wisconsin  
Legislative Audit Bureau**

December 1, 2009

The Honorable, The Legislature:

At your direction, we conducted a limited–scope review to assess whether the rates that video service providers charge subscribers have changed since [2007 Wisconsin Act 42](#) took effect in January 2008. The Act instituted a state–level franchising process under which land–based providers apply to the Department of Financial Institutions for a single video service franchise instead of negotiating separate franchises with individual municipalities.

We analyzed ten providers’ monthly charges for basic and expanded basic service in 17 Wisconsin municipalities at two points in time–July 2007 and July 2009–using data reported to us by the providers. Over this two–year period, charges for basic service increased an average of 21.2 percent, and charges for expanded basic service increased an average of 11.5 percent.

The reported data do not suggest that competition has had a substantial effect in reducing either basic or expanded basic video service charges or in slowing their rates of growth during the period we reviewed.

However, the data we analyzed must be interpreted with caution for several reasons, including variations in the number and types of channels that different providers offer as basic and expanded basic service, as well as variations in individual providers’ charges for the same services because of promotional rates and the increasingly common practice of “bundling” video, Internet, and telephone services and charging less than their standard rate for each bundled component. In addition, a relatively short amount of time has passed since passage of the Act, making it difficult to assess whether the rate trends we identified will continue in the future.

We appreciate the courtesy and cooperation of the Department of Financial Institutions, the Wisconsin Cable Communications Association, and video service providers that assisted us in collecting this information.

Sincerely,  
*JANICE MUELLER*  
State Auditor

**State of Wisconsin  
Government Accountability Board**

December 1, 2009

The Honorable, The Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

For more detailed information about these lobbyists and organizations and a complete list of organizations and people authorized to lobby the 2009–2010 session of the legislature, visit the Government Accountability Board’s web site at: <http://ethics.state.wi.us/>.

Duffy, Melissa	Wisconsin Rx
McCoshen, William	J Otis Elevator Company

Also available from the Wisconsin Government Accountability Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by organizations that employ lobbyists.

Sincerely,  
*KEVIN KENNEDY*  
Director and General Counsel

**ADVICE AND CONSENT OF THE SENATE**

**State of Wisconsin  
Office of the Governor**

December 1, 2009

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ARNONE, WENDY, of Green Bay, as a member of the Health Insurance Risk–Sharing Plan Authority, to serve for the term ending May 1, 2012.

Respectfully Submitted,  
*JIM DOYLE*  
Governor

Read and referred to committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue.**

**State of Wisconsin  
Office of the Governor**

November 30, 2009

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint FRANKLIN, LAMARR, of Milwaukee, as a member of the Medical Examining Board, to serve for the term ending July 1, 2012.

Respectfully Submitted,  
*JIM DOYLE*  
Governor

Read and referred to committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue.**

**State of Wisconsin  
Office of the Governor**

November 30, 2009

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint LOWE, GRETCHEN, of Madison, as a member of the Board of Nursing, to serve for the term ending July 1, 2013.

Respectfully Submitted,  
*JIM DOYLE*  
Governor

Read and referred to committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue.**

**State of Wisconsin  
Office of the Governor**

November 30, 2009

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint WALKER-CRAWFORD, JASON, of Stoughton, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 2013.

Respectfully Submitted,  
*JIM DOYLE*  
Governor

Read and referred to committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue.**

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**Motions Under Senate Rule 98 and Joint Rule 7  
for the Month of November 2009**

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Taylor, for the African American Women's Fund Project, on the occasion of their 10th Anniversary celebration.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Vinehout, for the Augusta-Bridge Creek First Responders, on the occasion of celebrating their 30th Anniversary.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Matthew P. Beine, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Tyler Lee Blodgett, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for the Cathedral Center, on the occasion of its successful 2009 Fundraiser Gala to provide shelter to those in dire need.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Grothman, for Jane Dean, on the occasion of receiving the 2009 Port Washington Chamber of Commerce Citizen of the Year Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Erpenbach, for Joan Fitzgerald, on the occasion of her retirement after 31 years of state service.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Risser, for Tom Frazier, on the occasion of his retirement after 26 years of dedicated service as Executive Director of the Coalition of Wisconsin Aging Groups (CWAG).*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Lassa, for Stephen R. Fredock, on the occasion of his retirement after years of dedicated service to the Village of Plover Police Department.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lasee, for Eric Gray, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Grothman, for Daniel Lee Hesse, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Harsdorf, for Zachary Humphrey, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lasee, for Justin Huntington, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Harsdorf, for Nicholas Huston, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Erpenbach, for Zachary Alexander Lehmann, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Harsdorf, for Lumbermens Merchandising Corporation, on the occasion of celebrating their 75th Anniversary.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Kanavas, for David Marcello, on the occasion of his dedicated service to the Elmbrook School Board of Education.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Risser, for Conley Montgomery, on the occasion of the celebration of his 90th Birthday shared with family and friends.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Taylor, for the NAACP Kenosha Branch, on the occasion of celebrating their 100th Anniversary.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Grothman, for Ozaukee County Family Services, on the occasion of receiving the 2009 Grafton Area Chamber of Commerce Outstanding Community Group Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Richard Pieper, Sr., on the occasion of receiving the International Human Relations Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Joseph John Rauenbuehler, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Schultz, for Dave Schulte, on the occasion of his 50 years of dedicated service to the Town of Washington Fire Department.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Harsdorf, for Mark Serier, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Harsdorf, for John Stapleton, on the occasion of his retirement from the River Falls Police Department after 34 years of dedicated service to protecting the citizens of River Falls.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Lehman, for the St. Catherine's High School Boys Soccer Team, on the occasion of winning their first WIAA Division Three Championship Title.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Grothman, for Norbert C. Studelska, Sr., on the occasion of receiving the 2009 Grafton Area Chamber of Commerce Outstanding Citizen Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Hansen, for the UW–Green Bay Men's Soccer Team, on the occasion of winning the Horizon League Championship for the first time in school history.*