

STATE OF WISCONSIN
Senate Journal
One–Hundredth Regular Session

FRIDAY, October 21, 2011

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

CHIEF CLERK'S ENTRIES

AMENDMENTS OFFERED

Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 227** offered by Senator Leibham.

**INTRODUCTION, FIRST READING, AND
REFERENCE OF PROPOSALS**

Read and referred:

Senate Joint Resolution 45

Relating to: recognizing October 2011 as Comprehensive Women's Health Month.

By Senators C. Larson, T. Cullen, Erpenbach, Hansen, Risser, Schultz, Shilling and Taylor; cosponsored by Representatives Sinicki, Seidel, Roys, C. Taylor, Berceau, Bernard Schaber, Bewley, Grigsby, Hintz, Jorgensen, Kessler, Mason, Pasch, Pope–Roberts, Richards, Ringhand, Vruwink, Zamarripa, Hebl, Hulsey, E. Coggs, Milroy, Toles, Fields, Molepske Jr, Clark, Barca, Pocan, Turner, Zepnick and Steinbrink.

To committee on **Senate Organization**.

Senate Joint Resolution 46

Relating to: proclaiming the month of October as Breast Cancer Awareness Month.

By Senators Darling, Galloway, Harsdorf, Schultz, Kedzie, Lazich, Wirsch, Taylor, Olsen, S. Coggs, Risser and Miller; cosponsored by Representatives Strachota, Marklein, Roys, Ballweg, Pocan, Brooks, T. Larson, A. Ott, Wynn, Kerkman, Pasch, Bewley, Suder, Pridemore, C. Taylor, Steinbrink, Zamarripa, Tranel, Kaufert, Stone, Bies, Spanbauer, Molepske Jr, Hebl, Hulsey, Loudenbeck, Turner, Endsley, Sinicki and Seidel.

To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 248

Relating to: management and preservation of records and correspondence of members of the legislature.

By Senators Holperin, C. Larson and T. Cullen; cosponsored by Representatives Richards, Wynn, Berceau and Turner.

To committee on **Judiciary, Utilities, Commerce, and Government Operations**.

Senate Bill 249

Relating to: employment discrimination based on employment status.

By Senators Hansen, Lassa, C. Larson, S. Coggs and Taylor; cosponsored by Representatives Zamarripa, Grigsby, Berceau, Pasch, Marklein, Staskunas, Sinicki, E. Coggs, Young, C. Taylor, Bewley, Turner, Fields, Hulsey, Toles, Ringhand, Pope–Roberts and Molepske Jr.

To committee on **Labor, Public Safety, and Urban Affairs**.

Senate Bill 250

Relating to: limiting the corporate income tax deduction for compensation paid to an employee.

By Senators Risser and Hansen; cosponsored by Representatives Pocan, Berceau, Bernard Schaber, Fields, Grigsby, Hebl, Mason, Milroy, Pasch, Ringhand, Roys, Sinicki and C. Taylor.

To committee on **Public Health, Human Services, and Revenue**.

Senate Bill 251

Relating to: school district debt service aid and making an appropriation.

By Senators T. Cullen, Schultz and Moulton.

To joint committee on **Finance**.

Senate Bill 252

Relating to: municipal court fees.

By Senator Taylor; cosponsored by Representatives Thiesfeldt, Spanbauer, Hebl, Kapenga, Doyle, Kestell, Krug, Kaufert, Litjens and Endsley.

To committee on **Judiciary, Utilities, Commerce, and Government Operations**.

Senate Bill 253

Relating to: the liability of certain persons for environmental contamination on property on which a cleanup has been conducted.

By Senator Galloway; cosponsored by Representatives Petrowski, Mursau and Seidel.

To committee on **Natural Resources and Environment**.

Senate Bill 254

Relating to: requiring certain information in state agency budget requests.

By Senator Darling; cosponsored by Representatives Severson, Litjens, Kerkman, Spanbauer, Steineke, Weinger, Rivard and Thiesfeldt.

To committee on **Judiciary, Utilities, Commerce, and Government Operations**.

REPORT OF COMMITTEES

The committee on **Public Health, Human Services, and Revenue** reports and recommends:

Senate Bill 204

Relating to: allowing certain pupils to possess and use an epinephrine auto-injector.

Passage.

Ayes, 5 – Senators Galloway, Lazich, Vukmir, Carpenter and Shilling.

Noes, 0 – None.

Senate Bill 212

Relating to: regulation of nursing homes, requiring the exercise of rule-making authority, and making an appropriation.

Passage.

Ayes, 4 – Senators Galloway, Lazich, Vukmir and Shilling.
Noes, 1 – Senator Carpenter.

PAM GALLOWAY
Chairperson

PETITIONS AND COMMUNICATIONS

State of Wisconsin Office of the Senate President

October 21, 2011

The Honorable, the Senate:

Pursuant to Senate Rule **46 (2)(c)**, I am writing to inform you that I have directed the following proposal(s) to be withdrawn from committee and referred. I have obtained the consent of the appropriate standing committee chairperson and the chairperson of the committee on Senate Organization.

Assembly Bill 229, relating to repealing a prohibition on certain nonessential uses of natural gas, withdrawn from committee on Natural Resources and Environment and referred to committee on Energy, Biotechnology, and Consumer Protection.

Sincerely,
MICHAEL G. ELLIS
Senate President

University of Wisconsin Hospital and Clinics

October 1, 2011

The Honorable, The Legislature:

Attached please find a copy of the UWHC Authority report on patient care, education, research, community service activities and a draft audited financial statement required under Wis. Stat. 233.04 (1).

Please feel free to contact me if you have questions or desire additional information.

Sincerely,
DONNA KATEN-BAHENSKY
President and CEO

State of Wisconsin Department of Natural Resources

October 11, 2011

The Honorable, The Legislature:

Aquatic invasive species threaten Wisconsin's lakes, rivers and wetlands. They disrupt the natural balance of species in our waters and can take the fun out of boating, fishing, and swimming. Getting out on the water is an integral part of Wisconsin life and lakes are the economic engines of many rural counties and urban waterfronts. I am proud to report on the hard work of many committed volunteers and partners. Wisconsin has made significant progress in its efforts against unwanted invaders during 2010–2011.

Our plan for protecting the waters of Wisconsin is straightforward, and is implemented in a variety of ways by volunteers and staff in communities across the state.

In the following pages, you will read about the state's efforts to control aquatic invasive species (AIS) along with a few highlights over the past year. To get the most up-to-date information about Wisconsin's efforts to control aquatic invasive species, please visit our webpage at www.dnr.wi.gov/invasives.

Prevent AIS from reaching Wisconsin

When I travel around the state and listen to our partners I am constantly impressed with the passion and commitment they show in sharing the prevention message. Clean Boats, Clean Waters inspectors spend countless hours at boat launches conducting watercraft inspections. Local AIS partners post AIS boat landing signs reminding boaters of required AIS prevention steps. County and regional AIS coordinators hold monitoring and watercraft inspection trainings all in an effort to educate and encourage active participation in the fight against AIS. I feel energized by our partners and know together we are making a difference and slowing the spread of AIS.

Contain the spread of invasive species already present within the state

We owe it to ourselves, our state and our next generation to stop the expansion of AIS. We need to draw a line in the sand that says "no more"! We need to impress upon those that enjoy our waters that by following those four simple preventative steps we CAN prevent the expansion of AIS, whether it's plants, mussels, or fish. Inspect, Remove, Drain and Never Move Live Fish are known to be effective actions at stopping the spread of AIS. The Citizen Lake Monitoring Network and Project Riverine Early Detection (RED) are early detection monitoring programs key in the containment of AIS. By detecting AIS early we stand a better chance to eradicate or manage the population to minimize the chance for it to spread to other waterways or other parts of a lake or river corridor.

Control damage caused by those that become established

Sustaining control pressure on Eurasian water-milfoil (EWM) or curly-leaf pondweed with little hope of eradication may seem insurmountable. The cost and adverse impacts to native species and recreation should reinforce the importance of prevention and containment. However, we are gaining new insights into AIS control and I believe existing research will provide cause for optimism. Two areas gaining momentum are; early season Eurasian-water milfoil control and zebra/quagga mussel control.

Our partnership with the US Army Corps of Engineers has provided Wisconsin with information on controlling EWM that was unheard of 10 years ago. New research being conducted at the US Geological Survey in LaCrosse on a common bacteria

indicates that under the right laboratory conditions it will produce a by-product that will control zebra and quagga mussels without harming other organisms. It's hard to be patient when I hear about things like this, but the immense progress we have seen in control technology in just the past five years shows the importance of good science, especially when working with our natural resources.

Making a difference:

People make the difference! Whether I'm riding with our Water Guards as they head out to the landings to talk to boaters or am listening to citizens at the Northwest Wisconsin Lakes Conference in Minong and the Wisconsin Lakes Convention in Green Bay, I'm constantly reminded of the dedication of our partners to protect our waters from AIS. The phenomenal success of this year's 4th of July "Landing Blitz" tells me that people feel so strongly about this subject that they are willing to volunteer their time to stand at a local boat launch and talk to boaters on a holiday weekend. There are many examples of people making the difference in this Partnership and I wish I could meet them all and say thank you! This is truly a Partnership for success.

I hope the following pages give you a picture of this Partnership's accomplishments. Yes, there is more to do, but we are all up to the challenge.

Thanks for your support!

Sincerely,
BOB WAKEMAN
Statewide Coordinator
Aquatic Invasive Species

ADVICE AND CONSENT OF THE SENATE

**State of Wisconsin
Office of the Governor**

October 18, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MAAS, MARY, of Tomah, as a member of the State Fair Park Board, to serve for the term ending May 1, 2016.

Respectfully submitted,
SCOTT WALKER
Governor

Read and referred to committee on **Workforce Development, Small Business, and Tourism.**

**State of Wisconsin
Office of the Governor**

October 18, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint OEMICHEN, WILLIAM, of Madison, as a member of the College Savings Program Board, to serve for the term ending May 1, 2015.

Respectfully submitted,
SCOTT WALKER
Governor

Read and referred to committee on **Agriculture, Forestry, and Higher Education.**

**State of Wisconsin
Office of the Governor**

October 18, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SCHROEDER, DANIEL, of Hartland, as a member of the Psychology Examining Board, to serve for the term ending July 1, 2015.

Respectfully submitted,
SCOTT WALKER
Governor

Read and referred to committee on **Health.**

**State of Wisconsin
Office of the Governor**

October 18, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint THORMAN, MICHELE ANNE, of La Crosse, as a member of the Physical Therapy Examining Board, to serve for the term ending July 1, 2015.

Respectfully submitted,
SCOTT WALKER
Governor

Read and referred to committee on **Health.**

**State of Wisconsin
Office of the Governor**

October 18, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint WOODFILL, CHRISTOPHER, of Delavan, as a member of the Sign Language Interpreters Council, to serve for the term ending July 1, 2014.

Respectfully submitted,
SCOTT WALKER
Governor

Read and referred to committee on **Public Health, Human Services, and Revenue.**

MESSAGES FROM THE ASSEMBLY

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has passed and asks concurrence in:

- Assembly Bill 100**
- Assembly Bill 102**
- Assembly Bill 103**
- Assembly Bill 149**
- Assembly Bill 232**
- Assembly Bill 247**
- Assembly Bill 248**
- Assembly Bill 252**
- Assembly Bill 253**
- Assembly Bill 254**
- Assembly Bill 267**
- Assembly Bill 269**
- Assembly Bill 270**

Concurred in:

Senate Bill 203

MESSAGES FROM THE ASSEMBLY CONSIDERED

Assembly Bill 100

Relating to: evidentiary recordings of persons under the age of 18 engaging in sexually explicit conduct and certain sex offenses against children and providing penalties.

By Representatives Staskunas, Bernard Schaber, Ziegelbauer, Brooks, Jorgensen, Spanbauer and Berceau; cosponsored by Senators Lassa and Darling.

Read first time and referred to committee on **Judiciary, Utilities, Commerce, and Government Operations.**

Assembly Bill 102

Relating to: crimes against children committed by certain persons and providing a penalty.

By Representatives LeMahieu, Endsley, Kestell, Kerkman, Nygren, Steineke, Jacque, Kleefisch, Mursau, Ripp, Bies, Honadel, Brooks, A. Ott and Spanbauer; cosponsored by Senators Leibham and Olsen.

Read first time and referred to committee on **Judiciary, Utilities, Commerce, and Government Operations.**

Assembly Bill 103

Relating to: receiving a stolen firearm and providing a penalty.

By Representatives LeMahieu, Bies, Petersen, Mursau, Strachota, Pridemore, Bernier, Ripp, A. Ott, Brooks and Spanbauer; cosponsored by Senators Leibham and Olsen.

Read first time and referred to committee on **Judiciary, Utilities, Commerce, and Government Operations.**

Assembly Bill 149

Relating to: false reporting of an emergency and providing a penalty.

By Representatives Spanbauer, Bernier, Jorgensen, A. Ott and Thiesfeldt; cosponsored by Senator Lassa.

Read first time and referred to committee on **Labor, Public Safety, and Urban Affairs.**

Assembly Bill 232

Relating to: rights of crime victims and witnesses.

By Representatives Jacque, Bies, Bernard Schaber, Brooks, Endsley, Hintz, Kaufert, Kerkman, Kleefisch, Molepske Jr, A. Ott, Rivard, Roys, Thiesfeldt, Van Roy and Vruwink; cosponsored by Senators Wanggaard, Moulton, Olsen and Taylor.

Read first time and referred to committee on **Judiciary, Utilities, Commerce, and Government Operations.**

Assembly Bill 247

Relating to: jurisdiction in matters relating to domestic abuse restraining orders and injunctions, child abuse restraining orders and injunctions, and harassment restraining orders and injunctions.

By Representatives Loudenbeck, Roys, Steineke, Nass, Petrowski, A. Ott, Pocan, Danou, Wynn, Brooks, Milroy, Strachota, Nygren, Kerkman, Jacque, Spanbauer, Krug, T. Larson, Kleefisch, Kaufert, Van Roy, Ballweg and C. Taylor; cosponsored by Senators Wanggaard, Carpenter, Kedzie and Harsdorf.

Read first time and referred to committee on **Labor, Public Safety, and Urban Affairs.**

Assembly Bill 248

Relating to: annual or consecutive month permits for vehicles transporting overheight loads of hay or straw.

By Representatives Petrowski, Ripp and Spanbauer; cosponsored by Senators Harsdorf and Galloway.

Read first time and referred to committee on **Senate Organization.**

Assembly Bill 252

Relating to: seasonal weight limitations for certain vehicles transporting agricultural crops.

By Representatives Petrowski, Ripp, Ballweg, Endsley, Brooks, Krug, Jorgensen, Mursau, Petryk, Rivard, Spanbauer and Steineke; cosponsored by Senators Lazich, Lasee, Grothman, Hansen and Schultz.

Read first time and referred to committee on **Senate Organization.**

Assembly Bill 253

Relating to: the maximum permissible length of vehicles carrying poles, pipe, girders, and similar materials on highways.

By Representatives Petrowski, Ripp, Brooks, Kooyenga, Mursau and Spanbauer; cosponsored by Senators Lazich, Galloway and Lasee.

Read first time and referred to committee on **Senate Organization.**

Assembly Bill 254

Relating to: the maximum permissible length of single vehicles operated on a highway without an overlength permit.

By Representatives Petrowski, Endsley, Ballweg, Brooks, Mursau, A. Ott, Ripp and Spanbauer; cosponsored by Senators Lazich, Galloway, Lasee and Lassa.

Read first time and referred to committee on **Senate Organization.**

Assembly Bill 267

Relating to: operating certain three-vehicle combinations on the highways.

By Representatives Petrowski, Mursau, Bernier, Brooks and Spanbauer; cosponsored by Senators Lazich and Galloway.

Read first time and referred to committee on **Senate Organization.**

Assembly Bill 269

Relating to: prohibitions against contacting certain persons and providing penalties.

By Representatives Ballweg, Wynn, Berceau, Brooks, Clark, Endsley, Hintz, Jacque, Kaufert, Kerkman, Kleefisch, Krug, T. Larson, Marklein, Milroy, Molepske Jr, A. Ott, Pasch, Petrowski, Radcliffe, Roys, Sinicki, Spanbauer, Staskunas, Steineke, Suder, C. Taylor and Williams; cosponsored by Senators Wanggaard, Olsen, Erpenbach, Hansen, C. Larson, Lassa, Lazich and Taylor.

Read first time and referred to committee on **Labor, Public Safety, and Urban Affairs.**

Assembly Bill 270

Relating to: designating and marking a bridge across the Menominee River in Marinette County as Veterans Memorial Bridge.

By Representatives Mursau, Bernier, Wynn, Berceau, Nygren, Sinicki, Spanbauer, A. Ott, Brooks, Thiesfeldt, Milroy, Meyer, Ringhand and Endsley; cosponsored by Senators Holperin, Cowles, Taylor and Hansen.

Read first time and referred to committee on **Senate Organization.**