

STATE OF WISCONSIN  
**Senate Journal**  
One–Hundredth Regular Session

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FRIDAY, December 30, 2011

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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 **Wednesday, December 28, 2011.**

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

Read first time and referred:

**Senate Bill 353**

Relating to: the use of seclusion and physical restraint on pupils in public schools.

By Senators Olsen, Lassa and Schultz; cosponsored by Representatives Kestell, Endsley, Pasch, Pocan, Pope–Roberts, Ripp, Sinicki and Spanbauer.

To committee on **Education.**

**Senate Bill 354**

Relating to: registration and operation of all–terrain vehicles and utility terrain vehicles, granting rule–making authority, and making appropriations.

By Senators Leibham, Holperin, Harsdorf, Moulton, Hansen, Lassa and Taylor; cosponsored by Representatives Severson, Rivard, Endsley, Krug, Marklein, Nygren, A. Ott, Petryk, Spanbauer, Strachota, Tauchen, Tiffany, Tranel and Brooks.

To committee on **Transportation and Elections.**

**Senate Bill 355**

Relating to: the hours that a minor may work.

By Senators Lassa, Taylor, Hansen, Risser, S. Coggs and C. Larson; cosponsored by Representatives Grigsby, Pocan, Doyle, Pasch, Turner, Sinicki, Berceau, Hebl, Roys, Mason, Zamarripa, Kessler, Clark, Hintz, C. Taylor and Bewley.

To committee on **Economic Development and Veterans and Military Affairs.**

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**PETITIONS AND COMMUNICATIONS**

Pursuant to Senate Rule 17 (5), Senator Galloway added as a coauthor of **Senate Bill 354.**

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The Chief Clerk makes the following entries dated **Thursday, December 29, 2011.**

**PETITIONS AND COMMUNICATIONS**

Pursuant to Senate Rule 17 (5), Representative Molepske Jr added as a cosponsor of **Senate Bill 346.**

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**REFERRALS AND RECEIPT OF COMMITTEE REPORTS  
CONCERNING PROPOSED ADMINISTRATIVE RULES**

The joint committee for review of **Administrative Rules** reports and recommends:

**Senate Clearinghouse Rule 10–127**

Relating to administration of stewardship grants.

No action taken.

**Senate Clearinghouse Rule 11–030**

Relating to game and hunting, game refuges, miscellaneous fur, fish, game and outdoor recreation, and the use of department properties.

No action taken.

*LEAH VUKMIR*

Senate Chairperson

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

Read first time and referred:

**Senate Bill 356**

Relating to: the authority of credit unions to make donations and grants.

By Senators Grothman, Lassa, Schultz, S. Coggs, Wanggaard, Moulton, Hansen and Cowles; cosponsored by Representatives Kooyenga, Krug, Jacque, Spanbauer, Kerkman, A. Ott, Stroebel, Wynn, Molepske Jr, Tauchen, Fields, C. Taylor, LeMahieu, Bewley, Kaufert and Endsley.

To committee on **Financial Institutions and Rural Issues.**

**Senate Bill 357**

Relating to: applying a service member's military education, training, or other experience for purposes of satisfying certain requirements for a professional credential.

By Senators Moulton, Lassa, Taylor, S. Coggs and Lasee; cosponsored by Representatives Wynn, Jacque, Spanbauer, Knilans, Tranel, Ballweg, Brooks, Pridemore, Sinicki, Ripp, Farrow and Bewley.

To committee on **Economic Development and Veterans and Military Affairs.**

## PETITIONS AND COMMUNICATIONS

### State of Wisconsin Governor's Dry Cleaner Environmental Response Council

December 20, 2011

The Honorable, The Legislature:

The Governor's Council for the Dry Cleaning Environmental Response Program (DERP) is pleased to provide this 5-year Program Evaluation Report. This report is intended to meet statutory requirements contained in s. 292.65(13), Wis. Stats.

The Dry Cleaning Environmental Response Program is an outstanding example of cooperation between industry and DNR. The costs of DERP are primarily borne by the dry cleaner industry. The industry is proactive in addressing environmental cleanup at dry cleaner facilities. This effort restores value to many family-owned businesses, allows second and third generation owners to continue in the family business, and helps avoid abandonment of contaminated properties and the impact these have on municipalities.

This program is a win-win for the State – dry cleaners fund DNR and DOR administrative costs of the program without a need for increased tax revenues.

The 5-year Program Evaluation addresses current and future funding of the program. Over the last 12 years, the Fund has provided more than \$15 million to begin investigation and cleanup at 230 dry cleaner facilities. More than 60 of those facilities have completed cleanup and are now closed. The Legislature enacted the recommendations of the 2006 Program Evaluation which included a 1% increase in fees paid by dry cleaners and helped stabilize funding. Dry cleaners are currently paying 2.8% to DERP on gross dry cleaning revenues and are unable to bear any additional fee increases.

Due to the economy and contraction of the dry cleaning industry, the Council projects that there will be shortfall of revenues to cover projected cleanup expenses beginning in mid-FY14. The Council unanimously supports and recommends the following FY13/15 budget initiatives: direct DOR to publish a list of all licensed dry cleaners quarterly; forgive the \$6.2 million EIF loan to DERP; undertake a study of alternative funding mechanisms for DERP; and provide statutory authority for DNR to directly expend money from the Fund for immediate and emergency actions at certain dry cleaner facilities.

This proposal allows the dry cleaning industry to build upon the 12 years of success in DERP. Working together, we can sustain family owned businesses and environmental remediation. We can continue to ensure that communities throughout Wisconsin benefit from the economic and environmental advantages of the Dry Cleaner Environmental Response Program.

Sincerely,  
*RICHARD W. KLINKE*  
Chair

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State of Wisconsin  
Public Service Commission

December 22, 2011

The Honorable, The Legislature:

Enclosed is the Public Service Commission's (Commission) report entitled, "Energy Efficiency and Renewable Resource Program Activities in Wisconsin, January – December 2009." This report is a requirement of 2005 Wisconsin Act 141 which directs the Commission to prepare a summary of not more than two pages to the legislature and to post the full report on the Commission's Internet site on the following programs: the statewide energy efficiency and renewable resource program (Focus on Energy), and municipal utility and electric cooperative programs.

The Commission is pleased to report that the Focus on Energy program achieved record energy savings during the January – December 2009 contract period. As the summary indicates, for every dollar spent, the program delivered \$2.20 in savings to Wisconsin homeowners and businesses. The full report of the January – December 2009 contract period can be found on the Commission's web site at: <http://psc.wi.gov/reports/legislativeReports.htm>.

The 2009 report was delayed due to missed contractor deadlines. The 2010 report has been delayed due to a rebid of the contract. The new contract went into effect on December 1, 2011, and the Commission addressed the issue of missed deadlines by instituting liquidated damages in this contract. Field work has begun on the 2010 audit, and work will begin on the 2011 audit when the books are closed in February 2012. Therefore, the 2010 and 2011 annual reports will be submitted to the legislature in late summer.

Should you have any questions, please contact Jolene Sheil of Commission staff by telephone at (608) 266-7375 or by e-mail at [jolene.sheil@wisconsin.gov](mailto:jolene.sheil@wisconsin.gov).

Sincerely,  
*PHIL MONTGOMERY*  
Chairperson

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National Multiple Sclerosis Society  
Wisconsin Chapter

December 28, 2011

The Honorable, The Legislature:

The National Multiple Sclerosis Society-Wisconsin Chapter is pleased to submit the attached report to the Governor and State Legislature, pursuant to Wisconsin Act 71.10(5m), "Multiple Sclerosis Programs Check-off." The report reflects the disbursements made from January 1, 2011-December 31, 2011. Disbursements made in 2012, will be reported prior to January, 2013, and thereafter annually, as promulgated in Wisconsin Act 71.

In December 2005, Governor Jim Doyle and members of the State Legislature created Wisconsin ACT 71 to assist those who live with Multiple Sclerosis (MS) in Wisconsin. This law established a voluntary income tax check-off on Wisconsin State income tax forms for 2006 and beyond to fund health-related programs and services for people with MS in Wisconsin. Under Wisconsin Act 71, Provision 71.10(5m)(L), the National Multiple Sclerosis Society-Wisconsin Chapter was directed to file a report prior to January 1, 2012, that "details the entities to which the society distributed funds under paragraph (k), the amount of money each entity received, and the health-related multiple sclerosis programs on which the money was spent."

The National Multiple Sclerosis Society-Wisconsin Chapter is proud to partner with the Governor, State Legislature, Wisconsin taxpayers, and entities in moving

forward to provide vital programs and services to people living with MS in Wisconsin.

Please contact me if you have any questions.

Sincerely,  
*JEREMY OTTE*  
Director, Mission Delivery

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**State of Wisconsin  
Government Accountability Board**

December 29, 2011

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 2011–2012 session of the legislature, visit the Government Accountability Board’s web site at <http://gab.wi.gov/>.

Bauknecht, Jason	American Heart Association
Berken, Nathan	Wisconsin Association of Health Plans
Chilstrom, Lynda	Goff Public for Polaris Industries
Engel, Andrew	Association of American Publishers
Osborne, Patrick	Association of American Publishers
Strobridge, Elizabeth	Case New Holland Inc

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

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**ADVICE AND CONSENT OF THE SENATE**

**State of Wisconsin  
Office of the Governor**

December 28, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JOHNSON, KEN, of Madison, as a member of the Great Lakes Protection Fund, to serve for the term ending January 12, 2014.

Respectfully submitted,  
*SCOTT WALKER*  
Governor

Read and referred to committee on **Natural Resources and Environment.**

**State of Wisconsin  
Office of the Governor**

December 22, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PETERSEN, III, JOHN, of Madison, as a member of the State of Wisconsin Investment Board, to serve for the term ending May 1, 2017.

Respectfully submitted,  
*SCOTT WALKER*  
Governor

Read and referred to committee on **Financial Institutions and Rural Issues.**