

STATE OF WISCONSIN
Senate Journal
One–Hundredth Regular Session

MONDAY, February 27, 2012

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

CHIEF CLERK'S ENTRIES

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 291** offered by Senator Wanggaard.

Senate substitute amendment 1 to **Senate Bill 396** offered by Senator Harsdorf.

Senate amendment 3 to **Senate Bill 426** offered by Senator Erpenbach.

Senate amendment 4 to **Senate Bill 426** offered by Senators Risser and Erpenbach.

Senate amendment 1 to **Senate Bill 451** offered by Senator Zipperer.

Senate amendment 1 to **Senate Bill 486** offered by Senator Vukmir.

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

Read first time and referred:

Senate Bill 516

Relating to: appeals from tax determinations.

By Senators Lasee, Grothman and Schultz; cosponsored by Representatives Strachota, Kooyenga, Spanbauer, Marklein, Bies, Rivard, Stroebel, Endsley and Thiesfeldt.

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

Senate Bill 517

Relating to: licensing of plants that process certain foods made with milk or milk products.

By Senator Lasee; cosponsored by Representative Jacque.

To committee on **Energy, Biotechnology, and Consumer Protection**.

Senate Bill 518

Relating to: gasoline vapor recovery requirements and granting rule-making authority.

By Senators Lazich, Wanggaard, Olsen, Grothman, Wirch and Holperin; cosponsored by Representatives Kapenga, Rivard, Petersen, Thiesfeldt, Jacque, Craig, Brooks, Doyle, Ballweg, August, Stroebel, Endsley, Kooyenga, Tiffany, Stone, Kuglitsch and Van Roy.

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

Senate Bill 519

Relating to: renewable energy goals for state energy consumption and for energy use by certain state agencies.

By Senators Risser, S. Cogs, Holperin, Wirch and C. Larson; cosponsored by Representatives Roys, Hulse, Berceau, C. Taylor, Pocan, Jorgensen and Pope–Roberts.

To committee on **Energy, Biotechnology, and Consumer Protection**.

Senate Bill 520

Relating to: vehicles registered as historic military vehicles.

By Senators Lasee, Olsen and Schultz; cosponsored by Representatives Jacque, Bies, Brooks, Kerkman, Kestell, Nygren, Rivard and Wynn.

To committee on **Transportation and Elections**.

Senate Bill 521

Relating to: the immobilization or removal, impoundment, and disposal of motor vehicles for multiple nonmoving traffic violations.

By Senators Carpenter and Darling; cosponsored by Representatives Krusick, Stone, Marklein, Rivard, Spanbauer and Thiesfeldt.

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

REPORT OF COMMITTEES

The committee on **Judiciary, Utilities, Commerce, and Government Operations** reports and recommends:

Senate Resolution 18

Relating to: state sovereignty.

Adoption.

Ayes, 3 – Senators Zipperer, Kedzie and Galloway.

Noes, 2 – Senators Risser and Erpenbach.

Senate Joint Resolution 36

Relating to: election of chief justice.

Adoption.

Ayes, 3 – Senators Zipperer, Kedzie and Galloway.

Noes, 2 – Senators Risser and Erpenbach.

Senate Bill 394

Relating to: establishing an assistant district attorney pay progression plan.

Adoption of Senate Substitute Amendment 1.

Ayes, 5 – Senators Zipperer, Kedzie, Galloway, Risser and Erpenbach.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Zipperer, Kedzie, Galloway, Risser and Erpenbach.

Noes, 0 – None.

Senate Bill 399

Relating to: the admissibility of hearsay evidence at a preliminary examination.

Passage.

Ayes, 5 – Senators Zipperer, Kedzie, Galloway, Risser and Erpenbach.

Noes, 0 – None.

RICH ZIPPERER
Chairperson

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Office of the Governor**

EXECUTIVE ORDER #61

Relating to Job Creation and Small Business Expansion

WHEREAS, creating jobs and growing our state’s economy is dependent on a vibrant small business sector; and

WHEREAS, small businesses have generated 64% of net new jobs over the past fifteen years and employ over half of all private sector employees; and

WHEREAS, according to recent U.S. Census data, 86% of Wisconsin business employ fewer than 20 workers, and 74% have ten workers or less; and

WHEREAS, small businesses spend 80% more per worker than large employers to comply with government regulations and, according to a recent National Federation of Independent Business survey of Wisconsin employers, 91% said it was impossible to know about, comply with, and understand all of government’s regulations; and

WHEREAS, according to the U.S. Small Business Administration, complying with government regulations costs small businesses \$10,585 per worker, which discourages investment and hiring by small businesses; and

WHEREAS, government regulations are regularly cited as one of the top three concerns for small business growth, according to NFIB’s Small Business Optimism Index; and

WHEREAS, 2011 Wisconsin Act 46 strengthened Wisconsin’s Small Business Regulatory Review Board (Board) empowering small business owners and giving them the ability to judge the economic impact of government regulation; and

WHEREAS, 2011 Wisconsin Act 46 requires state agencies to submit any rule with an economic impact to the Board for review and allows the Board to suggest changes to the agency that will improve compliance and reduce the rule’s burden on small businesses; and

WHEREAS, pursuant to Wis. Stat. § 227.30, the Board has the authority to review rules and guidelines of any agency to determine whether any of those rules or guidelines place an unnecessary burden on the ability of small businesses to conduct their affairs; and

WHEREAS, state agencies and the Board should not only be reviewing new rules but collaborating to reform existing rules that hinder job creation and small business expansion and that this effort would help further the state’s goal of creating 250,000 jobs by 2015.

NOW THEREFORE, I, Scott Walker, Governor of the State of Wisconsin, by the authority vested in me by the

Constitution and the laws of this State, specifically Wis. Stat. § 227.10(2m), do hereby:

1. Require all state agencies to review 2011 Wisconsin Act 46 to ensure they are in compliance, ready to assist small business owners, and properly submitting any proposed rules with an economic impact to the Board;
2. Require all state agencies to cooperate with the Board to identify existing rules hindering job creation and small business growth;
3. Require all state agencies to work with the Board to recommend changes to these rules that will both reduce their burden on job creators while continuing to comply with the intent of the statutes that created them;
4. Require all state agencies to work with the Board to identify strategies that will increase compliance with existing rules;
5. Request that the Board engage small business owners and their representative organizations to gather input on any rules hindering job growth;
6. Request that the Board provide a report and analysis of these rules, in a manner similar to Wis. Stat. § 227.30(1), to the Governor’s Office of Regulatory Compliance and the agency with the authority to amend the rules, which details the rules they have identified for modification.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done in the City of Eau Claire this twenty second day of February, in the year two thousand twelve.

SCOTT WALKER
Governor

BY THE GOVERNOR:

DOUGLAS LA FOLLETTE
Secretary of State

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

CORRECTIONS IN:

2011 SENATE BILL 300

Prepared by the Legislative Reference Bureau
(February 27, 2012)

1. Page 3, line 8: delete “paragraph” and substitute “subdivision”.

ADVICE AND CONSENT OF THE SENATE

**State of Wisconsin
Office of the Governor**

February 24, 2012

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ASSEF, SAIED, of Green Bay, as a member of the Wisconsin Judicial Commission, to serve for the term ending August 1, 2014.

Respectfully submitted,
SCOTT WALKER
Governor

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