

# STATE OF WISCONSIN

# Senate Journal

## One-Hundred and First Regular Session

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WEDNESDAY, November 6, 2013

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The Chief Clerk makes the following entries dated  
**Tuesday, November 5, 2013.**

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### MESSAGES FROM THE ASSEMBLY

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has amended and concurred in as amended:

**Senate Bill 332** (Assembly Amendment 1 adopted)

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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 51** offered by Senator Olsen.

Senate Amendment 2 to Senate Substitute Amendment 1 to **Senate Bill 51** offered by Senator Olsen.

Senate Amendment 1 to Senate Substitute Amendment 2 to **Senate Bill 76** offered by Senator Lehman.

Senate Amendment 2 to Senate Substitute Amendment 2 to **Senate Bill 76** offered by Senator Lehman.

Senate Amendment 2 to **Senate Bill 302** offered by Senator Miller.

Senate Amendment 3 to **Senate Bill 302** offered by Senator Miller.

Senate Amendment 1 to **Senate Bill 384** offered by Senators Farrow and Risser.

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#### SENATE ENROLLED PROPOSALS

The Chief Clerk records:

**Senate Bill 253**

Report correctly enrolled on 11-6-2013.

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#### BILLS PRESENTED TO THE GOVERNOR

The Chief Clerk records:

**Senate Bill 253**

Presented to the Governor on 11-6-2013.

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#### REPORT OF COMMITTEES

The committee on **Elections and Urban Affairs** reports and recommends:

**FROEHLICH, THE HONORABLE HAROLD**, of Appleton, as a seat 3 on the Government Accountability Board, to serve for the term ending May 1, 2016.

Confirmation.

Ayes: 3 - Senators Lazich, Leibham and Lasee.

Noes: 2 - Senators L. Taylor and Miller.

**LAMELAS, THE HONORABLE ELSA**, of Milwaukee, as a seat 2 on the Government Accountability Board, to serve for the term ending May 1, 2019.

Confirmation.

Ayes: 5 - Senators Lazich, Leibham, Lasee, L. Taylor and Miller.

Noes: 0.

**NICHOL, THE HONORABLE GERALD**, of Madison, as a member of the Government Accountability Board, to serve for the term ending May 1, 2018.

Confirmation.

Ayes: 5 - Senators Lazich, Leibham, Lasee, L. Taylor and Miller.

Noes: 0.

**VOCKE, THE HONORABLE TIMOTHY**, of Rhineland, as a member of the Government Accountability Board, to serve for the term ending May 1, 2017.

Confirmation.

Ayes: 5 - Senators Lazich, Leibham, Lasee, L. Taylor and Miller.

Noes: 0.

*MARY LAZICH*

Chairperson

Elections and Urban Affairs

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The committee on **Government Operations, Public Works, and Telecommunications** reports and recommends:

**Assembly Bill 191**

Relating to: theft of communication and video services, civil damages resulting from the theft of certain services, and providing penalties.

Concurrence.

Ayes: 7 - Senators Farrow, Gudex, Lasee, Kedzie, Wirch, Harris and Shilling.

Noes: 0.

**Senate Bill 63**

Relating to: the composition of the State Capitol and Executive Residence Board.

Passage.

Ayes: 6 - Senators Farrow, Gudex, Lasee, Kedzie, Harris and Shilling.

Noes: 1 - Senator Wirch.

**Senate Bill 280**

Relating to: expenditure of \$217,499 from the general fund in payment of a claim against the state made by J & L Steel and Electrical Services.

Passage.

Ayes: 7 - Senators Farrow, Gudex, Lasee, Kedzie, Wirch, Harris and Shilling.

Noes: 0.

**Senate Bill 314**

Relating to: the effect of changes in requirements for development-related permits or authorizations on persons who apply for the permits or authorizations.

Senate Amendment 2 adoption.

Ayes: 7 - Senators Farrow, Gudex, Lasee, Kedzie, Wirch, Harris and Shilling.

Noes: 0.

Senate Amendment 4 adoption.

Ayes: 4 - Senators Farrow, Gudex, Lasee and Kedzie.

Noes: 3 - Senators Wirch, Harris and Shilling.

Passage as amended.

Ayes: 4 - Senators Farrow, Gudex, Lasee and Kedzie.

Noes: 3 - Senators Wirch, Harris and Shilling.

*PAUL FARROW*

Chairperson

Committee on Government Operations, Public Works, and Telecommunications

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The committee on **Judiciary and Labor** reports and recommends:

**Senate Bill 223**

Relating to: employer access to, and observation of, the personal Internet accounts of employees and applicants for employment; educational institution access to, and observation of, the personal Internet accounts of students and prospective students; landlord access to, and

observation of, the personal Internet accounts of tenants and prospective tenants; and providing a penalty.

Senate Substitute Amendment 1 adoption.

Ayes: 5 - Senators Grothman, Vukmir, Farrow, Risser and Harris.

Noes: 0.

Passage as amended.

Ayes: 5 - Senators Grothman, Vukmir, Farrow, Risser and Harris.

Noes: 0.

**Senate Bill 365**

Relating to: coverage of certain individuals engaged in sales activity outside a permanent retail establishment under the unemployment insurance law.

Senate Amendment 1 adoption.

Ayes: 5 - Senators Grothman, Vukmir, Farrow, Risser and Harris.

Noes: 0.

Passage as amended.

Ayes: 3 - Senators Grothman, Vukmir and Farrow.

Noes: 2 - Senators Risser and Harris.

*GLENN GROTHMAN*

Chairperson

Committee on Judiciary and Labor

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The committee on **Transportation, Public Safety, and Veterans and Military Affairs** reports and recommends:

**Senate Bill 153**

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.

Senate Amendment 1 adoption.

Ayes: 5 - Senators Petrowski, Leibham, Cowles, Carpenter and Hansen.

Noes: 0.

Passage as amended.

Ayes: 5 - Senators Petrowski, Leibham, Cowles, Carpenter and Hansen.

Noes: 0.

**Senate Bill 341**

Relating to: the maximum width of, and projecting loads on, vehicles carrying poles, pipe, girders, and similar materials.

Passage.

Ayes: 5 - Senators Petrowski, Leibham, Cowles, Carpenter and Hansen.

Noes: 0.

*JERRY PETROWSKI*

Chairperson

Committee on Transportation, Public Safety, and Veterans and Military Affairs

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## PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Representative Jorgensen added as a co-sponsor of **Senate Joint Resolution 59**.

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## MESSAGES FROM THE ASSEMBLY

By Patrick E. Fuller, chief clerk.

Mr. President:

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

**Assembly Joint Resolution 68**

**Assembly Joint Resolution 69**

Passed and asks concurrence in:

**Assembly Bill 67**

**Assembly Bill 68**

**Assembly Bill 165**

**Assembly Bill 174**

**Assembly Bill 278**

**Assembly Bill 373**

**Assembly Bill 415**

**Assembly Bill 449**

**Assembly Bill 467**

Concurred in:

**Senate Joint Resolution 41**

**Senate Bill 220**

**Senate Bill 253**

**Senate Bill 274**

**Senate Bill 275**

**Senate Bill 294**

**Senate Bill 295**

**Senate Bill 296**

**Senate Bill 331**

**Senate Bill 333**

**Senate Bill 334**

**Senate Bill 335**

**Senate Bill 336**

**Senate Bill 337**

Senate Amendment 1 to **Assembly Bill 139**

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## MESSAGES FROM THE ASSEMBLY CONSIDERED

### **Assembly Joint Resolution 68**

Relating to: commending the Wisconsin Air National Guard 115th Fighter Wing on its 65th anniversary.

By Representatives Hesselbein, Sargent, Barca, Barnes, Berceau, Bernier, Bewley, Bies, Billings, Born, Brooks, Danou, Goyke, Hebl, Hulsey, Hutton, Jorgensen, Kahl, Kapenga, Kerkman, Klenke, Knudson, Kolste, Kooyenga, Krug, T. Larson, LeMahieu, Marklein, Milroy, Murphy, Mursau, Nass, Nerison, Nygren, Ohnstad, A. Ott, Petryk, Pridemore, Ringhand, Ripp, Sanfelippo, Schraa, Smith, Spiros, Tauchen, Thiesfeldt, Tittl, Wachs, Weatherston,

Williams and Wright; cosponsored by Senators Wirch, Harris, Lehman, Risser, Schultz and Vinehout.

Read and referred to committee on **Senate Organization**

### **Assembly Joint Resolution 69**

Relating to: the life and public service of Lary J. Swoboda.

By Representatives Barca, Weininger, Bies, Sargent, Hulsey, Genrich, Doyle, Berceau, Milroy, Bernard Schaber, Goyke, Tittl, Young, Danou, Jacque, Ohnstad, Krug and A. Ott; cosponsored by Senators Hansen, Risser, Carpenter, Lehman, Cowles, L. Taylor, Vinehout, T. Cullen, Lassa, Lasee, Lazich and Grothman.

Read and referred to committee on **Senate Organization**

### **Assembly Bill 67**

Relating to: requiring persons accused of violating traffic laws and ordinances related to driving while intoxicated to appear in person in court.

By Representatives J. Ott, Stone, Kooyenga, Jacque, Spiros, Kerkman, Bies, Stroebel, A. Ott, Strachota, T. Larson, Thiesfeldt and LeMahieu; cosponsored by Senators Darling, Kedzie and Carpenter.

Read first time and referred to committee on **Transportation, Public Safety, and Veterans and Military Affairs**

### **Assembly Bill 68**

Relating to: penalties for driving a vehicle while under the influence of an intoxicant and providing a penalty.

By Representatives J. Ott, Stone, Endsley, Kooyenga, T. Larson, Thiesfeldt, Jacque and LeMahieu; cosponsored by Senators Darling, Leibham, Risser, Carpenter and Kedzie.

Read first time and referred to committee on **Transportation, Public Safety, and Veterans and Military Affairs**

### **Assembly Bill 165**

Relating to: certification cards to carry concealed weapons for residents of Wisconsin who formerly were employed as law enforcement officers in another state.

By Representatives Bewley, Bernier, Czaja, Kleefisch, Smith, Stroebel, Thiesfeldt, Vruwink and Wright; cosponsored by Senators Lehman, Schultz and L. Taylor.

Read first time and referred to committee on **Transportation, Public Safety, and Veterans and Military Affairs**

### **Assembly Bill 174**

Relating to: payment of county medical examiners and medical examiner's assistants.

By Representatives Murtha, Bernier, Bies, Born, Brooks, Knudson, T. Larson, Marklein, Murphy, A. Ott, Ringhand, Ripp, Spiros, Strachota, Wright and Vruwink; cosponsored by Senators Harsdorf, Grothman and Jauch.

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

**Assembly Bill 278**

Relating to: definition of common motor carrier.

By Representatives Ripp, Bernard Schaber, A. Ott and Spiros; cosponsored by Senators Petrowski, Kedzie and Olsen.

Read first time and referred to committee on **Transportation, Public Safety, and Veterans and Military Affairs**

**Assembly Bill 373**

Relating to: electronic delivery by property and casualty insurers of notices and documents.

By Representatives Weininger, Nygren, Craig, A. Ott, Spiros, T. Larson, Ohnstad, Czaja, Stone, Kooyenga, Knudson, Tittl, Born, Ballweg, Kahl, Knodl, Bies, Jagler, Kleefisch, Stroebel, Nass, Petryk, Goyke, Danou, Kolste, Murphy, LeMahieu and Bewley; cosponsored by Senators Lasee, L. Taylor, Olsen, Shilling, Lassa and Gudex.

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

**Assembly Bill 415**

Relating to: changing the method by which a municipality may collect the costs of razing a building from a property owner.

By Representatives Nygren, Tittl, Bernier, Bewley, Brooks, Doyle, Kahl, Kooyenga, Krug, LeMahieu, Marklein, Murphy, Mursau, Petersen, Smith, Strachota, Tranel and Weatherston; cosponsored by Senators Olsen, Cowles, T. Cullen, Leibham, Schultz and Wirch.

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

**Assembly Bill 449**

Relating to: coverage of certain individuals engaged in sales activity outside a permanent retail establishment under the unemployment insurance law.

By Representatives Knodl, Bies, Czaja, Murphy, Nass, A. Ott and Tittl; cosponsored by Senator Grothman.

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

**Assembly Bill 467**

Relating to: court orders regarding the installation of an ignition interlock device.

By Representatives J. Ott, Richards, Thiesfeldt, Kolste, Nass, Brooks, Berceau, Zepnick and Kerkman; cosponsored by Senators Cowles, L. Taylor and Lehman.

Read first time and referred to committee on **Judiciary and Labor**