

# STATE OF WISCONSIN

# Senate Journal

## One-Hundred and First Regular Session

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MONDAY, March 10, 2014

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

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### CHIEF CLERK'S ENTRIES

#### AMENDMENTS OFFERED

Senate Substitute Amendment 1 to **Senate Bill 478** offered by Senator Cowles.

Senate Amendment 1 to **Senate Bill 597** offered by Senator Harsdorf.

Senate Amendment 2 to **Senate Bill 617** offered by Senator Harris.

Senate Amendment 3 to **Senate Bill 617** offered by Senator Harris.

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

Read first time and referred:

#### **Senate Bill 657**

Relating to: the duty disability benefit program under the Wisconsin Retirement System, prohibited subjects of collective bargaining under the Municipal Employment Relations Act and the State Employment Labor Relations Act, and requiring the Legislative Audit Bureau to conduct a program evaluation audit of certain disability and survivor benefit programs of public employee retirement systems in this state.

By Senators Grothman and Carpenter; cosponsored by Representatives Schraa and Stroebel.

To committee on **Judiciary and Labor**.

#### **Senate Bill 658**

Relating to: authorized activities of Class A beer retailers and of brewers.

By Senators Grothman and Olsen; cosponsored by Representatives Ballweg, Brooks, A. Ott, Ringhand, Rodriguez, Shankland, Spiros, C. Taylor and Wright.

To committee on **Economic Development and Local Government**.

#### **Senate Bill 659**

Relating to: fraudulent motor vehicle emission inspection reports and providing a penalty.

By Senator Petrowski; cosponsored by Representative Ripp.

To committee on **Transportation, Public Safety, and Veterans and Military Affairs**.

#### **Senate Bill 660**

Relating to: renewable portfolio standards and credits; electricity derived from biofuels; electric utility purchases of renewable energy and customer-generated electricity; distributed generation rules; granting rule-making authority; and requiring the exercise of rule-making authority.

By Senators Miller, Risser and Erpenbach; cosponsored by Representatives Shankland, Mason, Clark, Hesselbein, Sargent, Hulsey, Kolste, C. Taylor, Goyke, Ohnstad, Hebl, Berceau and Jorgensen.

To committee on **Energy, Consumer Protection, and Government Reform**.

#### **Senate Bill 661**

Relating to: reports to the legislature regarding accessibility for persons who are blind or visually impaired and compliance with federal law regarding service animals.

By Senators Schultz, Lehman, Harris, Ellis, T. Cullen, Miller, Vinehout and Jauch; cosponsored by Representatives Williams, Ohnstad, Sargent, Nerison, Brooks and Tranel.

To committee on **Health and Human Services**.

#### **Senate Bill 662**

Relating to: online instruction provided by driver schools licensed by the Department of Transportation.

By Senators Olsen and Lehman; cosponsored by Representatives Weininger, Ballweg and A. Ott.

To committee on **Education**.

#### **Senate Bill 663**

Relating to: classifying county jailers, detention officers, and correctional officers as protective occupation participants under the Wisconsin Retirement System.

By Senators Hansen, Lassa, Harsdorf, Harris, Schultz and L. Taylor; cosponsored by Representatives Bies, Genrich, Born, Krug, Mason, Mursau, Milroy, Berceau, Bernier, Hebl, Kahl, Kaufert, Kolste, Ohnstad, Sargent, C. Taylor and Wright.

To committee on **Judiciary and Labor**.

#### **Senate Bill 664**

Relating to: replacement and maintenance of existing culverts and design and engineering work for the construction and placement of certain culverts.

By Senators Lasee, Tiffany, Grothman and Schultz; cosponsored by Representatives Jacque, A. Ott, Bernier,

Tittl, Spiros, Sanfelippo, Thiesfeldt, Kulp, Czaja, Skowronski, Brooks, Swearingen, Krug, Schraa and Williams.

To committee on **Natural Resources**.

**Senate Bill 665**

Relating to: the penalty for failing to stop for a school bus displaying flashing red warning lights and providing a penalty.

By Senators Schultz and Lassa; cosponsored by Representatives Jacque, Bies, Berceau, Kahl, Murphy and Nass.

To committee on **Judiciary and Labor**.

**Senate Bill 666**

Relating to: ramps on certain highway projects of the Department of Transportation.

By Senator Grothman; cosponsored by Representative Murphy.

To committee on **Transportation, Public Safety, and Veterans and Military Affairs**.

**Senate Bill 667**

Relating to: semester hours required to become a certified public accountant.

By Senator Grothman.

To committee on **Government Operations, Public Works, and Telecommunications**.

**Senate Bill 668**

Relating to: notifications to law enforcement officers and dissemination to the public when registered out-of-state sex offenders enter a community.

By Senators Grothman, Carpenter, Lassa, Petrowski, Kedzie and Schultz; cosponsored by Representatives Kahl, Williams, Bies, Doyle, Jacque, Spiros, Kooyenga, Krug, Ringhand, Weininger, Jagler, Strachota, Nass, A. Ott, Brooks, Bewley, Ballweg, Born, Ripp, Berceau, Kolste, Kulp, Ohnstad, Bernier, Wright, Zamarripa, Kaufert and Pope.

To committee on **Transportation, Public Safety, and Veterans and Military Affairs**.

**Senate Bill 669**

Relating to: creating a transit capital assistance program, providing an exemption from emergency rule procedures, granting rule-making authority, and making an appropriation.

By Senators Miller, Harris and T. Cullen; cosponsored by Representatives Sargent, Hulsey, Genrich, Wright, Hebl, Berceau, Kahl, Shankland and Wachs.

To committee on **Transportation, Public Safety, and Veterans and Military Affairs**.

**Senate Bill 670**

Relating to: the Specialized Transportation Assistance Program in the Department of Transportation and making an appropriation.

By Senators Miller, Harris, Schultz, Lehman and T. Cullen; cosponsored by Representatives Sargent, Hulsey, Genrich, Wright, Hebl, Berceau, Kahl, Shankland, Wachs and Mason.

To committee on **Transportation, Public Safety, and Veterans and Military Affairs**.

**Senate Bill 671**

Relating to: mass transit operating aids and making an appropriation.

By Senators Miller, Harris and T. Cullen; cosponsored by Representatives Sargent, Hulsey, Genrich, Wright, Hebl, Berceau, Kahl, Shankland, Wachs and Mason.

To committee on **Transportation, Public Safety, and Veterans and Military Affairs**.

**Senate Bill 672**

Relating to: requiring the Department of Transportation to prepare a state rail plan.

By Senators Miller, Harris, Schultz, Lehman and T. Cullen; cosponsored by Representatives Sargent, Hulsey, Genrich, Wright, Hebl, Berceau, Kahl, Shankland and Wachs.

To committee on **Transportation, Public Safety, and Veterans and Military Affairs**.

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**REPORT OF COMMITTEES**

The committee on **Agriculture, Small Business, and Tourism** reports and recommends:

**Assembly Bill 744**

Relating to: licenses for new dairy plants, food warehouses, food processing plants, retail food establishments, and meat establishments.

Concurrence.

Ayes: 9 - Senators Moulton, Tiffany, Harsdorf, Petrowski, Schultz, Vinehout, Hansen, Lassa and L. Taylor.

Noes: 0.

**Assembly Bill 745**

Relating to: milk procurement fees.

Concurrence.

Ayes: 9 - Senators Moulton, Tiffany, Harsdorf, Petrowski, Schultz, Vinehout, Hansen, Lassa and L. Taylor.

Noes: 0.

**Assembly Bill 746**

Relating to: limits on liability for persons offering agricultural tourism activities.

Concurrence.

Ayes: 9 - Senators Moulton, Tiffany, Harsdorf, Petrowski, Schultz, Vinehout, Hansen, Lassa and L. Taylor.

Noes: 0.

**Senate Bill 602**

Relating to: milk procurement fees.

Passage.

Ayes: 9 - Senators Moulton, Tiffany, Harsdorf, Petrowski, Schultz, Vinehout, Hansen, Lassa and L. Taylor.

Noes: 0.

**Senate Bill 603**

Relating to: licenses for new dairy plants, food warehouses, food processing plants, retail food establishments, and meat establishments.

Passage.

Ayes: 9 - Senators Moulton, Tiffany, Harsdorf, Petrowski, Schultz, Vinehout, Hansen, Lassa and L. Taylor.

Noes: 0.

*TERRY MOULTON*

Chairperson

Committee on Agriculture, Small Business, and Tourism

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**PETITIONS AND COMMUNICATIONS**

Pursuant to Senate Rule 17 (5), Senator Cullen added as a co-author of **Senate Bill 573**.

Pursuant to Senate Rule 17 (5), Senator Cullen added as a co-author of **Senate Bill 158**.

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

**Senate Clearinghouse Rule 13-048**

Relating to applications for service and the Fair and Accurate Credit Transactions Act.

Submitted by Public Service Commission.

Report received from Agency, March 4, 2014.

Referred to committee on **Government Operations, Public Works, and Telecommunications**, March 10, 2014.

**Senate Clearinghouse Rule 13-114**

Relating to high school equivalency diplomas and certificates of general educational development.

Submitted by Department of Public Instruction.

Report received from Agency, March 3, 2014.

Referred to committee on **Education**, March 10, 2014.

**Senate Clearinghouse Rule 13-115**

Relating to the children at risk plan and program.

Submitted by Department of Public Instruction.

Report received from Agency, March 3, 2014.

Referred to committee on **Education**, March 10, 2014.

**Senate Clearinghouse Rule 13-116**

Relating to the School Breakfast Program.

Submitted by Department of Public Instruction.

Report received from Agency, March 3, 2014.

Referred to committee on **Education**, March 10, 2014.

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The committee on **Natural Resources** reports and recommends:

**Senate Clearinghouse Rule 13-070**

Relating to revisions in chs. NR 405 and 408, necessary to maintain consistency with federal requirements, as well as the repeal of sections of chs. NR 400 and 410, related to the repeal of ch. NR 411, and affecting small business.

No action taken on March 10, 2014.

Referred to joint committee for review of **Administrative Rules**, March 10, 2014.

**Senate Clearinghouse Rule 13-089**

Relating to the control of mercury emitted by coal-fired electric generating units.

No action taken on March 10, 2014.

Referred to joint committee for review of **Administrative Rules**, March 10, 2014.

*NEAL KEDZIE*

Chairperson

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**ADVICE AND CONSENT OF THE SENATE**

**State of Wisconsin  
Office of the Governor**

March 10, 2014

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JOSE DELGADO, of Brookfield, as a Governor's Appointee 11 on the Board of Regents of the University of Wisconsin System, to serve for the term ending May 1, 2021.

Respectfully Submitted,

*SCOTT WALKER*

Governor

Read and referred to committee on **Universities and Technical Colleges**.

**State of Wisconsin  
Office of the Governor**

March 10, 2014

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SAMUEL J LANDES, of Dane, as a Southern Area Rep 6 on the Snowmobile Recreational Council, to serve for the term ending July 1, 2017.

Respectfully Submitted,

*SCOTT WALKER*

Governor

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

**State of Wisconsin  
Office of the Governor**

March 10, 2014

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ROBERT B. LANG, of Cable, as a Northern Area rep 9 on the Snowmobile Recreational Council, to serve for the term ending July 1, 2017.

Respectfully Submitted,  
*SCOTT WALKER*  
Governor

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

**State of Wisconsin  
Office of the Governor**

March 10, 2014

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ANDREW F MALECKI JR., of Green Bay, as a Northern Area rep 7 on the Snowmobile Recreational Council, to serve for the term ending July 1, 2017.

Respectfully Submitted,  
*SCOTT WALKER*  
Governor

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

**State of Wisconsin  
Office of the Governor**

March 10, 2014

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DAVID NEWMAN, of Unity, as a Northern Area rep 1 on the Snowmobile

Recreational Council, to serve for the term ending July 1, 2017.

Respectfully Submitted,  
*SCOTT WALKER*  
Governor

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

**State of Wisconsin  
Office of the Governor**

March 10, 2014

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ANICKA PURATH, of Mount Pleasant, as a Traditional Student Representative on the Board of Regents of the University of Wisconsin System, to serve for the term ending May 1, 2015.

Respectfully Submitted,  
*SCOTT WALKER*  
Governor

Read and referred to committee on **Universities and Technical Colleges.**

**State of Wisconsin  
Office of the Governor**

March 10, 2014

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint LINDA STEINKE, of Janesville, as a Certified Residential Appraiser on the Real Estate Appraisers Board, to serve for the term ending May 1, 2014.

Respectfully Submitted,  
*SCOTT WALKER*  
Governor

Read and referred to committee on **Insurance and Housing.**