



STATE OF WISCONSIN Senate Journal

One-Hundred and Second Regular Session

1:25 P.M.

THURSDAY, April 23, 2015

The Senate met.

The Senate was called to order by Senator Fitzgerald.

Pursuant to Senate Rule 17 (6), the Chief Clerk makes the following entries under the above date.

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS

Read first time and referred:

Senate Joint Resolution 32

Relating to: the right to vote (first consideration).

By Senators L. Taylor, Shilling, Risser, Hansen, Wirch, Ringhand, Harris Dodd, Vinehout, Miller, C. Larson, Carpenter, Lassa, Erpenbach and Bewley; cosponsored by Representatives Riemer, Barnes, Johnson, Milroy, Kolste, Hebl, Hesselbein, Kahl, Mason, C. Taylor, Young, Ohnstad, Goyke, Subeck, Sargent, Sinicki, Spreitzer and Pope.

To committee on **Elections and Local Government**.

Senate Bill 134

Relating to: coverage for new participating employers under the Wisconsin Retirement System.

By Senators Petrowski, Olsen and Miller; cosponsored by Representatives Thiesfeldt, Edming, Ripp, Mursau, Ballweg, Kulp, Bernier and Hebl.

To joint survey committee on **Retirement Systems**.

Senate Bill 135

Relating to: the use of a cellular or other wireless telephone while driving a motor vehicle in a construction zone and providing a penalty.

By Senators Petrowski, Bewley, Carpenter, Cowles, Gudex, Marklein and Olsen; cosponsored by Representatives Spiros, Berceau, Billings, E. Brooks, Edming, Kahl, Kessler, Krug, Kulp, T. Larson, Murphy, Ohnstad, Petryk, Quinn, Spreitzer and Subeck.

To committee on **Transportation and Veterans Affairs**.

Senate Bill 136

Relating to: a waiver to limit the number of FoodShare replacement cards.

By Senators Tiffany, Marklein and Nass; cosponsored by Representatives Heaton, Jacque, Hutton, R. Brooks, Kremer, Steffen, Nygren, Gannon, Kulp, Thiesfeldt, Knodl, Kerkman, Petersen, Murphy, Craig, Kitchens, Edming, Horlacher and Quinn.

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

Senate Bill 137

Relating to: publication of certain legal notices on an Internet site maintained by a municipality.

By Senators Marklein, Olsen, Bewley, Nass and Harsdorf; cosponsored by Representatives Spiros, Bernier, Jarchow, Jacque, Kulp, Bowen, Stuck, Kitchens, Horlacher, Tittl, Doyle, Knodl, T. Larson, Weatherston, Kerkman, Ripp, Kremer, Murtha, Kapenga, Murphy and Quinn.

To committee on **Elections and Local Government**.

REPORT OF COMMITTEES

The committee on **Economic Development and Commerce** reports and recommends:

Senate Bill 50

Relating to: industrial zoning requirements in tax incremental districts, planning commission notice for tax incremental district amendments, obsolete references relating to tax incremental districts, allocation of tax increments, joint review board review, and calculation of levy limits following dissolution of a tax incremental district.

Senate Amendment 1 adoption.

Ayes: 5 - Senators Gudex, Petrowski, Darling, Lassa and Ringhand.

Noes: 0.

Senate Amendment 2 adoption.

Ayes: 5 - Senators Gudex, Petrowski, Darling, Lassa and Ringhand.

Noes: 0.

Passage as amended.

Ayes: 5 - Senators Gudex, Petrowski, Darling, Lassa and Ringhand.

Noes: 0.

Senate Bill 54

Relating to: inclusion of vacant land within the boundaries of a tax incremental district and exclusion of tax-exempt city-owned property from the initial tax incremental base of a tax incremental district.

Senate Amendment 1 adoption.

Ayes: 5 - Senators Gudex, Petrowski, Darling, Lassa and Ringhand.

Noes: 0.

Passage as amended.

Ayes: 5 - Senators Gudex, Petrowski, Darling, Lassa and Ringhand.

Noes: 0.

Senate Bill 57

Relating to: redetermination of base value for tax incremental districts.

Senate Amendment 1 adoption.

Ayes: 5 - Senators Gudex, Petrowski, Darling, Lassa and Ringhand.

Noes: 0.

Passage as amended.

Ayes: 5 - Senators Gudex, Petrowski, Darling, Lassa and Ringhand.

Noes: 0.

RICHARD GUDEX

Chairperson

Committee on Economic Development and Commerce

The committee on **Judiciary and Public Safety** reports and recommends:

STENSBERG, DEAN, of Middleton, as Chairman of the Parole Commission, to serve for the term ending May 1, 2017.

Confirmation.

Ayes: 5 - Senators Wanggaard, Vukmir, Lasee, Risser and L. Taylor.

Noes: 0.

Assembly Bill 8

Relating to: invading an individual's privacy by viewing under or through clothing and providing a penalty.

Concurrence.

Ayes: 5 - Senators Wanggaard, Vukmir, Lasee, Risser and L. Taylor.

Noes: 0.

Assembly Bill 19

Relating to: unlawful use of a global positioning device and providing a penalty.

Senate Amendment 1 adoption.

Ayes: 5 - Senators Wanggaard, Vukmir, Lasee, Risser and L. Taylor.

Noes: 0.

Senate Amendment 3 adoption.

Ayes: 5 - Senators Wanggaard, Vukmir, Lasee, Risser and L. Taylor.

Noes: 0.

Concurrence as amended.

Ayes: 5 - Senators Wanggaard, Vukmir, Lasee, Risser and L. Taylor.

Noes: 0.

Senate Bill 29

Relating to: obtaining a search warrant for certain civil violations.

Passage.

Ayes: 5 - Senators Wanggaard, Vukmir, Lasee, Risser and L. Taylor.

Noes: 0.

Senate Bill 70

Relating to: off-duty law enforcement officers and former law enforcement officers going armed with firearms on or near school grounds.

Senate Amendment 1 adoption.

Ayes: 3 - Senators Wanggaard, Vukmir and Lasee.

Noes: 2 - Senators Risser and L. Taylor.

Passage as amended.

Ayes: 3 - Senators Wanggaard, Vukmir and Lasee.

Noes: 2 - Senators Risser and L. Taylor.

VAN WANGGAARD

Chairperson

Committee on Judiciary and Public Safety

PETITIONS AND COMMUNICATIONS

The following bills have been rereferred to the committee on **Education Reform**, by the Senate President, pursuant to Senate Rule 20 (1)(c):

Senate Bill 1, relating to: the school and school district accountability report, chronically failing schools and school districts, and educational options information.

Senate Bill 3, relating to: accountability provisions for private schools participating in a parental choice program and requiring the exercise of rule-making authority.

Senate Bill 78, relating to: requiring a private school participating in a parental choice program to employ certain special education staff and to comply with certain provisions of the Americans with Disabilities Act.

Senate Bill 85, relating to: the sale of common or union high school district property.

Senate Bill 122, relating to: method for notifying parent or guardian of habitually truant pupil.

Senate Bill 129, relating to: school district accountability reports.

The following bills have been rereferred to the committee on **Judiciary and Public Safety**, by the Senate President, pursuant to Senate Rule 20 (1)(c):

Senate Bill 58, relating to: legislative and congressional redistricting.

The following bills have been rereferred to the committee on **Government Operations and Consumer Protection**, by the Senate President, pursuant to Senate Rule 20 (1)(c):

Assembly Bill 80, relating to: review by state agencies of administrative rules and enactments and an expedited process for repealing rules an agency no longer has the authority to promulgate.

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

The committee on **Education** reports and recommends:

Senate Clearinghouse Rule 15-011

Relating to technical changes needed to PI 34 as a result of the 2013-15 budget.

No action taken on April 23, 2015.

Referred to joint committee for review of **Administrative Rules**, April 23, 2015.

LUTHER OLSEN
Chairperson

The committee on **Health and Human Services** reports and recommends:

Senate Clearinghouse Rule 14-072

Relating to the review of a determination of child abuse or neglect.

No action taken on April 23, 2015.

Referred to joint committee for review of **Administrative Rules**, April 23, 2015.

LEAH VUKMIR
Chairperson

ADVICE AND CONSENT OF THE SENATE

**State of Wisconsin
Office of the Governor**

April 23, 2015

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KATE BERTRAM, of Wauwatosa, as a Nursing Home Administrator on the Nursing Home Administrator Examining Board, to serve for the term ending July 1, 2018.

Respectfully Submitted,
SCOTT WALKER
Governor

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

**State of Wisconsin
Office of the Governor**

April 23, 2015

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MAYOR JAMES DALEY, of Oconomowoc, as a Commissioner 1 on the Wisconsin Employment Relations Commission, to serve for the term ending March 1, 2019.

Respectfully Submitted,
SCOTT WALKER
Governor

Read and referred to committee on **Labor and Government Reform**.

**State of Wisconsin
Office of the Governor**

April 23, 2015

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint COMMISSIONER RODNEY PASCH, of Fond du Lac, as a Commissioner on the Wisconsin Employment Relations Commission, to serve for the term ending March 1, 2017.

Respectfully Submitted,
SCOTT WALKER
Governor

Read and referred to committee on **Labor and Government Reform**.

**State of Wisconsin
Office of the Governor**

April 23, 2015

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint CHAIRMAN JAMES SCOTT, of Dousman, as Commissioner on the Wisconsin Employment Relations Commission, to serve for the term ending March 1, 2021.

Respectfully Submitted,
SCOTT WALKER
Governor

Read and referred to committee on **Labor and Government Reform**.

**MESSAGES FROM THE
ASSEMBLY CONSIDERED**

Assembly Bill 7

Relating to: lesser included homicide crimes.

By Representative J. Ott.

Read first time and referred to committee on **Judiciary and Public Safety**

Assembly Bill 23

Relating to: prohibiting certain actions against financial institutions for offers, promises, agreements, or commitments that are not in writing.

By Representatives Craig, Jarchow, Czaja, Horlacher, Hutton, Kahl, Kapenga, Katsma and A. Ott.

Read first time and referred to committee on **Revenue, Financial Institutions, and Rural Issues**

Assembly Bill 24

Relating to: variable rate loans.

By Representatives Katsma, Doyle, R. Brooks, Macco, Thiesfeldt, Sanfelippo, A. Ott, Nygren, Tittl, Kremer, Brandtjen, Kapenga, Craig, Skowronski, Weatherston, Knodl, Vorpapel, Allen, Horlacher, Jarchow and Steffen; cosponsored by Senator Wanggaard.

Read first time and referred to committee on **Revenue, Financial Institutions, and Rural Issues**

Assembly Bill 27

Relating to: the maximum speed limit on freeways and expressways.

By Representatives Tittl, August, Ballweg, Brandtjen, R. Brooks, Craig, Czaja, Gannon, Horlacher, Hutton, Jagler, Jarchow, Kapenga, Kerkman, Kleefisch, Knodl, Knudson, Kooyenga, Kuglitsch, Milroy, Mursau, J. Ott, Quinn, Ripp, Rohrkaste, Skowronski, Thiesfeldt, Vorpapel and Weatherston; cosponsored by Senators LeMahieu, Wanggaard, Farrow, Gudex, Lasee, L. Taylor, Tiffany, Vukmir and Lazich.

Read first time and referred to committee on **Transportation and Veterans Affairs**

Assembly Bill 45

Relating to: authorizing towns to participate in multijurisdictional tax incremental financing districts.

By Representatives Jacque, Krug, Steffen, Macco, Ballweg, Kremer, Murphy, Spiros and Thiesfeldt; cosponsored by Senators Cowles and Wanggaard.

Read first time and referred to committee on **Economic Development and Commerce**

Assembly Bill 47

Relating to: membership of boards of commissioners established for public inland lake protection and rehabilitation districts.

By Representatives Kleefisch, Ballweg, R. Brooks, Danou, Knodl, Krug, Mursau, Ripp, Thiesfeldt, Tittl and Murphy; cosponsored by Senators S. Fitzgerald, Harsdorf, Gudex, Moulton, Nass and Olsen.

Read first time and referred to committee on **Natural Resources and Energy**

Assembly Bill 57

Relating to: methods of establishing proof of financial responsibility for the closure and long-term care of a landfill.

By Representatives Murphy, A. Ott, Quinn, R. Brooks, Ballweg, Stuck, Skowronski, Doyle, Thiesfeldt, Billings and T. Larson; cosponsored by Senator Lasee.

Read first time and referred to committee on **Natural Resources and Energy**

Assembly Bill 74

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

By Representatives Ripp, Ballweg, E. Brooks, Hutton, Kremer, Murphy, A. Ott, Murtha and Subeck; cosponsored by Senators Olsen, Cowles, Darling, C. Larson and Risser.

Read first time and referred to committee on **Transportation and Veterans Affairs**

Assembly Bill 98

Relating to: highway maps published by the Department of Transportation.

By Representatives T. Larson, Bernier, Ballweg, Berceau, E. Brooks, Edming, Goyke, Hesselbein, Horlacher, Kleefisch, Kulp, Mursau, Ohnstad, Petryk, Quinn, Rohrkaste, Sinicki, Spiros, Thiesfeldt and Tittl; cosponsored by Senators Moulton, Cowles, Nass, Vinehout, Wanggaard and Wirch.

Read first time and referred to committee on **Transportation and Veterans Affairs**

Assembly Bill 99

Relating to: highway maps published by the Department of Transportation.

By Representatives T. Larson, Bernier, Allen, Berceau, E. Brooks, Edming, Goyke, Hesselbein, Horlacher, Mursau, Murtha, Ohnstad, Petryk, Rohrkaste, Sinicki, Steffen and Thiesfeldt; cosponsored by Senators Moulton, Carpenter, Cowles, Nass and Vinehout.

Read first time and referred to committee on **Transportation and Veterans Affairs**

Assembly Bill 100

Relating to: lighting underneath motorcycles.

By Representatives Jagler, Weatherston, Born, Murphy, Steffen, A. Ott, Edming, Mursau, Kooyenga, Murtha and Czaja; cosponsored by Senators S. Fitzgerald, Farrow, LeMahieu, Lazich and Olsen.

Read first time and referred to committee on **Transportation and Veterans Affairs**

ADJOURNMENT

Senator Fitzgerald, with unanimous consent, asked that the Senate stand adjourned pursuant to **Senate Joint Resolution 1**.

Adjourned.

1:26 P.M.