

STATE OF WISCONSIN

Senate Journal

One-Hundred and Second Regular Session

WEDNESDAY, October 14, 2015

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

CHIEF CLERK'S ENTRIES

AMENDMENTS OFFERED

Senate Amendment 2 to **Senate Bill 227** offered by Senator Marklein.

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS

Read and referred:

Senate Joint Resolution 60

Relating to: the life and service of Marty Beil.

By Senators Erpenbach, C. Larson, Hansen, Vinehout, Risser, Shilling, Miller, Lassa, Wirch, L. Taylor, Harris Dodd, Ringhand, Bewley and Carpenter; cosponsored by Representatives Considine, Sinicki, Sargent, Wachs, Kahl, Hebl, Mason, Zamarripa, Kessler, Johnson, Goyke, Genrich, Subeck, Milroy, C. Taylor, Hesselbein, Hintz, Shankland, Jorgensen, Spreitzer, Billings, Pope, Riemer, Zepnick, Berceau and Brostoff.

To committee on **Senate Organization**.

Senate Joint Resolution 61

Relating to: proclaiming October as Polish-American Heritage Month.

By Senators Wirch, Petrowski, Lassa, C. Larson, Carpenter, L. Taylor, Lasee, Cowles, Lazich and Bewley; cosponsored by Representatives Skowronski, Mason, Kerkman, Murphy, Goyke, Ohnstad, Sinicki, Zepnick, Danou, Jorgensen and Spreitzer.

To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 313

Relating to: the method used by a county clerk to notify town clerks of certain county zoning actions.

By Senators Olsen, Lassa and Erpenbach; cosponsored by Representatives Krug, Kitchens, Kahl, R. Brooks, Mursau, T. Larson, Sanfelippo, Petersen, Knodl, Meyers, Jarchow, Allen and Quinn.

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

Senate Bill 314

Relating to: adverse possession against the state or a political subdivision.

By Senators Marklein, Cowles, Kapenga, Lassa, Miller and Ringhand; cosponsored by Representatives R. Brooks, Sargent, Berceau, Billings, Edming, Gannon, Hesselbein, Johnson, Kahl, Katsma, Kessler, Kitchens, Murphy, Novak, A. Ott, Pope, Ripp, Rohrkaste, Sinicki, Skowronski, Steffen and Subeck.

To committee on **Government Operations and Consumer Protection**.

Senate Bill 315

Relating to: an exemption from civil liability related to the placement of certain structures in navigable waters and wetlands.

By Senators Gudex and Tiffany; cosponsored by Representatives Swearingen, Tauchen, Thiesfeldt, E. Brooks, T. Larson, Kulp, Skowronski, Czaja, Tittl, A. Ott, Knodl and Mursau.

To committee on **Natural Resources and Energy**.

Senate Bill 316

Relating to: allowing the town of Freedom to create a tax incremental district in the same manner as a city or village.

By Senator Cowles; cosponsored by Representative Steineke.

To committee on **Government Operations and Consumer Protection**.

Senate Bill 317

Relating to: child support income withholding orders, deferred prosecution agreements, determining the amount of a home visitation program grant, modifications to the references to Milwaukee County by population, modifications to certain appropriations, and making an appropriation.

By Senators Petrowski, Darling and Olsen; cosponsored by Representatives Neylon, Ballweg, A. Ott and Rodriguez.

To committee on **Judiciary and Public Safety**.

Senate Bill 318

Relating to: state aid to local fairs and regulation of horse racing.

By Senators Harsdorf, Lasee, Marklein, Olsen, Wanggaard, Lassa, Shilling and Wirch; cosponsored by Representatives Ripp, Ballweg, Bernier, E. Brooks, Kulp, Murphy, Petryk, A. Ott, Swearingen, Tauchen, Tittl and Tranel.

To committee on **Agriculture, Small Business, and Tourism**.

Senate Bill 319

Relating to: lawful turns on a red signal.

By Senators Petrowski, Nass and Olsen; cosponsored by Representatives Ripp, Allen, Ballweg, Hutton, Kleefisch, Knodl, Krug, Mursau, A. Ott, Sinicki and Weatherston.

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

Senate Bill 320

Relating to: transport of radiological materials and providing a penalty.

By Senators Petrowski, Cowles, Lassa and Olsen; cosponsored by Representatives Ripp, Allen, T. Larson, A. Ott and Weatherston.

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

Senate Bill 321

Relating to: applying motor carrier regulations to motor carriers operating in intrastate commerce.

By Senators Petrowski, Cowles and Lassa; cosponsored by Representatives Ripp, Allen, Kleefisch, A. Ott and Weatherston.

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

Senate Bill 322

Relating to: resolution of claims against the state for wrongful imprisonment of innocent persons, exempting from taxation certain amounts an individual receives from the claims board or legislature, health benefits for wrongfully imprisoned persons, and making appropriations.

By Senators Wanggaard, Risser, Bewley, L. Taylor, Nass, Ringhand, Darling, Lassa and C. Larson; cosponsored by Representatives Kooyenga, Hebl, Kessler, Johnson, Mason, Milroy, Jarchow, Krug, Hintz, Rohrkaste, Kitchens, Steffen, Ohnstad, Goyke, Allen, Kolste, Tittl, Spreitzer, C. Taylor, T. Larson, Sinicki, Hutton, Mursau, Wachs, Berceau, Zamarripa, Brostoff, Pope, Quinn, Edming and Subeck.

To committee on **Judiciary and Public Safety**.

Senate Bill 323

Relating to: granting victims of certain crimes the right to be accompanied by a victim advocate.

By Senators Cowles, Darling, Lasee, Lassa, Olsen, Petrowski and Shilling; cosponsored by Representatives Murtha, A. Ott, Ballweg, Berceau, Billings, Brandtjen, Edming, Genrich, Heaton, Jacque, Kleefisch, Knodl, Knudson, Kulp, Johnson, T. Larson, Macco, Mason, Murphy, Nerison, Novak, Petryk, Rohrkaste, Sargent, Sinicki, Spiros, Subeck, Tittl, Tranel and VanderMeer.

To committee on **Judiciary and Public Safety**.

Senate Bill 324

Relating to: neglect of a child and providing criminal penalties.

By Senators Cowles, Darling, Lasee, Lassa, Olsen, Petrowski and Shilling; cosponsored by Representatives Tranel, Doyle, A. Ott, Berceau, Edming, Heaton, Horlacher, Jacque, Kleefisch, Knodl, Kulp, T. Larson, Macco, Murphy, Murtha, Nerison, Novak, Petryk, Rohrkaste, Sinicki, Spiros, Tittl and VanderMeer.

To committee on **Judiciary and Public Safety**.

Senate Bill 325

Relating to: repeated acts of physical abuse of the same child and providing a criminal penalty.

By Senators Cowles, Carpenter, Darling, Hansen, Lasee, Lassa, Olsen and Shilling; cosponsored by Representatives Heaton, A. Ott, Berceau, Billings, Edming, Horlacher, Jacque, Johnson, Kleefisch, Knodl, Kulp, Macco, Murphy, Mursau, Murtha, Nerison, Novak, Petryk, Rohrkaste, Sargent, Sinicki, Spiros, Steffen, Subeck, Tittl, Tranel and VanderMeer.

To committee on **Judiciary and Public Safety**.

Senate Bill 326

Relating to: referral of cases of suspected or threatened child abuse or neglect to the sheriff or police department, coordination of the investigation of those cases, and referral of those cases to the district attorney for criminal prosecution.

By Senators Cowles, Wanggaard, Carpenter, Darling, Lasee, Lassa, Olsen and Shilling; cosponsored by Representatives Macco, A. Ott, Berceau, Billings, Edming, Heaton, Jacque, Johnson, Kleefisch, Kulp, Murphy, Nerison, Novak, Petryk, Rohrkaste, Sargent, Sinicki, Spiros, Steffen, Subeck, Tittl, Tranel and VanderMeer.

To committee on **Judiciary and Public Safety**.

Senate Bill 327

Relating to: regulation of persons that own or operate dental practices and granting rule-making authority.

By Senators Roth, Nass, Cowles, Moulton, Wirch, Harris Dodd, Olsen, Ringhand, Hansen, C. Larson, Lassa, Wanggaard and Gudex; cosponsored by Representatives Steffen, Nygren, Rodriguez, Allen, R. Brooks, A. Ott, Barnes, Rohrkaste, Mason, Stuck, Milroy, Vorpapel, T. Larson, Ballweg, Sargent, Tauchen, Weatherston, Edming, Kolste, Doyle, Tranel, Riemer, Brandtjen, Bernier, Murphy, Subeck, Genrich, E. Brooks, Novak, Loudenbeck, Hintz, Spreitzer, Wachs, Billings, Kremer, Kulp, Thiesfeldt, Petryk and Katsma.

To committee on **Agriculture, Small Business, and Tourism**.

Senate Bill 328

Relating to: determination of final average earnings for the purpose of calculating Wisconsin Retirement System annuities.

By Senators Stroebel, LeMahieu and Kapenga; cosponsored by Representatives August, Sanfelippo, Brandtjen, R. Brooks, Craig, Gannon, Knodl, Kremer and Hutton.

To committee on **Labor and Government Reform**.

Senate Bill 329

Relating to: increasing the minimum retirement age under the Wisconsin Retirement System.

By Senators Stroebel, LeMahieu and Kapenga; cosponsored by Representatives Sanfelippo, Brandtjen, R. Brooks, Craig, Gannon, Horlacher, Hutton, Knodl, Kremer, Kuglitsch and Rohrkaste.

To committee on **Labor and Government Reform**.

Senate Bill 330

Relating to: the sale of homemade baked goods and homemade canned goods.

By Senators Harsdorf, Ringhand, Gudex, Marklein, Olsen, Bewley, Lassa, Vinehout and Tiffany; cosponsored by Representatives Rohrkaste, J. Ott, Spreitzer, Allen, Ballweg, Bernier, E. Brooks, R. Brooks, Craig, Edming, Gannon, Horlacher, Jacque, Kitchens, Kleefisch, Kooyenga, Kremer, Krug, T. Larson, Murphy, Mursau, A. Ott, Quinn, Thiesfeldt, Steffen, Danou, Genrich, Jorgensen, Milroy, Ohnstad, C. Taylor and Sinicki.

To committee on **Agriculture, Small Business, and Tourism**.

Senate Bill 331

Relating to: membership of the board of commissioners of public inland lake protection and rehabilitation districts.

By Senator Tiffany; cosponsored by Representatives Swearingen, Kleefisch, R. Brooks, Ballweg, Krug, Mursau and Czaja.

To committee on **Natural Resources and Energy**.

Senate Bill 332

Relating to: use of child safety restraint systems in motor vehicles.

By Senators Olsen, Harris Dodd, Bewley, Cowles, Lassa and Ringhand; cosponsored by Representatives Loudenberg, C. Taylor, Edming, Berceau, Born, E. Brooks, Considine, Goyke, Heaton, Kessler, Kitchens, Kolste, Krug, Ohnstad, Petryk, Pope, Quinn, Sargent, Sinicki, Spreitzer, Subeck, Wachs and Zamarripa.

To committee on **Judiciary and Public Safety**.

Senate Bill 333

Relating to: fees charged for initial credentials administered by the Department of Safety and Professional Services and its attached boards.

By Senators Harsdorf, Wanggaard, Tiffany, Kapenga, Olsen and Lassa; cosponsored by Representatives Jarchow, Skowronski, E. Brooks, T. Larson, Knodl, Weatherston, C. Taylor, Allen, Kremer, Thiesfeldt and Horlacher.

To committee on **Public Benefit and Regulatory Reform**.

Senate Bill 334

Relating to: exemptions from certain taxes and other requirements for work performed by persons from outside the state during a state of emergency declared by the governor.

By Senators Marklein, Gudex, Cowles, Shilling, L. Taylor, Vinehout and Lassa; cosponsored by Representatives Petryk, Loudenberg, Allen, Brandtjen, Czaja, Doyle, Edming, Genrich, Kahl, Kitchens, Kleefisch, Krug, Murphy, Mursau, Nerison, Novak, Nygren, A. Ott, Petersen, Sargent, Steffen, Stuck, Tranel, Weatherston, Zepnick and Ripp.

To committee on **Judiciary and Public Safety**.

Senate Bill 335

Relating to: revocation of operating privilege for certain offenses related to operating while intoxicated, operating after revocation, and providing a criminal penalty.

By Senators Wanggaard, Moulton, C. Larson and Darling; cosponsored by Representatives Genrich, Jacque,

Steffen, Murphy, Kolste, Subeck, Zepnick, Berceau, Kitchens, Bowen, Wachs, Loudenberg, Thiesfeldt, Pope, Weatherston, Allen and C. Taylor.

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

REPORT OF COMMITTEES

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

REIMER, DANA, of Cascade, as a Certified Veterinarian Technician on the Veterinary Examining Board, to serve for the term ending July 1, 2018.

Confirmation.

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

Noes: 0.

Senate Bill 267

Relating to: modifying an exception to the prohibition against underage persons being present on premises operating under an alcohol beverage license issued to a specified licensee in Chippewa Falls.

Passage.

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

Noes: 0.

TERRY MOULTON

Chairperson

Committee on Agriculture, Small Business, and Tourism

The committee on **Insurance, Housing, and Trade** reports and recommends:

ESPINOZA-COATES, JENNIFER M., of Oconomowoc, as a Public Member on the Real Estate Appraisers Board, to serve for the term ending May 1, 2019.

Confirmation.

Ayes: 5 - Senators Lasee, Olsen, Roth, Bewley and Harris Dodd.

Noes: 0.

MINER, STEVEN, of Milwaukee, as an Assessor on the Real Estate Appraisers Board, to serve for the term ending May 1, 2019.

Confirmation.

Ayes: 5 - Senators Lasee, Olsen, Roth, Bewley and Harris Dodd.

Noes: 0.

WINSTON, EXECUTIVE DIRECTOR WYMAN, of Madison, as Executive Director of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 3, 2017.

Confirmation.

Ayes: 5 - Senators Lasee, Olsen, Roth, Bewley and Harris
Dodd.
Noes: 0.

Assembly Bill 129

Relating to: structured settlement factoring transactions.

Concurrence.

Ayes: 5 - Senators Lasee, Olsen, Roth, Bewley and Harris
Dodd.
Noes: 0.

Senate Bill 149

Relating to: statutes of limitation on claims involving property damage and on claims arising from a motor vehicle accident and covered by a motor vehicle insurance policy.

Senate Amendment 1 adoption.

Ayes: 5 - Senators Lasee, Olsen, Roth, Bewley and Harris
Dodd.
Noes: 0.

Passage as amended.

Ayes: 5 - Senators Lasee, Olsen, Roth, Bewley and Harris
Dodd.
Noes: 0.

Senate Bill 287

Relating to: various miscellaneous changes to the insurance statutes and granting rule-making authority.

Senate Amendment 1 introduction and adoption.

Ayes: 5 - Senators Lasee, Olsen, Roth, Bewley and Harris
Dodd.
Noes: 0.

Passage as amended.

Ayes: 5 - Senators Lasee, Olsen, Roth, Bewley and Harris
Dodd.
Noes: 0.

FRANK LASEE

Chairperson

Committee on Insurance, Housing, and Trade

The committee on **Labor and Government Reform** reports and recommends:

Senate Bill 265

Relating to: membership of certain federated public library system boards.

Passage.

Ayes: 5 - Senators Nass, Wanggaard, Marklein, Wirsch and C. Larson.
Noes: 0.

STEPHEN NASS

Chairperson

Committee on Labor and Government Reform

The committee on **Transportation and Veterans Affairs** reports and recommends:

GAEDKE, JOHN, of Merrimac, as a Congressional District 2 rep. on the Board of Veterans Affairs, to serve for the term ending May 1, 2019.

Confirmation.

Ayes: 5 - Senators Petrowski, Marklein, Cowles, Carpenter and Hansen.
Noes: 0.

Assembly Bill 74

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

Senate Amendment 1 adoption.

Ayes: 5 - Senators Petrowski, Marklein, Cowles, Carpenter and Hansen.
Noes: 0.

Concurrence as amended.

Ayes: 5 - Senators Petrowski, Marklein, Cowles, Carpenter and Hansen.
Noes: 0.

Senate Bill 65

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

Senate Amendment 1 adoption.

Ayes: 5 - Senators Petrowski, Marklein, Cowles, Carpenter and Hansen.
Noes: 0.

Senate Amendment 2 adoption.

Ayes: 5 - Senators Petrowski, Marklein, Cowles, Carpenter and Hansen.
Noes: 0.

Passage as amended.

Ayes: 5 - Senators Petrowski, Marklein, Cowles, Carpenter and Hansen.
Noes: 0.

Senate Bill 158

Relating to: commercial driver licenses.

Senate Amendment 1 adoption.

Ayes: 5 - Senators Petrowski, Marklein, Cowles, Carpenter and Hansen.
Noes: 0.

Senate Amendment 2 adoption.

Ayes: 5 - Senators Petrowski, Marklein, Cowles, Carpenter and Hansen.
Noes: 0.

Passage as amended.

Ayes: 5 - Senators Petrowski, Marklein, Cowles, Carpenter and Hansen.
Noes: 0.

Senate Bill 224

Relating to: highway pavement markings.

Passage.

Ayes: 5 - Senators Petrowski, Marklein, Cowles, Carpenter and Hansen.
Noes: 0.

Senate Bill 225

Relating to: golf cart crossing points.

Senate Substitute Amendment 1 adoption.

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

Noes: 0.

Passage as amended.

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

Noes: 0.

Senate Bill 235

Relating to: highway parking of motor vehicles owned by carsharing organizations.

Passage.

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

Noes: 0.

JERRY PETROWSKI

Chairperson

Committee on Transportation and Veterans Affairs

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Representative Heaton added as a co-sponsor of **Senate Bill 293**.

Pursuant to Senate Rule 17 (5), Representative Riemer added as a co-sponsor of **Senate Joint Resolution 61**.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

CORRECTIONS IN:

2015 SENATE JOINT RESOLUTION 58

Prepared by the Legislative Reference Bureau
(October 14, 2015)

1. Page 1, line 13: delete "207" and substitute "218".

**State of Wisconsin
Office of the Senate President**

October 14, 2015

The Honorable, the Senate:

Pursuant to Senate Rule 36 (2)(c) and section 13.52 (6), Wisconsin Statutes, the Co-Chairs of the Joint Survey Committee on **Tax Exemptions** shall prepare and submit a report in writing, on **Senate Bill 334**, relating to exemptions from certain taxes and other requirements for work performed by persons from outside the state during a state of emergency declared by the governor..

Thank you for prompt attention to this matter.

Sincerely,

MARY LAZICH

President

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

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

Senate Clearinghouse Rule 15-015

Relating to mobile air conditioners, reclaiming or recycling refrigerant and affecting small business.

No action taken on October 13, 2015.

Referred to joint committee for review of **Administrative Rules**, October 14, 2015.

TERRY MOULTON

Chairperson

The committee on **Labor and Government Reform** reports and recommends:

Senate Clearinghouse Rule 15-036

Relating to land surveyor professional licensure.

No action taken on October 13, 2015.

Referred to joint committee for review of **Administrative Rules**, October 14, 2015.

STEPHEN NASS

Chairperson