

STATE OF WISCONSIN

Senate Journal

One-Hundred and Second Regular Session

FRIDAY, January 8, 2016

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

CHIEF CLERK'S ENTRIES

AMENDMENTS OFFERED

Senate Amendment 1 to **Senate Bill 493** offered by Senator Tiffany.

Senate Substitute Amendment 1 to **Senate Bill 540** offered by Senator Harsdorf.

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS

Read and referred:

Senate Joint Resolution 78

Relating to: requiring the Joint Committee on Legislative Organization to immediately appoint a committee, to be known as the Commission on Debt-Free College, to study and report on the feasibility of providing a debt-free college education to all residents of this state.

By Senators C. Larson, Vinehout, Ringhand, Carpenter, Wirch and Lassa; cosponsored by Representatives Shankland, Mason, Wachs, Genrich, Berceau, Billings, Brostoff, Considine, Goyke, Kolste, Meyers, Ohnstad, Pope, Sargent, Sinicki, Spreitzer, Subeck, C. Taylor, Bowen, Riemer, Kessler, Hebl and Zamarripa.

To joint committee on **Legislative Organization**.

Read first time and referred:

Senate Bill 528

Relating to: suspending, revoking, or refusing to renew cigarette and tobacco products retailer licenses.

By Senators Darling, Harris Dodd, Carpenter and Kapenga; cosponsored by Representatives Goyke, J. Ott, Jacque, Skowronski, Macco, Rodriguez, Zepnick, Brostoff, Sinicki, Johnson, Kahl, Ohnstad, Riemer, Wachs, Barnes, Bowen and Hutton.

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

Senate Bill 529

Relating to: creating a refundable income tax credit for certain individuals who are making student loan payments and making an appropriation.

By Senator Gudex; cosponsored by Representatives Ohnstad and Petryk.

To committee on **Revenue, Financial Institutions, and Rural Issues**.

Senate Bill 530

Relating to: providing an economic development grant to Prosperity Southwest Wisconsin and making an appropriation.

By Senator Marklein; cosponsored by Representatives Tranel and Novak.

To committee on **Economic Development and Commerce**.

Senate Bill 531

Relating to: fees charged for certain coroner or medical examiner services.

By Senators Cowles and Olsen; cosponsored by Representatives Nygren, Novak, Ballweg and Loudenberg.

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

Senate Bill 532

Relating to: continuing education and examination requirements for certified public accountants and modifying various administrative rules promulgated by the Accounting Examining Board relating to accounting.

By Senator Marklein; cosponsored by Representative Kooyenga.

To committee on **Revenue, Financial Institutions, and Rural Issues**.

Senate Bill 533

Relating to: regulating the production and use of photo identification cards by local units of government.

By Senators Wanggaard, LeMahieu, Lasee, Gudex, Kapenga, Stroebel, Nass and Lazich; cosponsored by Representatives Sanfelippo, Brandtjen, Allen, Born, Craig, Duchow, Gannon, Kremer, J. Ott, Rodriguez, Skowronski and Weatherston.

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

Senate Bill 534

Relating to: self-insurance by religious sects for purposes of motor vehicle financial responsibility and liability insurance requirements.

By Senators Olsen and Stroebel; cosponsored by Representatives Kulp, Jacque, Ballweg, Sanfelippo, Bernier, Thiesfeldt, Horlacher, Murphy and Macco.

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

Senate Bill 535

Relating to: municipal quotas for retail intoxicating liquor licenses.

By Senators Cowles, Hansen and Lasee; cosponsored by Representatives Steffen, Swearingen, Allen, Ballweg, R. Brooks, Gannon, Genrich, Hintz, Horlacher, Kahl, Kitchens, Kleefisch, Krug, Mursau, Nerison, Nygren, Rohrkaste and Vorpagel.

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

Senate Bill 536

Relating to: various changes to the worker's compensation law, granting rule-making authority, and making an appropriation.

By Senator Nass; cosponsored by Representative Spiros, by request of Department of Workforce Development.

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

Senate Bill 537

Relating to: rights under certain agreements or qualified financial contracts.

By Senators Lasee, Olsen, Roth, Harris Dodd and Bewley; cosponsored by Representative Petersen.

To committee on **Insurance, Housing, and Trade**.

Senate Bill 538

Relating to: special distinguishing registration plates issued by the Department of Transportation and making appropriations.

By Senators Lazich, Petrowski, Vukmir, Miller, Gudex, Wanggaard and Bewley; cosponsored by Representatives Murphy, Ripp, Kooyenga, Tauchen and Kremer.

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

Senate Bill 539

Relating to: authorizing the Wisconsin Propane Education and Research Council to levy an assessment.

By Senators Cowles, Marklein, Hansen, Gudex, Olsen, Ringhand, Roth, Bewley and Harsdorf; cosponsored by Representatives Kulp, VanderMeer, Bernier, Shankland, Murphy, Steffen, A. Ott, R. Brooks, Rohrkaste, Kahl, Subeck, Zepnick, Thiesfeldt, Heaton, Danou, Meyers, E. Brooks and Murtha.

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

Senate Bill 540

Relating to: Wisconsin grants for technical college students and making appropriations.

By Senators Harsdorf, Gudex, L. Taylor and Ringhand; cosponsored by Representatives Heaton, Bernier, A. Ott, Petryk, E. Brooks, Skowronski and Czaja.

To committee on **Universities and Technical Colleges**.

Senate Bill 541

Relating to: planting trees, shrubs, or hedges on the side of certain highways.

By Senator Petrowski; cosponsored by Representative Spiros.

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

Senate Bill 542

Relating to: the date on which the annual open season for hunting and trapping wolves begins.

By Senators Tiffany, Marklein and Moulton; cosponsored by Representatives A. Ott, Danou, Horlacher, Kremer, Kulp, Brandtjen, T. Larson, E. Brooks, Nygren, Tauchen, Macco, Schraa, Milroy, Edming, Mursau, Quinn, Ripp, Kleefisch and Swearingen.

To committee on **Sporting Heritage, Mining, and Forestry**.

Senate Bill 543

Relating to: special registration plates associated with the Wisconsin Rocky Mountain Elk Foundation, childhood cancer, Whitetails Unlimited, the Boy Scouts of America, and nurses and the nursing profession, registration numbers on special registration plates, and making appropriations.

By Senators Lasee, Lazich and Wanggaard; cosponsored by Representatives Kitchens, Brandtjen, Ripp and Vos.

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

Senate Bill 544

Relating to: throwing or expelling a bodily fluid at a prosecutor and providing a criminal penalty.

By Senators Wanggaard, Nass and Olsen; cosponsored by Representatives Novak, Born, Ballweg, E. Brooks, Heaton, Horlacher, Kitchens, Kleefisch, Murphy, Mursau, A. Ott, J. Ott, Rodriguez, Rohrkaste and Spiros.

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

Senate Bill 545

Relating to: action required to be taken in response to a discharge of hazardous substances, exemption from liability for certain hazardous substance discharges, providing an exemption from emergency rule procedures, and granting rule-making authority.

By Senators Cowles, Lassa, Hansen, Lasee, Petrowski and Tiffany; cosponsored by Representatives Tittl, Genrich, Berceau, Czaja, Jacque, Kahl, Macco, Ohnstad, A. Ott, Petryk, Shankland, Sinicki, Steffen, Subeck, Swearingen and Nygren.

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

Senate Bill 546

Relating to: administrative subpoena for investigating Internet crimes against children, creating an Internet crimes against children surcharge, and making an appropriation.

By Senators Wanggaard, Cowles, Gudex, Lassa, Marklein, Moulton and Olsen; cosponsored by Representatives Kleefisch, Ballweg, E. Brooks, Duchow, Heaton, Horlacher, Jorgensen, Kahl, Kremer, Kulp, T. Larson, Macco, Murphy, Novak, A. Ott, Quinn, Ripp, Rodriguez, Rohrkaste, Sanfelippo, Spiros, Tittl and Zamarripa.

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

REPORT OF COMMITTEES

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

Assembly Bill 297

Relating to: copying, making available, and required notices on, certain vital records.

Concurrence.

Ayes: 5 - Senators Vukmir, Moulton, LeMahieu, Carpenter and Erpenbach.

Noes: 0.

Senate Bill 304

Relating to: amending various rules promulgated by the Department of Children and Families governing the certification of child care operators, governing the licensing of child welfare agencies, and establishing standards for the operation of child care centers; and eliminating rules promulgated by the Department of Children and Families related to retaining public assistance case records.

Passage.

Ayes: 5 - Senators Vukmir, Moulton, LeMahieu, Carpenter and Erpenbach.

Noes: 0.

Senate Bill 308

Relating to: appointment of a successor guardian for a child in need of protection or services and eligibility of a successor guardian for subsidized guardianship payments, providing an exemption from emergency rule procedures, and granting rule-making authority.

Passage.

Ayes: 5 - Senators Vukmir, Moulton, LeMahieu, Carpenter and Erpenbach.

Noes: 0.

Senate Bill 309

Relating to: use of the reasonable and prudent parent standard for making decisions concerning the participation of a child placed in out-of-home care in age or developmentally appropriate activities, permanency planning for a child 14 years of age or over, providing an exemption from emergency rule procedures, and granting rule-making authority.

Passage.

Ayes: 5 - Senators Vukmir, Moulton, LeMahieu, Carpenter and Erpenbach.

Noes: 0.

Senate Bill 353

Relating to: disclosure of pupil records that are pertinent to addressing a pupil's educational needs to the Department of Children and Families, a county department of human services or social services, or a tribal organization that is legally responsible for the care and protection of the pupil.

Passage.

Ayes: 5 - Senators Vukmir, Moulton, LeMahieu, Carpenter and Erpenbach.

Noes: 0.

Senate Bill 386

Relating to: access by a birth parent whose parental rights have been terminated in this state to identifying information about his or her child and access to medical and genetic information about such a birth parent.

Passage.

Ayes: 5 - Senators Vukmir, Moulton, LeMahieu, Carpenter and Erpenbach.

Noes: 0.

LEAH VUKMIR

Chairperson

Committee on Health and Human Services

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

Senate Bill 406

Relating to: court proceedings for traffic violations.

Passage.

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

Noes: 0.

Senate Bill 408

Relating to: the liability of an adult sponsor of a minor applicant for a motor vehicle operator's license.

Passage.

Ayes: 3 - Senators Wanggaard, Vukmir and Lasee.

Noes: 2 - Senators Risser and L. Taylor.

Senate Bill 410

Relating to: invasions of privacy and providing a criminal penalty.

Senate Amendment 2 adoption.

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

Noes: 0.

Passage as amended.

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

Noes: 0.

VAN WANGGAARD

Chairperson

Committee on Judiciary and Public Safety

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

Assembly Bill 98

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

Concurrence.

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

Noes: 0.

Senate Bill 89

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

Passage.

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

Noes: 0.

Senate Bill 274

Relating to: reporting a nonconformity under the law governing repair, replacement, and refund under a motor vehicle warranty.

Senate 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 275

Relating to: parking spaces reserved for persons with physical disabilities.

Passage.

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

Noes: 0.

Senate Bill 319

Relating to: lawful turns on a red signal.

Passage.

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

Noes: 0.

Senate Bill 320

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

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 321

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

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 Edming added as a co-sponsor of **Senate Bill 434**.

Pursuant to Senate Rule 17 (5), Senator Harris Dodd added as a co-author of **Senate Bill 386**.

Pursuant to Senate Rule 17 (5), Representative Heaton added as a co-sponsor of **Senate Bill 500**.

Pursuant to Senate Rule 17 (5), Representative Jarchow added as a co-sponsor of **Senate Bill 434**.

Pursuant to Senate Rule 17 (5), Representative Quinn added as a co-sponsor of **Senate Bill 434**.

Pursuant to Senate Rule 17 (5), Representative Ripp added as a co-sponsor of **Senate Bill 434**.

Pursuant to Senate Rule 17 (5), Representative Spreitzer added as a co-sponsor of **Senate Bill 517**.

Pursuant to Senate Rule 17 (5), Representative Steffen added as a co-sponsor of **Senate Bill 434**.

Pursuant to Senate Rule 17 (5), Representative Swearingen added as a co-sponsor of **Senate Bill 539**.

Pursuant to Senate Rule 17 (5), Senator Taylor added as a co-author of **Senate Bill 500**.

Pursuant to Senate Rule 17 (5), Representative Wachs added as a co-sponsor of **Senate Bill 517**.

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

January 8, 2016

The Honorable, the Senate:

Pursuant to Senate Rule 46 (2)(c), I am writing to inform you that I have directed the following proposal to be withdrawn from committee and rereferred. I have obtained the consent of the appropriate standing committee chairperson and the chairperson of the committee on Senate Organization.

Assembly Bill 117, relating to: pleading requirements under the Wisconsin Consumer Act., withdrawn from Committee on **Government Operations and Consumer Protection** and rereferred to Committee on **Senate Organization**.

Sincerely,
MARY LAZICH
Senate 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 15-045

Relating to the manufacture and distribution of fertilizer.

No action taken on January 7, 2016.

Referred to joint committee for review of **Administrative Rules**, January 8, 2016.

Senate Clearinghouse Rule 15-062

Relating to continuing education.

No action taken on January 7, 2016.

Referred to joint committee for review of **Administrative Rules**, January 8, 2016.

TERRY MOULTON

Chairperson

ADVICE AND CONSENT OF THE SENATE

**State of Wisconsin
Office of the Governor**

January 8, 2016

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DEBRA BERES, of Waukesha, as a Dental Hygienist on the Dentistry Examining Board, to serve for the term ending July 1, 2020.

Respectfully Submitted,

SCOTT WALKER

Governor

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

**State of Wisconsin
Office of the Governor**

January 8, 2016

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BRUCE BERTH, of Coleman, as a Public Member on the Veterinary Examining Board, to serve for the term ending July 1, 2020.

Respectfully Submitted,

SCOTT WALKER

Governor

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

**State of Wisconsin
Office of the Governor**

January 8, 2016

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint CARL CLEMENTI, of Hartland, as a Licensed Appraiser on the Real Estate Appraisers Board, to serve for the term ending May 1, 2020.

Respectfully Submitted,

SCOTT WALKER

Governor

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

**State of Wisconsin
Office of the Governor**

January 8, 2016

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint TODD CRAFT, of Hartland, as an Accountant on the Accounting Examining Board, to serve for the term ending July 1, 2020.

Respectfully Submitted,

SCOTT WALKER

Governor

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

**State of Wisconsin
Office of the Governor**

January 8, 2016

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BRIDGET ELLINGBOE, of Madison, as a Marriage and Family Therapist on the Marriage and Family Therapy Professional Counseling and Social Work Examining Board, to serve for the term ending July 1, 2020.

Respectfully Submitted,

SCOTT WALKER

Governor

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

**State of Wisconsin
Office of the Governor**

January 8, 2016

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JEFFERY GIESKING, of Menomonie, as a Professional Member on the Podiatrists Affiliated Credentialing Board, to serve for the term ending July 1, 2020.

Respectfully Submitted,

SCOTT WALKER

Governor

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

**State of Wisconsin
Office of the Governor**

January 8, 2016

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint TRACY MARSHALL, of Muskego, as a Radiological Physicist on the Radiography Examining Board, to serve for the term ending July 1, 2020.

Respectfully Submitted,
SCOTT WALKER
Governor

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

**State of Wisconsin
Office of the Governor**

January 8, 2016

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint VICKY MCNALLY, of Edgerton, as a Cosmetologist on the Cosmetology Examining Board, to serve for the term ending July 1, 2020.

Respectfully Submitted,
SCOTT WALKER
Governor

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

**State of Wisconsin
Office of the Governor**

January 8, 2016

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DR. JEFFREY MILLER, of Cedarburg, as a Registered Nurse on the Board of Nursing, to serve for the term ending July 1, 2020.

Respectfully Submitted,
SCOTT WALKER
Governor

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

**State of Wisconsin
Office of the Governor**

January 8, 2016

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HEIDI NICHOLS, of Medford, as a Licensed Radiographer on the Radiography Examining Board, to serve for the term ending July 1, 2020.

Respectfully Submitted,
SCOTT WALKER
Governor

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

**State of Wisconsin
Office of the Governor**

January 8, 2016

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GREGORY VERGAMINI, of Superior, as an Athletic Trainer on the Athletic Trainers Affiliated Credentialing Board, to serve for the term ending July 1, 2020.

Respectfully Submitted,
SCOTT WALKER
Governor

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

**State of Wisconsin
Office of the Governor**

January 8, 2016

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DR. TIMOTHY WESTLAKE, of Hartland, as a Doctor-Medicine on the Medical Examining Board, to serve for the term ending July 1, 2020.

Respectfully Submitted,
SCOTT WALKER
Governor

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

**State of Wisconsin
Office of the Governor**

January 8, 2016

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DR. RUSSELL YALE, of Fox Point, as a Doctor-Medicine on the Medical Examining Board, to serve for the term ending July 1, 2020.

Respectfully Submitted,
SCOTT WALKER
Governor

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