

STATE OF WISCONSIN
Senate Journal
Ninety–Ninth Regular Session

WEDNESDAY, February 25, 2009

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

CHIEF CLERK'S ENTRIES

The Chief Clerk makes the following entries dated **Tuesday, February 24, 2009.**

MESSAGES FROM THE ASSEMBLY

By Patrick E. Fuller, chief clerk.

Mr. President:

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

Senate Joint Resolution 4
Senate Joint Resolution 13
Senate Joint Resolution 14
Senate Joint Resolution 15
Senate Bill 6
Senate Bill 7

Adopted and asks concurrence in:

Assembly Joint Resolution 1
Assembly Joint Resolution 5
Assembly Joint Resolution 7
Assembly Joint Resolution 18
Assembly Joint Resolution 21

Passed and asks concurrence in:

Assembly Bill 3
Assembly Bill 4

MESSAGES FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 1

Relating to: proclaiming Niagara Escarpment year and month.

By Representatives A. Ott, Bies, Ballweg, Black, Kestell, LeMahieu, Ripp, Roth, Spanbauer, Strachota, Townsend, Van Roy, M. Williams and Ziegelbauer; cosponsored by Senators A. Lasee, Cowles, Hansen, Lazich and Olsen.

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

Assembly Joint Resolution 5

Relating to: the life and public service of Jerome J. Kleczka.

By Representatives Sinicki, Richards and Zepnick; cosponsored by Senator Plale.

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

Assembly Joint Resolution 7

Relating to: the life and public service of Judge Ted E. Wedemeyer, Jr.

By Representatives Kessler, Staskunas, Pocan, A. Williams, Hebl, Pasch, Cullen, Fields, Grigsby and Barca; cosponsored by Senators Lehman, Sullivan, Coggs, Miller, Wirch and Plale.

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

Assembly Joint Resolution 18

Relating to: the life and public service of Rebecca Young.

By Representatives Berceau, Black, Ziegelbauer, Sinicki, Sherman, Pasch, Hebl, Roys, Grigsby, Turner, Mursau, Richards, Staskunas, A. Ott, Cullen, Zepnick, Nass, Townsend, Gunderson, Bernard Schaber and Pope–Roberts; cosponsored by Senators Risser, Erpenbach, Vinehout, Holperin, Olsen, Plale, Carpenter, Lehman, Cowles, Coggs, Decker, Taylor, Lassa and Miller.

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

Assembly Joint Resolution 21

Relating to: celebrating March 1, 2009, as St. David's Day.

By Representative Davis.

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

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

Read and referred:

Senate Joint Resolution 16

Relating to: limiting the provisions that may be considered by the committee of conference.

By Senators Harsdorf, Schultz, Kedzie, Darling, Leibham and Grothman; cosponsored by Representatives Zipperer, Kerkman, Vos, Gottlieb, Murtha, J. Ott, Bies, LeMahieu, Roth, Spanbauer, Gundrum, Townsend, Mursau and Kleefisch.

To committee on **Ethics Reform and Government Operations.**

Read first time and referred:

Senate Bill 85

Relating to: eligibility for tuition fee remission for certain veterans and their spouses, surviving spouses, and children.

By Senators Leibham, Hopper, Plale, Darling and S. Fitzgerald; cosponsored by Representatives Rhoades, Schneider, Bies, Brooks, Lothian, A. Ott, Spanbauer, Suder and Townsend.

To committee on **Agriculture and Higher Education.**

Senate Bill 86

Relating to: school conference and activities leave.

By Senators Carpenter, Lassa, Lehman, Plale, Taylor, Erpenbach, Miller and Hansen; cosponsored by Representatives Black, A. Ott, Smith, Zigmunt, Sinicki, Benedict, Parisi, Pope–Roberts, Pocan, Grigsby, A. Williams, Young, Cullen, Fields, Zepnick, Pasch, Berceau and Soletski.

To committee on **Children and Families and Workforce Development**.

Senate Bill 87

Relating to: increasing the maximum annual loan amount under the property tax deferral loan program of the Wisconsin Housing and Economic Development Authority.

By Senators Lassa, Hansen, Vinehout, Lehman, Darling, Coggs, Taylor and Robson; cosponsored by Representatives Berceau, Hebl, Hintz, A. Ott, Fields, Young and A. Williams.

To committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue**.

Senate Bill 88

Relating to: purchase of creditable service under the Wisconsin Retirement System for active service in the U.S. armed forces.

By Senators Leibham, Hopper, Plale, Darling, Harsdorf and Olsen; cosponsored by Representatives Petersen, Bies, Gunderson, Kerkman, Kestell, LeMahieu, Lothian, A. Ott, Spanbauer and Suder.

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

Senate Bill 89

Relating to: requirements for pupils enrolled in five–year–old kindergarten.

By Senators Coggs, Lehman, Carpenter, Vinehout, Plale and Robson; cosponsored by Representatives Smith, Pope–Roberts, Berceau, Richards, Soletski, Colon, Sinicki, Mason, Pasch, Fields, Hebl, Benedict, Hixson, Milroy, Clark, Zigmunt, Bernard Schaber and A. Ott.

To committee on **Education**.

Senate Bill 90

Relating to: the registration of antique snowmobiles.

By Senators Holperin, Cowles, A. Lasee, Lehman, Hansen, Taylor, Plale, Olsen and Schultz; cosponsored by Representatives Vruwink, Sherman, Garthwaite, Milroy, Zepnick, A. Ott, Nygren, Gunderson, Townsend, Petrowski, Molepske Jr., Steinbrink, Ziegelbauer, Benedict, Mursau and Kaufert.

To committee on **Transportation, Tourism, Forestry, and Natural Resources**.

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Representative Strachota added as a cosponsor of **Senate Bill 64**.

Pursuant to Senate Rule 17 (5), Senator S. Fitzgerald added as a coauthor of **Senate Bill 51**.

**State of Wisconsin
Department of Workforce Development**

February 25, 2009

The Honorable, The Senate:

Pursuant to 109.12(2) and (3), Wis. Stats., I hereby submit the Department of Workforce Development’s (DWD) 2008 annual report on the administration and enforcement of 109.07 and 109.075, Wis. Stats. The report contains three sections. The first section lists all employers in 2008 that notified DWD

of business closings and mass layoffs planned in Wisconsin. The second section of the report lists employers against whom DWD has received business closing or mass layoff notification complaints and the current status or outcome of those complaints. The third section of the report lists employers against whom DWD has received healthcare cessation notification complaints, DWD’s actions and the current status or outcome of those complaints.

Business Closing or Mass Layoff Notification Cases:

On January 1, 2008 the department had 24 business closing or mass layoff cases pending either within the department [DWD] or at the Department of Justice [DOJ]. Since January 1, 2008, 15 of those cases have been resolved. Seven cases were settled. Eight cases were closed as invalid complaints. Of the remaining nine cases, eight remain with the DOJ in various stages of litigation and one has an invalid initial determination but is still in the appeal process.

During 2008 and thus far in 2009 the department has received 30 new cases. Eleven of these cases remain under investigation. Eighteen cases have been closed as invalid. One case has been referred to DOJ for litigation.

Overall in 2008 the departments collected more than \$636,000 in increased wages for 288 employees due to a combination of employers’ failures to provide employees with advance notices of business closings or mass layoffs and unpaid final wages for these employees.

Healthcare Plan Cessation Notification Cases:

On January 1, 2008 the department had nine healthcare plan cessation notification cases pending either at DWD or DOJ. Since January 1, 2008 one of these cases was settled. Four cases were closed as invalid. One has an invalid initial determination but is still in the appeal process. The remaining three cases are pending litigation by DOJ. The amount of money collected in the settlement of the above case is included in the \$636,000 listed as collected under the business closing cases.

In 2008 four new healthcare plan cessation notification cases were filed. DWD has completed its investigation of three of these cases and determined they were invalid. The other case was referred to DOJ for litigation.

If you have any questions regarding the information contained in this report, please contact Jennifer Ortiz, Administrator of the Equal Rights Division, at (608) 266–0946.

Sincerely,
ROBERTA GASSMAN
Secretary

Referred to committee on **Labor, Elections, and Urban Affairs**.

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

Senate Clearinghouse Rule 08–083

Relating to the Wisconsin lists of endangered and threatened species.

Submitted by Department of Natural Resources.

Report received from Agency, February 23, 2009.

Referred to committee on **Transportation, Tourism, Forestry, and Natural Resources**, February 25, 2009.