

STATE OF WISCONSIN
Senate Journal
Ninety–Ninth Regular Session

FRIDAY, April 24, 2009

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

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

Read and referred:

Senate Joint Resolution 32

Relating to: Proclaiming May 2, 2009, as Pediatric Stroke Awareness Day.

By Senators Darling, Taylor, Miller and Lehman; cosponsored by Representatives Knodl, Kerkman, Berceau, Pope–Roberts, Townsend, Spanbauer, Bernard Schaber and Bies.

To committee on **Senate Organization**.

Senate Joint Resolution 33

Relating to: the life and military service of United States Army Sergeant Steven J. Christofferson.

By Senator Plale; cosponsored by Representative Sinicki.
To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 177

Relating to: reorganizing the Milwaukee Public School System into eight school districts and creating a Milwaukee Public Schools Redistricting and Implementation Commission.

By Senators Kanavas, Grothman, Darling and A. Lasee; cosponsored by Representatives Vukmir, Vos, Nass, Gunderson, Zipperer, Bies and Lothian.

To committee on **Education**.

Senate Bill 178

Relating to: requiring persons who violate certain restraining orders or injunctions to be monitored by a global positioning system, making an appropriation, and providing a penalty.

By Senators Carpenter, Vinehout, Olsen, Kreitlow and Darling; cosponsored by Representatives Zipperer, Suder, Pasch, Roys, Kerkman, Turner, Cullen, Lothian, Gundrum, Kleefisch, Kramer, Brooks, Ripp, Van Roy, LeMahieu, Ballweg, Barca, Berceau, Bies, Dexter, Fields, Gunderson, Hilgenberg, Honadel, Huebsch, Kaufert, Knodl, Meyer, Milroy, Molepske Jr., Montgomery, Mursau, Murtha, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Pridemore, Roth, Schneider, Spanbauer, Stone, Strachota, Vos, Vruwink, Vukmir, Wood and Ziegelbauer.

To committee on **Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing**.

Senate Bill 179

Relating to: deceptive election practices; voter intimidation, suppression, and protection; granting rule–making authority; and providing penalties.

By Senators Coggs, Risser, Taylor and Hansen; cosponsored by Representatives Young, Grigsby, A. Williams, Richards, Black, Roys, Jorgensen, Pasch, Mason, Pope–Roberts and Toles.

To committee on **Labor, Elections and Urban Affairs**.

Senate Bill 180

Relating to: granting prescriptive authority to psychologists and requiring the exercise of rule–making authority.

By Senators Robson, Lehman, Taylor, Wirch and Hansen; cosponsored by Representatives Pasch, Jorgensen, Soletski, Smith, Gunderson, Grigsby, Garthwaite, Townsend, Friske and Fields, by request of ATTIC Correctional Services, ARC Community Services, Bethesda Lutheran Homes and Services, Community Alliance of Providers of Wisconsin, Easter Seals of Southeast Wisconsin, Rehabilitation for Wisconsin, Residential Services Association of Wisconsin, Ryan Community, Inc., Wisconsin Association of Alcohol and Other Drug Abuse, Wisconsin Assisted Living Association, Wisconsin Association of County Homes, Wisconsin Association of Homes and Services for the Aging, Wisconsin Council on Community Corrections, Wisconsin Counties Association, Wisconsin Early Autism Project, Wisconsin Health Care Association, Wisconsin Psychological Association.

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

PETITIONS AND COMMUNICATIONS

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

CORRECTIONS IN:

TO 2009 SENATE JOINT RESOLUTION 31

Prepared by the Legislative Reference Bureau
(April 24, 2009)

In enrolling, the following correction was made:

1. Page 2, line 12: before “consensus–builder” insert “a”.

**State of Wisconsin
Department of Revenue**

April 21, 2009

The Honorable, The Legislature:

I am submitting the quarterly report of the Wisconsin Lottery for the quarter ending March 31, 2009. As required by s. 565.37(3), Wis. Stats., the attached materials contain

unaudited Wisconsin Lottery year-to-date Revenue and Expenditure information.

The information reported here is a summary and is not intended to be a complete financial accounting of Wisconsin Lottery operations.

If you have any questions or comments regarding this report, please feel free to contact me at (608) 266-6466.

Sincerely,
ROGER M. ERVIN
Secretary

**State of Wisconsin
Department of Health Services**

April 24, 2009

The Honorable, The Legislature:

The Department of Health Services is pleased to submit the 2008 Tobacco Use Cessation Annual Report to the Governor and the Legislature. The report is required by s.255.15 (4).

Tobacco kills 8,000 Wisconsin citizens every year and costs the state nearly \$4 billion in annual health care costs and lost worker productivity. The Wisconsin Tobacco Prevention and Control Program (TPCP) is responsible for providing leadership, facilitating diverse partnerships around the state, and managing funding and program activities. The TPCP invests in evidence-based strategies within a comprehensive effort to effectively reduce tobacco use and exposure.

Wisconsin continued its success during 2008 in preventing youth tobacco use, promoting tobacco addiction treatment, eliminating tobacco-related disparities, and reducing exposure to secondhand smoke. Highlights include:

Youth

- Middle school students who are identified as current smokers have declined from 12% in 2000 to 4.3% in 2008, a 64% decrease.

- High school students who identified themselves as current smokers have declined from 32.9% in 2000 to 20.7% in 2008, a 37% decrease.

- Youth access to tobacco products has declined substantially from 24.6% of establishments selling to minors in 2000 to 7.8% selling to youth in 2008, a 68% decrease.

Adults

- In 2007, the smoking rate among adults in Wisconsin was 19.6%, or over 900,000 people. This rate compares to the national adult smoking rate of 19.8% for 2007.

- Per capita consumption is declining from 94 packs sold per capita in 1990 to 59 packs per capita in 2008.

Treating Tobacco Dependence

- 40,700 individuals called the Wisconsin Tobacco Quit Line (1-800-QUIT-NOW) in 2008, due in part to the state's tobacco tax increase and the availability of two-week supplies of no-cost nicotine replacement therapy (NRT). The 2008 call volume was more than four times the Quit Line's prior yearly average. Quit Line callers received free counseling in addition to the NRT. The UW Center for Tobacco Research and

Intervention (UW-CTRI) administers the program through funding from the TPCP.

- Since 2001, First Breath, a program of the Wisconsin Women's Health Foundation, has helped over 5,000 pregnant women quit smoking. This program, now a national model, integrates quitting strategies into existing prenatal care models and partners with local public health agencies and health care systems.

Smoke-Free Policies

- As of January 2009, 37 Wisconsin communities have passed local smoke-free air ordinances, nine of which include all workplaces. Twenty-four states, including Minnesota, Illinois and Iowa, have state-wide smoke-free air laws.

Tobacco use is a treatable addiction that kills more people each year in Wisconsin than alcohol, Acquired Immune Deficiency Syndrome (AIDS), car crashes, illegal drug use, murder and suicide combined. Annually, over 7,200 Wisconsin residents die from smoking related illnesses, with an additional 850 deaths of non-smokers from secondhand smoke. The TPCP will continue to work to ensure that tobacco use in Wisconsin continues to decline, all citizens are protected from the health hazards of secondhand smoke, resources are available for people to stop using tobacco, and communities with tobacco disparities no longer suffer from higher rates of tobacco use and tobacco-related illnesses.

Sincerely,
KAREN E. TIMBERLAKE
Secretary

ADVICE AND CONSENT OF THE SENATE

**State of Wisconsin
Office of the Governor**

April 13, 2009

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BERCEAU, TERESE, of Madison, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 2010.

Respectfully Submitted,
JIM DOYLE
Governor

Read and referred to committee on **Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing.**

**State of Wisconsin
Office of the Governor**

April 9, 2009

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BOLDT, THOMAS, of Appleton, as a member of the State of Wisconsin Investment Board, to serve for the term ending May 1, 2015.

Respectfully Submitted,
JIM DOYLE
Governor

Read and referred to committee on **Veterans and Military Affairs, Biotechnology, and Financial Institutions.**

**State of Wisconsin
Office of the Governor**

April 9, 2009

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DAVIS, STAN, of Sun Prairie, as a member of the Wisconsin Technical College System Board, to serve for the term ending May 1, 2015.

Respectfully Submitted,
JIM DOYLE
Governor

Read and referred to committee on **Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection.**

**State of Wisconsin
Office of the Governor**

April 9, 2009

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint LEVIT, JR., WILLIAM, of Milwaukee, as a member of the State of Wisconsin Investment Board, to serve for the term ending May 1, 2015.

Respectfully Submitted,
JIM DOYLE
Governor

Read and referred to committee on **Veterans and Military Affairs, Biotechnology, and Financial Institutions.**

**State of Wisconsin
Office of the Governor**

April 9, 2009

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PRUITT, CHUCK, of Milwaukee, as a member of the Board of Regents of the University of Wisconsin System, to serve for the term ending May 1, 2016.

Respectfully Submitted,
JIM DOYLE
Governor

Read and referred to committee on **Agriculture and Higher Education.**

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

Senate Clearinghouse Rule 09–017

Relating to flammable, combustible, and hazardous liquids, and affecting small businesses.

Submitted by Department of Commerce.

Report received from Agency, April 22, 2009.

Referred to committee on **Commerce, Utilities, Energy, and Rail**, April 24, 2009.

MESSAGES FROM THE ASSEMBLY CONSIDERED

Assembly Bill 18

Relating to: the income and franchise tax credit that supplements the federal historic rehabilitation tax credit.

By Representatives Shilling, Richards, Davis, Roys, Strachota, Molepske Jr., Ballweg, Roth, Barca, Petrowski, Vruwink, Nygren, Spanbauer, Berceau, Stone, Suder, Gunderson and A. Ott; cosponsored by Senators Lassa, Lehman, Hopper, Risser, Harsdorf, Coggs, Erpenbach, Schultz, Hansen, Kedzie and Plale.

Read first time and referred to committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue.**

Assembly Bill 27

Relating to: the definition of sexual intercourse for the crime of incest.

By Representatives Cullen, Zepnick, A. Williams, Sinicki, Staskunas, Gundrum, Kerkman, Ziegelbauer, Berceau, Townsend, Spanbauer, Vruwink, Strachota, Barca, Turner and Soletski; cosponsored by Senators Lassa, Taylor, Sullivan, Coggs, Olsen, Lazich, A. Lasee, Darling and Plale.

Read first time and referred to committee on **Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing.**

Assembly Bill 103

Relating to: authorizing temporary permits to practice dentistry or dental hygiene without compensation.

By Representatives Shilling, Danou, Mason, Pasch, Radcliffe, Garthwaite, Richards, Huebsch, Smith, Sherman, Clark, Young, Vukmir, Pope–Roberts, Milroy, Wood, Kerkman, Dexter, Hintz, Strachota, Soletski, Gunderson, Staskunas, Petersen, Davis, Black, Ballweg, Berceau, Kaufert, Hilgenberg, Molepske Jr., Townsend, Sinicki, Zipperer, A. Williams, Zepnick, Kleefisch, Hraychuck and Nass; cosponsored by Senators Vinehout, Lehman, Kapanke, Erpenbach, Hansen, Holperin, Kreitlow, Harsdorf, Darling, Taylor, Olsen, Schultz, Wirch, Plale, Robson, Lassa, Cowles and Grothman.

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