

STATE OF WISCONSIN  
**Senate Journal**  
Ninety–Ninth Regular Session

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THURSDAY, May 7, 2009

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

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**CHIEF CLERK'S ENTRIES**

**AMENDMENTS OFFERED**

Senate substitute amendment 1 to **Senate Bill 181** offered by Senators Risser, Erpenbach and Decker.

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The Chief Clerk makes the following entries dated **Tuesday, May 5, 2009**.

**PETITIONS AND COMMUNICATIONS**

Pursuant to Senate Rule 17 (5), Representative Townsend withdrawn as a cosponsor of **Senate Bill 180**

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The Chief Clerk makes the following entries dated **Wednesday, May 6, 2009**.

**AMENDMENTS OFFERED**

Senate amendment 1 to **Senate Bill 129** offered by Senator Ellis.

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**SENATE ENROLLED PROPOSALS**

The Chief Clerk records:

**Senate Bill 49**

Report correctly enrolled on 5–6–2009.

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**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin**  
**Office of the Senate Republican Leader**

May 5, 2009

The Honorable, The Senate:

Following is my list of appointments from the Senate Republicans to serve on the following councils, boards, and commissions:

Child Abuse and Neglect Prevention Board: Senator Glenn Grothman

Please let me know if you have any questions.

Sincerely,  
*SCOTT FITZGERALD*  
Senate Republican Leader

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

The committee on **Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing** reports and recommends:

**Senate Clearinghouse Rule 08–107**

Relating to replacement of life insurance or annuity contracts and to disclosure requirements.

No action taken.

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*LENA TAYLOR*  
Chairperson

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

Read first time and referred:

**Senate Bill 191**

Relating to: podiatrist–patient privilege, immunity exemption for podiatrists providing emergency care at athletic events, allowing podiatrists to determine an illness or injury and complete forms for the purpose of granting assistance to needy veterans, allowing podiatrists to determine disability for the purpose of issuing certain hunting permits, cooperatives organized to provide sickness care, the Podiatrists Affiliated Credentialing Board, allowing podiatrists to certify driver school instructors' physical fitness, allowing Medical Assistance recipients to freely choose among podiatrists, and giving equal weight to certifications of disability by podiatrists for insurance purposes.

By Senators Lehman, Taylor, Plale, Schultz, Wirch and Holperin; cosponsored by Representatives Barca, Zigmunt, Benedict, Turner, Kerkman, Steinbrink, Friske, Mason, Townsend, Zepnick, Ballweg, Berceau and Petrowski.

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

**Senate Bill 192**

Relating to: the possession and consumption of alcohol beverages on retail licensed premises in a park in a 1st class city.

By Senator Coggs; cosponsored by Representatives Young, Richards and Zepnick.

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

**Senate Bill 193**

Relating to: raffle licenses.

By Senators Holperin, Plale, Kedzie, Kapanke, Hansen and Coggs; cosponsored by Representatives Nygren, Brooks, Roth, Bies, Townsend, Vos, Mursau, Petrowski, Ballweg, Gunderson, Knodl, Ripp, Spanbauer and Hraychuck.

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

**Senate Bill 194**

Relating to: professional land surveyors, the practice of professional land surveying, surveying land abutting navigable waters, and granting rule-making authority.

By Senators Risser, Lehman, Cowles, Taylor, Holperin and Schultz; cosponsored by Representatives Clark, Roys, Berceau, Mason, Staskunas, Gunderson, Zepnick, Hubler, Danou, Smith, Milroy, A. Ott and Jorgensen.

To committee on **Economic Development**.

**Senate Bill 195**

Relating to: adding a member to the council on veterans programs.

By Senators Sullivan, Hansen, Taylor, Lassa, Carpenter and Coggs; cosponsored by Representatives Hilgenberg, Colon, Pasch, Turner, Bies, Townsend, Berceau, Petrowski, Zepnick, Petersen, Sinicki, Lothian, Spanbauer, Cullen and Ripp.

To committee on **Veterans and Military Affairs, Biotechnology, and Financial Institutions**.

**Senate Bill 196**

Relating to: the time within which a complaint may be filed or a civil action may be brought alleging a violation of the family and medical leave law and the procedures governing an appeal of a determination of the Department of Workforce Development under that law.

By Senators Lassa, Taylor and Lehman; cosponsored by Representatives Molepske Jr., Nass, Mason, Berceau, A. Ott, Parisi, A. Williams, Townsend and Lothian.

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

**Senate Bill 197**

Relating to: damages for frivolous claims.

By Senators Grothman, Olsen, Schultz, A. Lasee, Kedzie, Lazich and Darling; cosponsored by Representatives Gundrum, Suder, Kestell, LeMahieu, Tauchen, Townsend, Petrowski, Vos, Gunderson, Knodl, Lothian, Bies, Ballweg, Spanbauer, Nass, A. Ott and Strachota.

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

**Senate Bill 198**

Relating to: donating drugs and dispensing donated drugs.

By Senators Robson, Lassa, Lehman, Vinehout, Taylor, Olsen, Harsdorf, Cowles, Carpenter, Darling, Schultz, Miller, Risser and Hansen; cosponsored by Representatives Nygren, Pope-Roberts, Black, Sherman, Smith, Molepske Jr., Van Roy, Suder, Montgomery, Townsend, Vos, Turner, Benedict, Soletski, Tauchen, Kerkman, Petersen, Grigsby, Ripp, Petrowski, Bies, Ballweg, Friske, Gunderson, Kaufert, Knodl, Nass, A. Ott, Spanbauer, Gottlieb and Strachota.

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

**Senate Bill 199**

Relating to: requiring certain identification in order to vote at a polling place or obtain an absentee ballot, verification of the addresses of electors, absentee voting procedure in certain residential care apartment complexes and adult family homes, and the fee for an identification card issued by the Department of Transportation.

By Senators Leibham, Lazich, Carpenter, Darling, Grothman, Harsdorf, Hopper, Kanavas, Kedzie, A. Lasee, Olsen, Plale, Schultz and Sullivan; cosponsored by Representatives Stone, Vukmir, Bies, Brooks, Davis, Gundrum, Honadel, Huebsch, Kaufert, Kerkman, Kestell, Kramer, LeMahieu, Lothian, Meyer, Montgomery, Murtha,

Nass, A. Ott, J. Ott, Petersen, Pridemore, Spanbauer, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos and Zipperer.

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

**REPORT OF COMMITTEES**

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

**Senate Bill 107**

Relating to: the sale, disposal, collection, and recycling of electronic devices, granting rule-making authority, making an appropriation, and providing penalties.

Introduction and adoption of Senate Substitute Amendment 1.

Ayes, 5 – Senators Miller, Jauch, Wirch, Kedzie and Olsen.  
Noes, 0 – None.

Passage as amended.

Ayes, 4 – Senators Miller, Jauch, Wirch and Olsen.  
Noes, 1 – Senator Kedzie.

**Senate Bill 123**

Relating to: regulating the transportation of aquatic plants and aquatic animals, the administration of federal funds for the control and eradication of noxious weeds, the placement of vehicles, seaplanes, watercraft, and other objects in navigable waters, the regulation of noxious weeds by municipalities, the disposal of invasive species, providing an exemption from rule-making procedures, requiring the exercise of rule-making authority, and providing a penalty.

Adoption of Senate Amendment 1.

Ayes, 5 – Senators Miller, Jauch, Wirch, Kedzie and Olsen.  
Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Miller, Jauch, Wirch, Kedzie and Olsen.  
Noes, 0 – None.

*MARK MILLER*  
Chairperson

**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin  
Office of the Secretary of State**

May 7, 2009

The Honorable, the Legislature:

<b>Joint Resolution</b>	<b>Enrolled Number</b>	<b>Publication Date</b>
<b>SJR 31</b> .....	7 .....	Not Published
<b>SJR 33</b> .....	8 .....	Not Published

Sincerely,  
*DOUGLAS LA FOLLETTE*  
Secretary of State

**United States Department of Agriculture  
Rural Development**

May 4, 2009

The Honorable, The Legislature:

USDA Rural Development is pleased to share a copy of our 2008 USDA Rural Development Wisconsin Annual Report.

This past year was one for the record books as USDA Rural Development invested over \$547 million in Wisconsin to improve the lives of its rural residents. With continued statewide partnerships and ever-expanding reach, we are

excited to press on with our mission and make this upcoming year even better!

Sincerely,  
*LORI WELLS*  
Acting Wisconsin State Director

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**State of Wisconsin  
Milwaukee Public Schools**

May 6, 2009

The Honorable, The Senate:

According to the Wisconsin School Law 121.87 in accordance with 13.172, the Board is required by law to submit the enclosed reports. School Law 121.87 states "...annually by May 1 the board of school directors of the school district operating under ch. 119 shall submit a report to the legislature under s. 13.172(2) that specifies the number, percentage, race, sex, grade and attendance area of pupils transferred outside their attendance area without written consent under s. 121.85 (6)(am)."

Enclosed you will find a report that meet the requirements stated above. The total number of intradistrict students based under the Chapter 220 designation for the school year 2008–2009 equals 15, 037. Of that number 780 either did not return a consent form or checked box indicating no consent. Students who have moved during the school year and no longer require parental consent were subtracted from the non–returned figure. The district did meet the requirement of ninety–five percent (95%) parents providing consent.

The four reports contain the following information:

The ethnic breakdown by Grade Level for the 780 students.

Code 1= American Indian	Code 2 = African American
Code 3 = Asian	Code 4 = Hispanic
Code 5 = White	Code 6 = Other

The ethnic code breakdown by School Attendance Area.

The male or female breakdown by Grade Level.  
The male or female breakdown by Attendance Area.

Sincerely,  
*MICHAEL TURZA*  
Director, Division of Business Services

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

**Senate Clearinghouse Rule 09–006**

Relating to prescribing limitations for physician assistants.  
Submitted by Department of Regulation and Licensing.  
Report received from Agency, May 5, 2009.

Referred to committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue**, May 7, 2009.

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

**Senate Clearinghouse Rule 08–102**

Relating to the application of reasonably available control technology emission limitations to sources of volatile organic compounds in ozone non–attainment counties, and affecting small business.

No action taken.

**Senate Clearinghouse Rule 08–104**

Relating to VOC emission controls for industrial wastewater collection and treatment operations.

No action taken.

**Senate Clearinghouse Rule 08–114**

Relating to the application of reasonably available control technology for volatile organic compound emissions from certain operations within the synthetic organic chemical manufacturing industry.

No action taken.

*MARK MILLER*  
Chairperson