

STATE OF WISCONSIN
Senate Journal
Ninety–Ninth Regular Session

WEDNESDAY, November 4, 2009

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

CHIEF CLERK'S ENTRIES

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 223** offered by Senator Lassa.

REPORT OF COMMITTEES

The joint committee on **Finance** reports and recommends:

Senate Bill 331

Relating to: prohibiting a person who has been convicted or adjudicated delinquent for committing certain serious crimes or who is the subject of a pending criminal charge or delinquency petition for committing a serious crime from being licensed, certified, or contracted with to provide child care, from being employed or contracted as a caregiver of a child care provider, or from being permitted to reside at a premises where child care is provided and making an appropriation.

Introduction of Senate Amendment 3.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Grigsby, Vos and Montgomery.
Noes, 0 – None.

Introduction of Senate Amendment 1 to Senate Amendment 3.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Grigsby, Vos and Montgomery.
Noes, 0 – None.

Adoption of Senate Amendment 1 to Senate Amendment 3.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Grigsby, Vos and Montgomery.
Noes, 0 – None.

Adoption of Senate Amendment 3.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Grigsby, Vos and Montgomery.
Noes, 0 – None.

Passage as amended.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Grigsby, Vos and Montgomery.
Noes, 0 – None.

Senate Bill 40

Relating to: public financing of campaigns for the office of justice of the supreme court, making appropriations, and providing penalties.

Introduction of Senate Amendment 1.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Grigsby, Vos and Montgomery.
Noes, 0 – None.

Adoption of Senate Amendment 1.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Grigsby, Vos and Montgomery.
Noes, 0 – None.

Introduction of Senate Amendment 2.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Grigsby, Vos and Montgomery.
Noes, 0 – None.

Adoption of Senate Amendment 2.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Grigsby, Vos and Montgomery.
Noes, 0 – None.

Introduction of Senate Amendment 3.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Grigsby, Vos and Montgomery.
Noes, 0 – None.

Adoption of Senate Amendment 3.

Ayes, 11 – Senators Miller, Hansen, Taylor, Lehman and Lassa. Representatives Pocan, Colon, Mason, Shilling, Sherman and Grigsby.

Noes, 4 – Senators Darling and Olsen. Representatives Vos and Montgomery.

Introduction of Senate Amendment 4.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Grigsby, Vos and Montgomery.
Noes, 0 – None.

Adoption of Senate Amendment 4.

Ayes, 11 – Senators Miller, Hansen, Taylor, Lehman and Lassa. Representatives Pocan, Colon, Mason, Shilling, Sherman and Grigsby.

Noes, 4 – Senators Darling and Olsen. Representatives Vos and Montgomery.

Passage as amended.

Ayes, 11 – Senators Miller, Hansen, Taylor, Lehman and Lassa. Representatives Pocan, Colon, Mason, Shilling, Sherman and Grigsby.

Noes, 4 – Senators Darling and Olsen. Representatives Vos and Montgomery.

MARK MILLER
Senate Chairperson

The committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue** reports and recommends:

Assembly Bill 174

Relating to: authorizing sharing of tax increments by certain environmental remediation tax incremental districts.

Concurrence.

Ayes, 6 – Senators Erpenbach, Carpenter, Lassa, Lazich, Kanavas and Darling.

Noes, 0 – None.

Assembly Bill 273

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.

Concurrence.

Ayes, 6 – Senators Erpenbach, Carpenter, Lassa, Lazich, Kanavas and Darling.

Noes, 0 – None.

JON ERPENBACH
Chairperson

The committee on **Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection** reports and recommends:

Senate Bill 308

Relating to: a requirement that an employer permit an employee who is a volunteer fire fighter, emergency medical technician, first responder, or ambulance driver for a volunteer fire department or fire company, a public agency, or a nonprofit corporation to be late for or absent from work if the lateness or absence is due to the employee responding to an emergency that begins before the employee is required to report to work.

Adoption of Senate Amendment 2.

Ayes, 5 – Senators Wirch, Plale, Holperin, Hopper and Lazich.

Noes, 0 – None.

Passage as amended.

Ayes, 4 – Senators Wirch, Plale, Holperin and Lazich.

Noes, 1 – Senator Hopper.

ROBERT WIRCH
Chairperson

The committee on **Senate Organization** reports:

Referred to the joint committee on **Finance**, pursuant to Senate Rule 41 (1)(e):

Senate Bill 263

Referred to, and withdrawn from, the joint committee on **Finance** and made available for scheduling, pursuant to Senate Rule 41 (1)(e):

Senate Bill 244
Senate Bill 290
Assembly Bill 174

Placed the following proposals on the Senate Calendar of Thursday, November 5, 2009:

Executive Appointment ALLEN
Executive Appointment BERCEAU
Executive Appointment DAVIS
Executive Appointment DREW
Executive Appointment DUEHOLM
Executive Appointment FALBOM
Executive Appointment FISHER
Executive Appointment GASPERETTI
Executive Appointment GRIGNON
Executive Appointment HANNA
Executive Appointment HENZL
Executive Appointment HOLLEY
Executive Appointment KORABIC
Executive Appointment MOORE
Executive Appointment MORALES
Executive Appointment MUSSER
Executive Appointment NUERNBERGC
Executive Appointment OPGENORTH
Executive Appointment PIERCE
Executive Appointment PRUITT
Executive Appointment WALSHD
Executive Appointment WINGAD
Executive Appointment WOMACK
Executive Appointment WORKINGER
Executive Appointment XIONG
Executive Appointment ZELLMER
Senate Joint Resolution 54
Assembly Joint Resolution 77
Assembly Joint Resolution 85
Assembly Joint Resolution 88
Assembly Joint Resolution 89
Assembly Joint Resolution 90
Assembly Joint Resolution 91
Senate Bill 40
Senate Bill 66
Senate Bill 183
Senate Bill 184
Senate Bill 204
Senate Bill 208
Senate Bill 223
Senate Bill 236
Senate Bill 241
Senate Bill 244
Senate Bill 259
Senate Bill 290
Senate Bill 292
Senate Bill 331
Senate Bill 346
Senate Bill 349
Senate Bill 370
Senate Bill 371
Senate Bill 372
Senate Bill 373

- Assembly Bill 138**
- Assembly Bill 164**
- Assembly Bill 174**
- Assembly Bill 209**
- Assembly Bill 258**
- Assembly Bill 273**
- Assembly Bill 292**
- Assembly Bill 297**

Ayes: 5 – Senators Decker, Risser, Hansen, Fitzgerald and Grothman.

Noes: 0 – None.

RUSS DECKER
Chairperson

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Legislative Reference Bureau**

November 4, 2009

To the Honorable, the Legislature:

The following rules have been published in the October 31, 2009 Wisconsin Administrative Register No. 646:

<u>Clearinghouse Rules</u>	<u>Effective Date(s)</u>
08-083	11-1-2009
08-093	11-1-2009
09-007	11-1-2009
09-009	11-1-2009
09-015	(part) 11-1-2009
	(part) 2-1-2010
09-019	11-1-2009
09-026	11-1-2009

Sincerely,
BRUCE J. HOESLY
Senior Legislative Attorney/Code Editor

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

CORRECTIONS IN:

2009 SENATE BILL 223

Prepared by the Legislative Reference Bureau
(November 4, 2009)

1. Page 2, line 20: delete “Rust” and substitute “Rusk”.

**State of Wisconsin
Government Accountability Board**

November 3, 2009

The Honorable, The Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

For more detailed information about these lobbyists and organizations and a complete list of organizations and people authorized to lobby the 2009–2010 session of the legislature, visit the Government Accountability Board’s web site at: <http://ethics.state.wi.us/>.

Broydrick, William
Hubbard, Gregory
Smirnova, Marianna

Wildeman, Anna
Wilson, A.J.
Windschiegl, Marilyn

Fortney Companies
Fortney Companies
Wisconsin Coalition Against Sexual Assault
Dairy Business Association
Fortney Companies
WEA Insurance Corporation

Also available from the Wisconsin Government Accountability Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by organizations that employ lobbyists.

Sincerely,
KEVIN KENNEDY
Director and General Counsel

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

The committee on **Transportation, Tourism, Forestry, and Natural Resources** reports and recommends:

Senate Clearinghouse Rule 09-016

Relating to commercial fishing in outlying waters and affecting small business.

No action taken.

JIM HOLPERIN
Chairperson

MESSAGES FROM THE ASSEMBLY

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has passed and asks concurrence in:

- Assembly Bill 159**
- Assembly Bill 198**
- Assembly Bill 230**
- Assembly Bill 266**
- Assembly Bill 267**
- Assembly Bill 269**
- Assembly Bill 280**
- Assembly Bill 348**
- Assembly Bill 382**
- Assembly Bill 455**
- Assembly Bill 456**
- Assembly Bill 485**

Concurred in:

- Senate Bill 157**
- Senate Bill 158**
- Senate Bill 251**
- Senate Bill 253**
- Senate Bill 347**
- Senate Bill 361**