



STATE OF WISCONSIN

Senate Journal

Ninety–Ninth Regular Session

12:31 P.M.

THURSDAY, January 21, 2010

The Senate met.

The Senate was called to order by President Risser.

CALL OF ROLL

The roll was called, disclosing the presence of a quorum.

Pursuant to Senate Rule 15, the official attendance for session was:

Senators Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Absent – None.

Absent with leave – None.

The Senate stood for a moment of silent meditation.

The Senate remained standing and Senator Lazich led the Senate in the pledge of allegiance to the flag of the United States of America.

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Representative Barca added as a coauthor of **Assembly Bill 591**.

Pursuant to Senate Rule 17 (5), Senator Vinehout added as a coauthor of **Senate Bill 291**.

Pursuant to Senate Rule 17 (5), Senator Vinehout added as a cosponsor of **Assembly Bill 426**.

Pursuant to Senate Rule 17 (5), Senator Kapanke added as a cosponsor of **Assembly Bill 83**.

Pursuant to Senate Rule 17 (5), Senator Hansen added as a coauthor of **Senate Joint Resolution 55**.

Pursuant to Senate Rule 17 (5), Senator Vinehout withdrawn as a coauthor of **Senate Bill 453**.

Pursuant to Senate Rule 17 (5), Senator Lassa added as a cosponsor of **Assembly Bill 83**.

Pursuant to Senate Rule 17 (5), Senator Miller added as a cosponsor of **Assembly Bill 364**.

Pursuant to Senate Rule 17 (5), Senator Ellis added as a coauthor of **Senate Bill 447**.

Senator Decker, with unanimous consent, asked that all the appointments be taken up en masse, with the exception of Thomas Basting and Sheldon Wasserman.

ADAMSKI, PAUL, of Stevens Point, as a member of the College Savings Program Board, to serve for the term ending May 1, 2013.

CATES, RICHARD, of Spring Green, as a member of the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 2015.

CHWALA, THOMAS, of Lake Mills, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 2012.

DUMMER, MICHAEL, of Holmen, as a member of the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 2015.

FRANKLIN, LAMARR, of Milwaukee, as a member of the Medical Examining Board, to serve for the term ending July 1, 2012.

JOSEPH, MARIA, of Madison, as a member of the Board of Nursing, to serve for the term ending July 1, 2013.

KEINTZ, RICHARD, of Madison, as a member of the Wisconsin Health and Educational Facilities Authority, to serve for the term ending July 1, 2016.

KLIMOWICZ, JASON, of Madison, as a member of the Health Insurance Risk–Sharing Plan Authority, to serve for the term ending May 1, 2011.

LOWE, GRETCHEN, of Madison, as a member of the Board of Nursing, to serve for the term ending July 1, 2013.

RICE, WILLIAM, of Milwaukee, as a member of the Veterinary Examining Board, to serve for the term ending July 1, 2013.

SPENCER, ROBERT R., of La Crosse, as a member of the Veterinary Examining Board, to serve for the term ending July 1, 2013.

STEIMEL, RICHARD, of Dane, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 2012.

VASQUEZ, JOSE, 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.

WALKER–CRAWFORD, JASON, of Stoughton, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 2013.

ADVICE AND CONSENT OF THE SENATE

WESTENDORF, MELISSA, of South Milwaukee, as a member of the Psychology Examining Board, to serve for the term ending July 1, 2013.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Noes – None.

Absent or not voting – None.

Confirmed.

BASTING, THOMAS, of Madison, as a member of the UW Hospitals and Clinics Authority and Board, to serve for the term ending July 1, 2014.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 26; noes, 7; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kapanke, Kreitlow, Lassa, Lehman, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 26.

Noes – Senators S. Fitzgerald, Grothman, Kanavas, Kedzie, A. Lasee, Lazich and Leibham – 7.

Absent or not voting – None.

Confirmed.

WASSERMAN, SHELDON, of Milwaukee, as a member of the Medical Examining Board, to serve for the term ending July 1, 2013.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 25; noes, 8; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, Hansen, Harsdorf, Holperin, Jauch, Kapanke, Kreitlow, Lassa, Lehman, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 25.

Noes – Senators S. Fitzgerald, Grothman, Hopper, Kanavas, Kedzie, A. Lasee, Lazich and Leibham – 8.

Absent or not voting – None.

Confirmed.

MESSAGES FROM THE ASSEMBLY

Senate Bill 290

Relating to: changes in the regulation of boxing contests, regulating mixed martial arts fighting contests, granting

rule-making authority, making an appropriation, and providing a penalty.

The question was: Shall Assembly substitute amendment 1 to **Senate Bill 290** be concurred in?

The ayes and noes were required and the vote was: ayes, 32; noes, 1; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 32.

Noes – Senator A. Lasee – 1.

Absent or not voting – None.

Concurred in.

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND JOINT RESOLUTIONS NOT REQUIRING A THIRD READING

Senate Joint Resolution 55

Relating to: declaring 2010 as the Year of John Muir.

The question was: Shall **Senate Joint Resolution 55** be adopted?

Adopted.

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senate Bill 116

Relating to: the method by which the Department of Revenue makes certain calculations regarding tax incremental financing district number 4 in the village of Elmwood.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 116**?

Adopted.

Ordered to a third reading.

Senator Hansen, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 116

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Noes – None.

Absent or not voting – None.

Passed.

Senate Bill 267

Relating to: the definition of plumbing and classifying plumbers to do certain work.

Read a second time.

The question was: Adoption of Senate amendment 1 to

Senate Bill 267?

Adopted.

Ordered to a third reading.

Senator Hansen, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 267

Read a third time and passed.

Senate Bill 409

Relating to: a postsecondary education tax credit for businesses; increasing annual limits on angel investment tax credits; awarding grants to the WiSys Technology Foundation, Inc.; business plan competitions and an emerging technology center in the University of Wisconsin System; rural outsourcing grants; requiring the Department of Commerce to award grants to a high-technology business development corporation and grants for converting manufacturing facilities; increasing funding for certain economic development programs; a pilot program providing microloans for the creation of new businesses; increasing funding for certain technical college training program grants; providing an exemption from emergency rule procedures; granting rule-making authority; and making appropriations.

Read a second time.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 409?**

Adopted.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 409?**

Adopted.

Ordered to a third reading.

Senator Hansen, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 409

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 1; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 32.

Noes – Senator Grothman – 1.

Absent or not voting – None.

Passed.

Senate Bill 413

Relating to: receivership for abatement of residential nuisances.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 413

Read a third time and passed.

**SECOND READING AND AMENDMENTS OF
ASSEMBLY JOINT RESOLUTIONS
AND ASSEMBLY BILLS**

Assembly Bill 2

Relating to: state procurement of contractual services.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 2

Read a third time and concurred in.

Assembly Bill 83

Relating to: issuing annual fishing licenses to certain resident disabled veterans.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 83

Read a third time and concurred in.

Assembly Bill 229

Relating to: the sale of home-canned food.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Assembly Bill 229?**

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 229

Read a third time and concurred in as amended.

Assembly Bill 325

Relating to: notice of proposed vacation of certain highways.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 325

Read a third time and concurred in.

Assembly Bill 364

Relating to: Council on Offender Reentry.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 364

Read a third time and concurred in.

Assembly Bill 418

Relating to: a county fair coordinator.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 418

Read a third time and concurred in.

Senator Decker, with unanimous consent, asked that all action be immediately messaged to the Assembly:

Senate Joint Resolution 55

Senate Bill 116

Senate Bill 267

Senate Bill 409

Senate Bill 413

Assembly Bill 2

Assembly Bill 83

Assembly Bill 229

Assembly Bill 325

Assembly Bill 364

Assembly Bill 418

Messaged.

Senate Bill 290

Action Messaged.

**ANNOUNCEMENTS, ADJOURNMENT HONORS,
AND REMARKS UNDER SPECIAL PRIVILEGE**

Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of all of our Wisconsin National Guard Troops returning home after serving one year in Iraq. 3,200 troops were deployed, which is Wisconsin's largest deployment since World War II. The Senator would like to welcome home the Ashland Unit Detachment 2, the 829th Engineer Company of the 32nd Infantry Brigade Combat Team. Last Sunday, Senator Jauch was delighted to join the community in welcoming home the Rice Lake Unit Company B, the 1st Battalion, 128th Infantry. He commends them all on their remarkable work, as they served the U.S. with great distinction and pride.

Senator Harsdorf, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the returning Company A of Menomonie, New Richmond's Company B, and River Falls' Company D of the 128th Infantry, which returned home on Monday after eight months service in Iraq.

Senator Schultz, with unanimous consent, asked that when the Senate adjourn, it do so in honor of all of Wisconsin's National Guard Troops returning home. They all did a great job and have done the State of Wisconsin proud.

Senator Decker, with unanimous consent, asked that when the Senate adjourn, it do so in honor of all of Wisconsin's National Guard Troops.

Senator Decker, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Liz Stephens from Senator Miller's office.

ADJOURNMENT

Senator Decker, with unanimous consent, asked that the Senate adjourn until Tuesday, January 26, 2010.

2:36 P.M.

Adjourned.