

STATE OF WISCONSIN  
**Senate Journal**  
One–Hundredth Regular Session

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WEDNESDAY, October 19, 2011

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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 amendment 6 to Senate substitute amendment 1 to **Senate Bill 22** offered by Senator Olsen.

Senate amendment 7 to Senate substitute amendment 1 to **Senate Bill 22** offered by Senator Olsen.

Senate amendment 3 to Senate substitute amendment 1 to **Senate Bill 45** offered by Senator Olsen.

Senate amendment 3 to **Senate Bill 103** offered by Senator Galloway.

Senate substitute amendment 2 to **Senate Bill 179** offered by Senator Lassa.

Senate amendment 1 to **Senate Bill 196** offered by Senator Olsen.

Senate amendment 1 to **Senate Bill 234** offered by Senator Vukmir.

Senate amendment 2 to **Senate Bill 234** offered by Senator Vukmir.

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

Read first time and referred:

**Senate Bill 243**

Relating to: concussions and other head injuries sustained in youth athletic activities.

By Senators Darling, Wirsch and Hansen; cosponsored by Representatives Fields, Ripp, Kuglitsch, Bernard Schaber, Jacque, Spanbauer, Krug, Wynn, Bernier, Pasch, Hulsey, Endsley, Berceau and Staskunas.

To committee on **Public Health, Human Services, and Revenue**.

**Senate Bill 244**

Relating to: arbitration agreements used by long–term care facilities, civil and criminal actions against health care providers and long–term care providers, use in civil and criminal actions and confidentiality of incident and occurrence reports, use as evidence of records given to a regulatory agency, use in criminal actions of records of reviews and evaluations of health care providers, limits on noneconomic damages, limits on punitive damages, and providing a penalty.

By Senators C. Larson, Carpenter, S. Coggs, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, Lassa, Risser and Taylor; cosponsored by Representatives Richards, Staskunas, Roys, Hulsey, Hebl, D. Cullen, Berceau, Bernard Schaber, Clark, E. Coggs, Danou, Fields, Grigsby, Milroy, Molepske Jr, Pasch, Pocan, Ringhand, Sinicki, C. Taylor, Zamarripa and Zepnick.

To committee on **Judiciary, Utilities, Commerce, and Government Operations**.

**Senate Bill 245**

Relating to: exempting rules promulgated by the Government Accountability Board from certain administrative rule–making procedures involving the approval of the governor.

By Senators Risser, T. Cullen, Taylor, Jauch, C. Larson, Erpenbach, Hansen, Miller and Carpenter; cosponsored by Representatives Hebl, Barca, Roys, Pasch, Doyle, Milroy, C. Taylor, Pocan, Grigsby, Berceau, Jorgensen, Ringhand, Turner, Kessler, Bewley, Pope–Roberts and Bernard Schaber.

To committee on **Judiciary, Utilities, Commerce, and Government Operations**.

**Senate Bill 246**

Relating to: employment discrimination based on credit history.

By Senators Taylor and Hansen; cosponsored by Representatives Berceau, Grigsby, Zamarripa, Pasch, Hebl, Bewley, Roys, Pocan, Turner, Fields, E. Coggs, Pope–Roberts, C. Taylor and Sinicki.

To committee on **Labor, Public Safety, and Urban Affairs**.

**Senate Bill 247**

Relating to: exemption of individuals who are at least 65 years of age from the requirement to provide proof of identification for voting.

By Senators Carpenter, Hansen, C. Larson, Holperin, T. Cullen, Taylor, S. Coggs and Risser; cosponsored by Representatives Staskunas, Young, Doyle, Milroy, Sinicki, Grigsby, Hebl, Berceau, Fields, Turner, Pasch, Pocan and C. Taylor.

To committee on **Transportation and Elections**.

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**REPORT OF COMMITTEES**

The committee on **Economic Development and Veterans and Military Affairs** reports and recommends:

**Senate Bill 60**

Relating to: a property tax credit for business expansion and making an appropriation.

Adoption of Senate Substitute Amendment 1.

Ayes, 7 – Senators Leibham, Darling, Wanggaard, Galloway, Lassa, Taylor and Shilling.

Noes, 0 – None.

Passage as amended.

Ayes, 7 – Senators Leibham, Darling, Wanggaard, Galloway, Lassa, Taylor and Shilling.

Noes, 0 – None.

*JOSEPH LEIBHAM*  
Chairperson

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The committee on **Judiciary, Utilities, Commerce, and Government Operations** reports and recommends:

**Senate Bill 127**

Relating to: aggravating factors for a court to consider when sentencing persons.

Passage.

Ayes, 5 – Senators Zipperer, Kedzie, Galloway, Risser and Erpenbach.

Noes, 0 – None.

**Senate Bill 151**

Relating to: opportunities to win prizes that are received by employees as compensation from employers.

Passage.

Ayes, 5 – Senators Zipperer, Kedzie, Galloway, Risser and Erpenbach.

Noes, 0 – None.

**Senate Bill 199**

Relating to: adoption by governmental units of a maintenance program that applies to private sewage systems.

Passage.

Ayes, 3 – Senators Zipperer, Kedzie and Galloway.

Noes, 2 – Senators Risser and Erpenbach.

**Senate Bill 87**

Relating to: the composition of the State Capitol and Executive Residence Board.

Passage.

Ayes, 5 – Senators Zipperer, Kedzie, Galloway, Risser and Erpenbach.

Noes, 0 – None.

*RICH ZIPPERER*  
Chairperson

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

**Senate Bill 228**

Relating to: placing, possessing, or transporting a firearm, bow, or crossbow in or on a vehicle or in or on a motorboat.

Introduction and adoption of Senate Amendment 1.

Ayes, 5 – Senators Kedzie, Moulton, Wanggaard, Galloway and Holperin.

Noes, 2 – Senators Wirch and C. Larson.

Passage as amended.

Ayes, 5 – Senators Kedzie, Moulton, Wanggaard, Galloway and Holperin.

Noes, 2 – Senators Wirch and C. Larson.

**Senate Bill 77**

Relating to: membership on the State Trails Council.

Passage.

Ayes, 7 – Senators Kedzie, Moulton, Wanggaard, Galloway, Wirch, Holperin and C. Larson.

Noes, 0 – None.

MAXWELL, DAVID, of Westby, as a member of the Kickapoo Reserve Management Board, to serve for the term ending May 1, 2013.

Confirmation.

Ayes, 7 – Senators Kedzie, Moulton, Wanggaard, Galloway, Wirch, Holperin and C. Larson.

Noes, 0 – None.

**Assembly Bill 48**

Relating to: information about land acquired with stewardship funding.

Concurrence.

Ayes, 7 – Senators Kedzie, Moulton, Wanggaard, Galloway, Wirch, Holperin and C. Larson.

Noes, 0 – None.

*NEAL KEDZIE*  
Chairperson

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The committee on **Senate Organization** reports:

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

**Senate Bill 60**

**Senate Bill 215**

Ayes: 5 – Senators Fitzgerald, Ellis, Grothman, Miller and Hansen.

Noes: 0 – None.

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

**Senate Bill 49**

**Senate Bill 95**

**Senate Bill 222**

**Senate Bill 223**

Ayes: 5 – Senators Fitzgerald, Ellis, Grothman, Miller and Hansen.

Noes: 0 – None.

Waived the public hearing requirement, pursuant to Senate Rule 18 (1m):

**Assembly Bill 1**

**Assembly Bill 113**

Ayes: 5 – Senators Fitzgerald, Ellis, Grothman, Miller and Hansen.

Noes: 0 – None.

Placed the following proposals on the Senate Calendar of Thursday, October 20, 2011:

**Senate Bill 40**

**Senate Bill 49**

**Senate Bill 85**

**Senate Bill 92**

**Senate Bill 95**

**Senate Bill 96**

**Senate Bill 151**

**Senate Bill 199**

**Senate Bill 222**

**Senate Bill 223**

**Senate Bill 228**

**Assembly Bill 1**  
**Assembly Bill 20**  
**Assembly Bill 64**  
**Assembly Bill 113**

Ayes: 5 – Senators Fitzgerald, Ellis, Grothman, Miller and Hansen.

Noes: 0 – None.

*SCOTT FITZGERALD*  
Chairperson

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**PETITIONS AND COMMUNICATIONS**

Pursuant to Senate Rule 17 (5), Senator Taylor added as a coauthor of **Senate Bill 224**.

Pursuant to Senate Rule 17 (5), Senator Lasee added as a coauthor of **Senate Bill 226**.

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**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 1**  
**Assembly Bill 46**  
**Assembly Bill 80**  
**Assembly Bill 113**  
**Assembly Bill 163**  
**Assembly Bill 165**  
**Assembly Bill 179**  
**Assembly Bill 210**  
**Assembly Bill 228**  
**Assembly Bill 229**  
**Assembly Bill 273**

Concurred in:

**Senate Bill 75**  
**Senate Joint Resolution 43**  
**Senate Joint Resolution 44**

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**MESSAGES FROM THE ASSEMBLY CONSIDERED**

**Assembly Bill 1**

Relating to: processing refunds for the jobs tax credit.

By Representatives Williams, Steineke, Nass, A. Ott, Ripp, Van Roy, Kaufert, Tranel, Rivard and Kleefisch; cosponsored by Senators Hopper, Darling and Wanggaard.

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

**Assembly Bill 46**

Relating to: eliminating the World Dairy Center Authority.

By Representatives A. Ott, Ballweg, Brooks, Jorgensen, Kestell, Rivard, Spanbauer, Tauchen, Vruwink and Strachota; cosponsored by Senators Grothman, Olsen and Taylor.

Read first time and referred to committee on **Agriculture, Forestry, and Higher Education**.

**Assembly Bill 80**

Relating to: operating a motor vehicle without a valid driver's license or after suspension or revocation of an operating privilege and providing penalties.

By Representatives Krusick, Stone, Turner, Bies, Brooks, Kaufert, Kerkman, Kleefisch, Krug, LeMahieu, Mursau, Nygren, J. Ott, Ripp, Rivard, Spanbauer and Staskunas; cosponsored by Senators Carpenter, Lazich, Darling, Hansen, Olsen, Schultz and Zipperer; by request of The family of Nicholas Dams, the family of Kristy Wanek, Rob Dams, father of Nicholas and retired Police Chief, Wisconsin Chiefs of Police Association, Milwaukee County Law Enforcement Executive Association, Milwaukee Police Association, Milwaukee Deputy Sheriffs' Association, Milwaukee County District Attorney John Chisholm, and Greendale Professional Police Association.

Read first time and referred to committee on **Transportation and Elections**.

**Assembly Bill 113**

Relating to: changing the boundaries of Marquette County and Green Lake County.

By Representatives Ballweg, Krug and Clark; cosponsored by Senator Olsen.

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

**Assembly Bill 163**

Relating to: a disclosure report for sellers of vacant land.

By Representatives Steineke, Rivard, Bies, Kerkman, Molepske Jr, Nass, A. Ott and Staskunas; cosponsored by Senators Grothman, Olsen and Schultz.

Read first time and referred to committee on **Energy, Biotechnology, and Consumer Protection**.

**Assembly Bill 165**

Relating to: the display of turf fertilizer containing phosphorus.

By Representatives Knilans, Kestell, Rivard, LeMahieu, Petryk, Brooks, Williams, Thiesfeldt and Spanbauer; cosponsored by Senators Wanggaard, Galloway and Grothman.

Read first time and referred to committee on **Agriculture, Forestry, and Higher Education**.

**Assembly Bill 179**

Relating to: authorizing the creation of a multijurisdictional tax incremental financing district.

By Representatives Weininger, Jacque, Klenke, Nygren, Steineke and Van Roy; cosponsored by Senator Cowles.

Read first time and referred to committee on **Economic Development and Veterans and Military Affairs**.

**Assembly Bill 210**

Relating to: implementing health insurance reform, providing an exemption from emergency rule procedures, and granting rule-making authority.

By Representative Petersen.

Read first time and referred to committee on **Insurance and Housing**.

**Assembly Bill 228**

Relating to: exemptions from securities registration requirements.

By Representatives A. Ott, Nerison, Brooks, Bernier, Bewley, Danou, Doyle, Hebl, Hulsey, Jacque, Jorgensen, Kestell, Krug, T. Larson, Marklein, Petrowski, Ringhand, Ripp,

Rivard, Steinbrink, Tauchen, Tranel, Vruwink, Williams and Wynn; cosponsored by Senators Schultz, Moulton, Erpenbach, Galloway, Taylor and Vinehout.

Read first time and referred to committee on **Financial Institutions and Rural Issues**.

**Assembly Bill 229**

Relating to: repealing a prohibition on certain nonessential uses of natural gas.

By Representatives Honadel, Brooks, Craig, Kooyenga, Marklein, Mursau, Petersen, Rivard and Spanbauer; cosponsored by Senator Grothman.

Read first time and referred to committee on **Natural Resources and Environment**.

**Assembly Bill 273**

Relating to: the loan program for property taxes imposed as a result of an error in equalized value and making an appropriation.

By Representative Kerkman; cosponsored by Senators Wirch, Wanggaard and Darling.

Read first time and referred to committee on **Public Health, Human Services, and Revenue**.