



STATE OF WISCONSIN

Senate Journal

One-Hundredth Regular Session

12:01 A.M.

WEDNESDAY, February 15, 2012

The Senate met.

The Senate was called to order by President Ellis.

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, S. Coggs, Cowles, Darling, Ellis, Erpenbach, S. Fitzgerald, Galloway, Grothman, Hansen, Harsdorf, Holperin, Jauch, Kedzie, King, C. Larson, Lasee, Lassa, Lazich, Leibham, Miller, Moulton, Olsen, Risser, Schultz, Shilling, Taylor, Vinehout, Vukmir, Wanggaard, Wirch and Zipperer – 32.

Absent – Senator T. Cullen – 1.

Absent with leave – None.

President Ellis, with unanimous consent, asked that the prayer and pledge from yesterday's session be applied to today's session.

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

CHIEF CLERK'S ENTRIES

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 398** offered by Senator Lazich.

Senate amendment 1 to **Senate Bill 423** offered by Senator Lazich.

Senate amendment 1 to **Senate Bill 428** offered by Senator Zipperer.

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS

Read first time and referred:

Senate Bill 478

Relating to: giving notice of, and providing assistance after, a motor vehicle accident and providing a penalty.

By Senators S. Fitzgerald and Olsen, by request of Sheriff of Dodge County, Todd M. Nehls.

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

Senate Bill 479

Relating to: establishing an assistant state public defender pay progression plan.

By Senators Taylor, C. Larson, Lassa, Risser and Hansen; cosponsored by Representatives Richards, Litjens, Berceau, Bernard Schaber, Brooks, Grigsby, Hebl, Mason, Molepske, Pocan, Pope–Roberts, Roys and Turner.

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

Senate Bill 480

Relating to: an expenditure of \$90,000 from the general fund for payment of a claim against the state made by Robert Lee Stinson.

By Senators Taylor, Hansen, Risser and C. Larson; cosponsored by Representatives Spanbauer, Turner, Grigsby, Berceau, Hebl and Fields.

To joint committee on **Finance**.

Senate Bill 481

Relating to: proof of identification for voting by university, college or technical college students.

By Senators Taylor, C. Larson, Holperin, Erpenbach, Wirch, T. Cullen, Risser and Lassa; cosponsored by Representatives Pasch, Grigsby, Vruwink, Doyle, Turner, Kessler, Hebl, Berceau, Molepske Jr, Bewley, Staskunas, Radcliffe, Ringhand, Pocan, Pope–Roberts, Mason and Fields.

To committee on **Transportation and Elections**.

Senate Bill 482

Relating to: lodging establishments and restricting a local government's ability to prohibit or restrict an individual from renting his or her home.

By Senator Lasee; cosponsored by Representative Rivard.

To committee on **Insurance and Housing**.

Senate Bill 483

Relating to: informational highway signs identifying wild rivers and granting rule-making authority.

By Senators Holperin, Jauch, Schultz, Taylor, Lassa, C. Larson and Wirch; cosponsored by Representatives Milroy, Ballweg, A. Ott, Spanbauer, Ringhand and Rivard.

To committee on **Transportation and Elections**.

REPORT OF COMMITTEES

The committee on **Energy, Biotechnology, and Consumer Protection** reports and recommends:

Senate Bill 425

Relating to: loans and repayment assistance by a political subdivision for energy and water improvements to premises and collection of the debt by special charge.

Passage.

Ayes, 5 – Senators Cowles, Kedzie, Wanggaard, Wirch and Hansen.
Noes, 0 – None.

ROBERT COWLES
Chairperson

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

Senate Bill 442

Relating to: an addition to the 2011–13 Authorized State Building Program.

Passage.

Ayes, 16 – Senators Darling, Olsen, Harsdorf, Grothman, Leibham, Zipperer, Taylor and Jauch. Representatives Vos, Meyer, Strachota, LeMahieu, Nygren, Kleefisch, Mason and Richards.

Noes, 0 – None.

ALBERTA DARLING
Senate Chairperson

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Office of the Senate President**

February 15, 2012

The Honorable, the Senate:

Pursuant to Senate Rule **46 (2)(c)**, I am writing to inform you that I have directed the following proposal(s) to be withdrawn from committee and rereferred. I have obtained the consent of the appropriate standing committee chairperson and the chairperson of the committee on Senate Organization.

Assembly Bill 426, relating to regulation of ferrous metallic mining and related activities, making an appropriation, and providing penalties, withdrawn from Senate select committee on Mining Jobs and rereferred to joint committee on Finance.

Sincerely,
MICHAEL G. ELLIS
Senate President

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

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

CORRECTIONS IN:

2011 SENATE BILL 461

Prepared by the Legislative Reference Bureau
(February 14, 2012)

1. Page 12, line 15: delete “115.38–(2)” and substitute “115.38 (2)”.

ADVICE AND CONSENT OF THE SENATE

**State of Wisconsin
Office of the Governor**

February 10, 2012

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **BOGOST, GREGG A.**, of Madison, as a member of the Radiology Examining Board, to serve for the term ending May 1, 2015.

Respectfully submitted,
SCOTT WALKER
Governor

Read and referred to committee on **Health**.

**State of Wisconsin
Office of the Governor**

February 15, 2012

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **ELLIS, JULIE**, of New Berlin, as a member of the Board of Nursing, to serve for the term ending July 1, 2015.

Respectfully submitted,
SCOTT WALKER
Governor

Read and referred to committee on **Health**.

**THIRD READING OF JOINT RESOLUTIONS
AND BILLS**

Senate Bill 368

Relating to: permits for discharges into wetlands; wetland mitigation; wetland mapping and delineation; fees for permits and other authorizations or determinations by the Department of Natural Resources relating to structures, deposits, and other activities in or near navigable waters; making appropriations; and providing penalties.

Read a third time.

Senator Erpenbach moved that **Senate Bill 368** be referred to the committee on **Natural Resources and Environment**.

The question was: Shall **Senate Bill 368** be referred to the committee on **Natural Resources and Environment**?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 17; absent or not voting, 1; as follows:

Ayes – Senators Carpenter, S. Coggs, Erpenbach, Hansen, Holperin, Jauch, King, C. Larson, Lassa, Miller, Risser, Shilling, Taylor, Vinehout and Wirch – 15.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Harsdorf, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir, Wanggaard and Zipperer – 17.

Absent or not voting – Senator T. Cullen – 1.

Referral Refused.

The question was: Shall **Senate Bill 368** be passed?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 1; as follows:

Ayes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Harsdorf, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir, Wanggaard and Zipperer – 17.

Noes – Senators Carpenter, S. Coggs, Erpenbach, Hansen, Holperin, Jauch, King, C. Larson, Lassa, Miller, Risser, Shilling, Taylor, Vinehout and Wirch – 15.

Absent or not voting – Senator T. Cullen – 1.

Passed.

Senator Fitzgerald asked unanimous consent that all action be immediately messaged to the Assembly.

Senator Erpenbach objected.

Senator Fitzgerald moved reconsideration of **Senate Bill 368**.

The question was: Shall the vote by which **Senate Bill 368** was passed be reconsidered?

The ayes and noes were required and the vote was: ayes, 15; noes, 17; absent or not voting, 1; as follows:

Ayes – Senators Carpenter, S. Coggs, Erpenbach, Hansen, Holperin, Jauch, King, C. Larson, Lassa, Miller, Risser, Shilling, Taylor, Vinehout and Wirch – 15.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Harsdorf, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir, Wanggaard and Zipperer – 17.

Absent or not voting – Senator T. Cullen – 1.

Refused.

Senate Bill 368

Messaged, pursuant to Senate Rules [42 \(1\)](#) and [67](#).

ADJOURNMENT

Senator S. Fitzgerald moved that the Senate stand adjourned.

Adjourned.

12:22 A.M.