



STATE OF WISCONSIN

Senate Journal

One-Hundredth Regular Session

12:13 P.M.

TUESDAY, February 21, 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, T. Cullen, 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 – 33.

Absent – None.

Absent with leave – None.

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

The Senate stood for a moment of silence.

CHIEF CLERK'S ENTRIES

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 388** offered by Senators Erpenbach and Risser.

Senate amendment 2 to **Senate Bill 388** offered by Senators Erpenbach and Risser.

Senate amendment 3 to **Senate Bill 388** offered by Senators Erpenbach and Risser.

Senate amendment 4 to **Senate Bill 388** offered by Senators Erpenbach and Risser.

Senate amendment 5 to **Senate Bill 388** offered by Senators Erpenbach and Risser.

Senate amendment 6 to **Senate Bill 388** offered by Senators Erpenbach and Risser.

Senate substitute amendment 1 to **Senate Bill 388** offered by Senator Grothman.

Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 461** offered by Senator C. Larson.

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS

Read and referred:

Senate Joint Resolution 67

Relating to: recognizing that it is the right, duty, and privilege of the legislature to control the expenditure of moneys appropriated by law.

By Senators Hansen, Holperin, Risser, S. Coggs, T. Cullen and Lassa; cosponsored by Representatives Milroy, Molepske Jr, Jorgensen, C. Taylor, Mason, Turner, Grigsby, Fields, Sinicki and Berceau.

To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 495

Relating to: the return of federal funds to the federal government.

By Senators Hansen, Holperin, Risser, S. Coggs, T. Cullen and Lassa; cosponsored by Representatives Milroy, Molepske Jr, Jorgensen, C. Taylor, Mason, Turner, Grigsby, Fields, Sinicki and Berceau.

To joint committee on **Finance**.

Senate Bill 496

Relating to: brucellosis testing of milk, cream, and cattle and restrictions on moving or sale of American bison and other animal species.

By Senator Schultz; cosponsored by Representatives Nerison, A. Ott, Vruwink, Tranel and Spanbauer.

To committee on **Agriculture, Forestry, and Higher Education**.

Senate Bill 497

Relating to: designation, modification, and termination of agricultural enterprise areas.

By Senators Schultz and Holperin; cosponsored by Representatives Nerison, Clark, Vruwink, A. Ott and Tranel.

To committee on **Agriculture, Forestry, and Higher Education**.

Senate Bill 498

Relating to: the pest abatement authority of the Department of Agriculture, Trade and Consumer Protection.

By Senator Schultz; cosponsored by Representatives Nerison, A. Ott, Tranel and Spanbauer.

To committee on **Agriculture, Forestry, and Higher Education**.

Senate Bill 499

Relating to: the engagement of engineering and similar services by the Department of Transportation.

By Senators Lazich and Olsen; cosponsored by Representatives Honadel, Krug, Ballweg, Bies, Endsley, LeMahieu, A. Ott, Spanbauer, Stone, Strachota and Van Roy.

To committee on **Transportation and Elections**.

Senate Bill 500

Relating to: appointments to the Council on Highway Safety.

By Senator Lazich; cosponsored by Representative Petrowski, by request of The Wisconsin Department of Transportation.

To committee on **Transportation and Elections**.

Senate Bill 501

Relating to: road closure barriers.

By Senator Lazich; cosponsored by Representative Petrowski, by request of The Wisconsin Department of Transportation.

To committee on **Transportation and Elections**.

Senate Bill 502

Relating to: case planning for a child placed in out-of-home care, including concurrent permanency goals, trial reunifications, and planned permanent living arrangements for such a child.

By Senator Lazich; cosponsored by Representatives Kerkman, Grigsby, Loudonbeck and Spanbauer.

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

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Senator Vinehout added as a coauthor of **Senate Bill 354**.

Pursuant to Senate Rule 17 (5), Senator Vinehout added as a cosponsor of **Assembly Bill 55**.

Pursuant to Senate Rule 17 (5), Senator Taylor added as a coauthor of **Senate Joint Resolution 64**.

Pursuant to Senate Rule 17 (5), Senator Wirch added as a coauthor of **Senate Bill 442**.

Pursuant to Senate Rule 17 (5), Senator Darling added as a cosponsor of **Assembly Bill 450**.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

CORRECTIONS IN:

2011 SENATE BILL 378

Prepared by the Legislative Reference Bureau
(February 20, 2012)

1. Page 10, line 25: delete “(12)” and substitute “(11)”.
2. Page 10, line 25: delete “(11)” and substitute “(10)”.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

CORRECTIONS IN:

2011 SENATE BILL 486

Prepared by the Legislative Reference Bureau
(February 20, 2012)

1. Page 6, line 18: delete “(ae)” and substitute “(ac)”.

**State of Wisconsin
Office of Senator Tim Cullen**

February 21, 2012

The Honorable, The Senate:

This is my formal request that I be recorded as voting the following actions on **Senate Bill 368**:

- Aye on referral to committee;
- No on passage; and
- Aye on reconsideration of passage.

Thank you.

Sincerely,
TIM CULLEN
Senator, 15th Senate District

MESSAGES FROM THE ASSEMBLY

By Patrick E. Fuller, chief clerk.

Mr. President:

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

- Assembly Joint Resolution 91**
- Assembly Joint Resolution 108**
- Assembly Joint Resolution 110**
- Assembly Joint Resolution 112**
- Assembly Joint Resolution 113**

MESSAGES FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 91

Relating to: commending the University of Wisconsin–Whitewater football team for winning a fourth national championship.

By Representatives Wynn, Nass, LeMahieu, Ziegelbauer, Spanbauer, Kuglitsch, Kerkman, Jacque, Marklein, Jorgensen, Craig, Rivard, Hintz, A. Ott, Bies, Knilans, Vos, Sinicki, Endsley and Brooks; cosponsored by Senators T. Cullen, Kedzie, Lazich, Holperin, Harsdorf, Schultz, Grothman and Miller.

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

Assembly Joint Resolution 108

Relating to: declaring December 12, 2012, Aaron Rodgers Day.

By Representatives Bies, A. Ott, Bernard Schaber, E. Cogg, Endsley, Hebl, Honadel, Jacque, J. Ott, Jorgensen, Van Roy, Kaufert, Kerkman, Marklein, Mason, Mursau, Nygren, Pasch, Petrowski, Petryk, Pridemore, Rivard, Spanbauer, Staskunas, Strachota, Tranel, Williams and Wynn; cosponsored by Senators Carpenter, T. Cullen, Darling, Hansen, C. Larson, Lasee, Olsen, Risser, Schultz and Taylor.

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

Assembly Joint Resolution 110

Relating to: congratulating Cooperative Extension on its centennial.

By Representative Ballweg; cosponsored by Senator S. Fitzgerald.

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

Assembly Joint Resolution 112

Relating to: honoring the Port of Milwaukee as Grantee for Foreign–Trade Zone No. 41 and supporting the inclusion of nine additional Wisconsin counties in the zone.

By Representatives Loudenbeck, Brooks, Endsley, Fields, Kerkman, Pridemore, Spanbauer, Strachota and Thiesfeldt; cosponsored by Senator Taylor.

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

Assembly Joint Resolution 113

Relating to: the life and public service of Frank L. Nikolay.

By Representatives Kessler, Suder, Seidel and Vruwink; cosponsored by Senator Lassa.

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

ADVICE AND CONSENT OF THE SENATE

TAMMY WAGNER of Oshkosh, as a member of the Health Insurance Risk–Sharing Plan Authority, to serve for the term ending May 1, 2014.

Read.

The question was: Confirmation?

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

Ayes – Senators Carpenter, S. Coggs, Cowles, T. Cullen, Darling, Ellis, Erpenbach, 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.

Noes – None.

Absent or not voting – Senator S. Fitzgerald – 1.

Confirmed.

Senator Fitzgerald, with unanimous consent, asked to be recorded as voting “Aye” on the question of confirmation of the appointment of Tammy Wagner.

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

Senate Joint Resolution 62

Relating to: Turner syndrome awareness month.

The question was: Shall **Senate Joint Resolution 62** be adopted?

Adopted.

Assembly Joint Resolution 104

Relating to: the life and public service of Richard (Dick) Bolender.

The question was: Shall **Assembly Joint Resolution 104** be concurred in?

Concurred in.

Senator Ellis, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 104**.

Senator Grothman, with unanimous consent, asked that **Senate Joint Resolution 64** be withdrawn from the committee on **Senate Organization** and taken up at this time.

Senate Joint Resolution 64

Relating to: proclaiming March to be Hunger Takes No Holiday Month.

The question was: Shall **Senate Joint Resolution 64** be adopted?

Adopted.

Senator Grothman, with unanimous consent, asked that **Assembly Joint Resolution 110** be withdrawn from the committee on **Senate Organization** and taken up at this time.

Assembly Joint Resolution 110

Relating to: congratulating Cooperative Extension on its centennial.

The question was: Shall **Assembly Joint Resolution 110** be concurred in?

Concurred in.

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

Senate Joint Resolution 62

Senate Joint Resolution 64

Assembly Joint Resolution 104

Assembly Joint Resolution 110

Messaged.

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

Senate Joint Resolution 21

Relating to: the right of the people to contract privately for health care services and health care coverage, and prohibiting requiring a person to obtain or maintain health insurance coverage or to participate in any health care system or plan (first consideration).

Read a second time.

Senate amendment 1 to **Senate Joint Resolution 21** offered by Senators Taylor, Vinehout, C. Larson, King, Shilling, T. Cullen, Carpenter, Risser, Hansen, Miller, Lassa, Jauch, Erpenbach, Holperin, Wirch and S. Coggs.

Senator Leibham moved that Senate amendment 1 to **Senate Joint Resolution 21** be laid on the table.

The question was: Shall Senate amendment 1 to **Senate Joint Resolution 21** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; 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, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, King, C. Larson, Lassa, Miller, Risser, Shilling, Taylor, Vinehout and Wirch – 16.

Absent or not voting – None.

Tabled.

Senator S. Fitzgerald, with unanimous consent, asked that the Senate recess.

12:57 P.M.

RECESS

1:20 P.M.

The Senate reconvened.

Senator Kedzie in the chair.

Senate amendment 2 to **Senate Joint Resolution 21** offered by Senators Lassa, Taylor, Miller and Hansen.

POINT OF ORDER

Senator Grothman raised the point of order that Senate amendment 2 to **Senate Joint Resolution 21** was not germane.

The Chair ruled the point of order well taken.

Senator Hansen appealed the ruling of the Chair.

The question was: Shall the Decision of the Chair stand as the judgement of the Senate?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; 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, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, King, C. Larson, Lassa, Miller, Risser, Shilling, Taylor, Vinehout and Wirch – 16.

Absent or not voting – None.

The Decision of the Chair stands as the judgement of the Senate.

Senate amendment 3 to **Senate Joint Resolution 21** offered by Senator Erpenbach.

Senator Erpenbach, with unanimous consent, asked that Senate amendment 3 to **Senate Joint Resolution 21** be withdrawn and returned to author.

Senate amendment 4 to **Senate Joint Resolution 21** offered by Senator Erpenbach.

POINT OF ORDER

Senator Leibham raised the point of order that Senate amendment 4 to **Senate Joint Resolution 21** was not germane.

The Chair ruled the point of order well taken.

Senator Miller appealed the ruling of the Chair.

The question was: Shall the Decision of the Chair stand as the judgement of the Senate?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; 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, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, King, C. Larson, Lassa, Miller, Risser, Shilling, Taylor, Vinehout and Wirch – 16.

Absent or not voting – None.

The Decision of the Chair stands as the judgement of the Senate.

The question was: Shall **Senate Joint Resolution 21** be ordered to a third reading?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; 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, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, King, C. Larson, Lassa, Miller, Risser, Shilling, Taylor, Vinehout and Wirch – 16.

Absent or not voting – None.

Ordered to a third reading.

Senator S. Fitzgerald, with unanimous consent, asked that the joint resolution be considered for final action at this time.

Senate Joint Resolution 21

Read a third time.

Senator Carpenter moved indefinite postponement of **Senate Joint Resolution 21**.

The question was: Shall **Senate Joint Resolution 21** be indefinitely postponed?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, S. Coggs, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, King, C. Larson, Lassa, Miller, Risser, Shilling, Taylor, Vinehout and Wirch – 16.

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 – None.

Indefinite postponement refused.

The question was: Shall **Senate Joint Resolution 21** be adopted?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; 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, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, King, C. Larson, Lassa, Miller, Risser, Shilling, Taylor, Vinehout and Wirch – 16.

Absent or not voting – None.

Adopted.

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

Senate Joint Resolution 21

Messaged.

IN THE CHAIR

Pursuant to Senate Rule 2 (1), Senate President Pro Tempore Leibham in the chair.

Senate Bill 173

Relating to: the disclosure of electronic juvenile court records to law enforcement agencies and providing a penalty.

Read a second time.

The question was: Adoption of Senate substitute amendment 2 to **Senate Bill 173**?

Adopted.

Ordered to a third reading.

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

Senate Bill 173

Read a third time and passed.

Senate Bill 306

Relating to: voluntary and informed consent to an abortion, information on domestic abuse services, giving a woman an abortion-inducing drug, repealing criminal sanctions against women who perform or obtain certain abortion procedures, and providing a penalty.

Read a second time.

Senate amendment 1 to **Senate Bill 306** offered by Senators Taylor, C. Larson, King, T. Cullen, Miller, Erpenbach, Jauch and S. Coggs.

Senator Lazich moved that Senate amendment 1 to **Senate Bill 306** be laid on the table.

The question was: Shall Senate amendment 1 to **Senate Bill 306** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; 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, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, King, C. Larson, Lassa, Miller, Risser, Shilling, Taylor, Vinehout and Wirch – 16.

Absent or not voting – None.

Tabled.

Senate amendment 2 to **Senate Bill 306** offered by Senators Taylor, C. Larson, King, T. Cullen, S. Coggs, Wirch, Risser, Miller, Lassa, Erpenbach and Jauch.

Senator Lazich moved that Senate amendment 2 to **Senate Bill 306** be laid on the table.

The question was: Shall Senate amendment 2 to **Senate Bill 306** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; 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, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, King, C. Larson, Lassa, Miller, Risser, Shilling, Taylor, Vinehout and Wirch – 16.

Absent or not voting – None.

Tabled.

Ordered to a third reading.

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

Senator Lassa objected.

Senate Bill 314

Relating to: collection of money owed for failure to pay for gasoline or diesel fuel and obtaining information with personal identifiers from the Department of Transportation.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 314**?

Adopted.

Ordered to a third reading.

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

Senate Bill 314

Read a third time and passed.

Senate Bill 317

Relating to: electronic prescriptions for schedule II controlled substances.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 317**?

Adopted.

Ordered to a third reading.

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

Senate Bill 317

Read a third time and passed.

Senate Bill 350

Relating to: increased penalty for repeated domestic abuse offenses and providing a penalty.

Read a second time.

Ordered to a third reading.

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

Senate Bill 350

Read a third time and passed.

Senate Bill 354

Relating to: registration and operation of all-terrain vehicles and utility terrain vehicles, granting rule-making authority, and making appropriations.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 354**?

Adopted.

The question was: Adoption of Senate amendment 2 to **Senate Bill 354**?

Adopted.

Ordered to a third reading.

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

Senate Bill 354

Read a third time.

The question was: Shall **Senate Bill 354** be passed?

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

Ayes – Senators Carpenter, S. Coggs, Cowles, T. Cullen, 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 – 33.

Noes – None.

Absent or not voting – None.

Passed.

Senate Bill 361

Relating to: payments to the Second Chance Partners for Education and other nonprofit corporations that operate programs in which disengaged pupils participate in work-based learning programs while earning high school diplomas.

Read a second time.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 361**?

Adopted.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 361**?

Adopted.

Ordered to a third reading.

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

Senate Bill 361

Read a third time.

The question was: Shall **Senate Bill 361** be passed?

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

Ayes – Senators Carpenter, S. Coggs, Cowles, T. Cullen, 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 – 33.

Noes – None.

Absent or not voting – None.

Passed.

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

Senate Bill 173

Senate Bill 314

Senate Bill 317

Senate Bill 350

Senate Bill 354

Senate Bill 361

Messaged.

Senate Bill 378

Relating to: surplus lines insurance, insurance security fund, automobile insurance, and granting rule-making authority.

Read a second time.

Ordered to a third reading.

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

Senate Bill 378

Read a third time.

The question was: Shall **Senate Bill 378** be passed?

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

Ayes – Senators Carpenter, S. Coggs, Cowles, T. Cullen, 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 – 33.

Noes – None.

Absent or not voting – None.

Passed.

Senate Bill 383

Relating to: licensing anesthesiologist assistants and creating the Council on Anesthesiologist Assistants and granting rule-making authority.

Read a second time.

Senate amendment 1 to **Senate Bill 383** offered by Senators Darling, Vukmir, Moulton, Erpenbach, Carpenter and Shilling.

The question was: Adoption of Senate amendment 1 to **Senate Bill 383**?

Adopted.

Senate amendment 2 to **Senate Bill 383** offered by Senators Darling and Shilling.

The question was: Adoption of Senate amendment 2 to **Senate Bill 383**?

Adopted.

Ordered to a third reading.

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

Senate Bill 383

Read a third time and passed.

Senate Bill 386

Relating to: voter registration at high schools and certain tribal schools.

Read a second time.

Senator Lazich moved that Senate amendment 2 to **Senate Bill 386** be laid on the table.

The question was: Shall Senate amendment 2 to **Senate Bill 386** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; 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, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, King, C. Larson, Lassa, Miller, Risser, Shilling, Taylor, Vinehout and Wirch – 16.

Absent or not voting – None.

Tabled.

Senator Carpenter moved that **Senate Bill 386** be referred to the committee on **Transportation and Elections**.

The question was: Shall **Senate Bill 386** be referred to the committee on **Transportation and Elections**?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, S. Coggs, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, King, C. Larson, Lassa, Miller, Risser, Shilling, Taylor, Vinehout and Wirch – 16.

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 – None.

Passed.

Referral Refused.

Ordered to a third reading.

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

Senate Bill 386

Read a third time.

The question was: Shall **Senate Bill 386** be passed?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; 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, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, King, C. Larson, Lassa, Miller, Risser, Shilling, Taylor, Vinehout and Wirch – 16.

Absent or not voting – None.

Passed.

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

Senate Bill 378

Senate Bill 383

Senate Bill 386

Messaged.

Senate Bill 390

Relating to: appointment of notaries public, collection agencies, and community currency exchanges.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 390**?

Adopted.

Ordered to a third reading.

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

Senate Bill 390

Read a third time and passed.

Senate Bill 397

Relating to: photographs on operator's licenses.

Read a second time.

Ordered to a third reading.

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

Senate Bill 397

Read a third time and passed.

Senate Bill 398

Relating to: submitting written objections and appearing in person or by telephone at a hearing to review administrative suspension of motor vehicle operating privileges.

Read a second time.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 398**?

Adopted.

Ordered to a third reading.

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

Senate Bill 398

Read a third time and passed.

Senate Bill 409

Relating to: various changes to the worker's compensation law, granting rule-making authority, and making an appropriation.

Read a second time.

Ordered to a third reading.

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

Senate Bill 409

Read a third time.

The question was: Shall **Senate Bill 409** be passed?

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

Ayes – Senators Carpenter, S. Coggs, Cowles, T. Cullen, 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 – 33.

Noes – None.

Absent or not voting – None.

Passed.

Senate Bill 410

Relating to: seasonal weight limitations for certain vehicles transporting manure.

Read a second time.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 410**?

Adopted.

Ordered to a third reading.

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

Senate Bill 410

Read a third time and passed.

Senate Bill 417

Relating to: concealment of benefit claim information, availability for work, interest on delinquent payments, and the composition and authority of appeal tribunals under the unemployment insurance law.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 417**?

Adopted.

Ordered to a third reading.

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

Senate Bill 417

Read a third time.

The question was: Shall **Senate Bill 417** be passed?

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

Ayes – Senators Carpenter, S. Coggs, Cowles, T. Cullen, 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 – 33.

Noes – None.

Absent or not voting – None.

Passed.

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

Senate Bill 390

Senate Bill 397

Senate Bill 398

Senate Bill 409

Senate Bill 410

Senate Bill 417

Messaged.

Senate Bill 421

Relating to: authorizing medically related actions by physician assistants.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 421**?

Adopted.

Ordered to a third reading.

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

Senate Bill 421

Read a third time and passed.

Senate Bill 422

Relating to: the length of vehicles that may be operated on a highway and granting rule-making authority.

Read a second time.

Ordered to a third reading.

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

Senate Bill 422

Read a third time and passed.

Senate Bill 423

Relating to: disqualification of commercial motor vehicle operators.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 423**?

Adopted.

Ordered to a third reading.

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

Senate Bill 423

Read a third time and passed.

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.

Read a second time.

Ordered to a third reading.

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

Senate Bill 425

Read a third time and passed.

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

Senate Bill 421

Senate Bill 422

Senate Bill 423

Senate Bill 425

Messaged.

Senate Bill 428

Relating to: commissioners of the Public Service Commission; notices, orders, and determinations of the commission; certificates of authority issued by the

commission; approval of contracts by the commission; electricity sales from certain wholesale merchant plants; public utility removal of certain electric service lines; renewable resource credits; tampering or interfering with utility equipment; granting rule-making authority; and providing penalties.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 428**?

Adopted.

Ordered to a third reading.

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

Senate Bill 428

Read a third time and passed.

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

Senate Bill 428

Messaged.

Senate Bill 440

Relating to: increasing the allowable number of project plan amendments, and lengthening the time during which tax increments may be allocated and expenditures for project costs may be made, for Tax Incremental District Number 3 in the city of Middleton.

Read a second time.

Ordered to a third reading.

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

Senate Bill 440

Read a third time.

The question was: Shall **Senate Bill 440** be passed?

The ayes and noes were required and the vote was: ayes, 31; noes, 2; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, S. Coggs, Cowles, T. Cullen, Darling, Ellis, Erpenbach, S. Fitzgerald, Galloway, Grothman, Hansen, Harsdorf, Holperin, Jauch, Kedzie, King, C. Larson, Lasee, Lassa, Lazich, Leibham, Miller, Moulton, Olsen, Risser, Schultz, Taylor, Vukmir, Wanggaard, Wirch and Zipperer – 31.

Noes – Senators Shilling and Vinehout – 2.

Absent or not voting – None.

Passed.

Senate Bill 442

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

Read a second time.

Ordered to a third reading.

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

Senate Bill 442

Read a third time.

The question was: Shall **Senate Bill 442** be passed?

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

Ayes – Senators Carpenter, S. Coggs, Cowles, T. Cullen, 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 – 33.

Noes – None.

Absent or not voting – None.

Passed.

Senate Bill 458

Relating to: authorizing local governments to appoint traffic control attendants for special events.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 458**?

Adopted.

Ordered to a third reading.

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

Senate Bill 458

Read a third time and passed.

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

Assembly Bill 55

Relating to: vehicle failure-to-yield violations.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 55

Read a third time.

The question was: Shall **Assembly Bill 55** be concurred in?

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

Ayes – Senators Carpenter, S. Coggs, Cowles, T. Cullen, 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 – 33.

Noes – None.

Absent or not voting – None.

Concurred in.

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

Senate Bill 440

Senate Bill 442

Senate Bill 458
Assembly Bill 55
Messaged.

Assembly Bill 152

Relating to: state aid for airport improvement projects.
Read a second time.
Ordered to a third reading.

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

Assembly Bill 152

Read a third time and concurred in.

Assembly Bill 181

Relating to: authorizing towns to challenge certain city or village annexation procedures.
Read a second time.
Ordered to a third reading.

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

Assembly Bill 181

Read a third time and concurred in.

Assembly Bill 377

Relating to: the definition of rough fish and taking rough fish with a crossbow.
Read a second time.
Ordered to a third reading.

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

Assembly Bill 377

Read a third time and concurred in.

Assembly Bill 383

Relating to: the disposal of oil absorbent materials.
Read a second time.
Ordered to a third reading.

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

Assembly Bill 383

Read a third time and concurred in.

Assembly Bill 450

Relating to: participation in certain training by unemployment insurance claimants, granting rule-making authority, and making an appropriation.
Read a second time.
Ordered to a third reading.

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

Assembly Bill 450

Relating to: participation in certain training by unemployment insurance claimants, granting rule-making authority, and making an appropriation.

Assembly Bill 450

Read a third time.

The question was: Shall **Assembly Bill 450** be concurred in?

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

Ayes – Senators Carpenter, S. Coggs, Cowles, T. Cullen, 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 – 33.

Noes – None.

Absent or not voting – None.

Concurred in.

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

Assembly Bill 152

Assembly Bill 181

Assembly Bill 377

Assembly Bill 383

Assembly Bill 450

Messaged.

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

Senator Miller, with unanimous consent, asked that when the Senate adjourn, it do so in honor of McFarland Spartans Senior, Ryan O'Donnell, on winning four events at the WIAA State Boys Swimming Championships this past weekend, to finish his high school swimming career with a record-setting 14 individual state titles, as McFarland racked up 325 points and rolled to its sixth consecutive Division 2 State Championship.

Senator Kedzie, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Margaret "Marge" Rutkowski of Franklin, WI, who passed away on January 18, 2012, at the age of 97. She was a neighbor and also the mother of his childhood best friend. She was born in Milwaukee, Wisconsin on September 22, 1914.

Senator Olsen, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Tracy Judd and her daughter Deja, as well as their surviving loved ones Stef and Kayla Greaser, Diane Keen, Lisa Judd and Heather Severson, who continue the fight for victims of domestic violence.

ADJOURNMENT

Senator S. Fitzgerald moved that the Senate stand adjourned until Wednesday, February 22, 2012 at 9:00 A.M.

Adjourned.

5:50 P.M.