

STATE OF WISCONSIN
Senate Journal
One–Hundredth Regular Session

MONDAY, March 5, 2012

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

CHIEF CLERK'S ENTRIES

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 64** offered by Senator Lazich.

Senate amendment 1 to Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 291** offered by Senator Lassa.

Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 291** offered by Senator Lassa.

Senate amendment 1 to **Senate Bill 300** offered by Senator Lasee.

Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 326** offered by Senators Kedzie and Cowles.

Senate amendment 3 to **Senate Bill 411** offered by Senator Moulton.

Senate substitute amendment 1 to **Senate Bill 462** offered by Senator Grothman.

Senate amendment 1 to **Senate Bill 472** offered by Senator Lasee.

Senate amendment 1 to **Senate Bill 500** offered by Senator Lazich.

Senate substitute amendment 1 to **Senate Bill 514** offered by Senator Galloway.

Senate substitute amendment 1 to **Senate Bill 517** offered by Senator Lasee.

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

Senate Bill 111

Report correctly enrolled on 3–5–2012.

BILLS PRESENTED TO THE GOVERNOR

The Chief Clerk records:

Senate Bill 111

Senate Bill 138

Presented to the Governor on 3–5–2012.

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

Read and referred:

Senate Joint Resolution 70

Relating to: the life and public service of Harry Franke.

By Senators Darling, Taylor, Galloway, T. Cullen, Risser, Holperin, Carpenter, Miller and S. Coggs; cosponsored by Representatives Berceau, Stone, Spanbauer, Staskunas, Kessler and Pasch.

To committee on **Senate Organization**.

Senate Joint Resolution 71

Relating to: proclaiming May 2012 as Motorcycle Awareness Month.

By Senators Vinehout, Cowles, Olsen, Holperin, Shilling, Taylor, C. Larson, Lassa, Hansen, Lazich, Erpenbach and S. Coggs; cosponsored by Representatives Danou, Spanbauer, Radcliffe, Petryk, Kerkman, Vruwink, Milroy, Turner, Bewley, Jorgensen, Mason, Brooks, A. Ott, Bernard Schaber, Endsley, Hulse, Krug, Molepske Jr and Sinicki.

To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 542

Relating to: the process for issuance of prospecting and mining permits for certain iron mining, standards for activities related to iron mining, fees related to iron mining, the net proceeds occupation tax on iron mining, and making appropriations.

By Senators Schultz and Jauch.

To joint committee on **Finance**.

Senate Bill 543

Relating to: changing the computation order for the dairy and livestock farm investment credit.

By Senator Vinehout; cosponsored by Representative Danou.

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

Senate Bill 544

Relating to: keeping certain name changes confidential.

By Senators Harsdorf, Olsen, Shilling, Taylor, Lassa and King; cosponsored by Representatives Ripp, Jacque, Kerkman, Pasch, C. Taylor, Jorgensen, Ringhand, Brooks, Staskunas, Marklein, Wynn, A. Ott, Endsley, Krug, Spanbauer, Tranel, Sinicki, Thiesfeldt, Ballweg and Berceau.

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

Senate Bill 545

Relating to: searches by a law enforcement officer of a person on probation, parole, or extended supervision.

By Senators Leibham and T. Cullen; cosponsored by Representatives Endsley, Bies, Jacque, LeMahieu, Marklein, Spanbauer, Stroebel and Ziegelbauer.

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

Senate Bill 546

Relating to: distribution of a trust under a guardianship.
By Senator Kedzie.

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

Senate Bill 547

Relating to: safety mirrors on school buses.

By Senator Leibham; cosponsored by Representative Endsley.

To committee on **Transportation and Elections**.

Senate Bill 548

Relating to: revenue limit for energy efficiency projects.

By Senator Shilling; cosponsored by Representatives Doyle, Bernard Schaber, Bewley and Clark.

To committee on **Energy, Biotechnology, and Consumer Protection**.

REPORT OF COMMITTEES

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

Senate Bill 518

Relating to: gasoline vapor recovery requirements and granting rule-making authority.

Passage.

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

Noes, 0 – None.

JOSEPH LEIBHAM
Chairperson

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

Senate Joint Resolution 48

Relating to: creating fiscal year allowable revenues for the state and local governmental units, returning excess revenue to the taxpayers, requiring electoral approval for certain taxing and spending decisions, and allowing local governmental units to exempt themselves from certain state mandates (first consideration).

Adoption.

Ayes, 3 – Senators Zipperer, Kedzie and Galloway.
Noes, 2 – Senators Risser and Erpenbach.

Senate Bill 453

Relating to: the authority and responsibility of the Department of Safety and Professional Services, requirements for obtaining certain licenses or other credentials from the Department of Safety and Professional Services, weighing a product that contains opium or another controlled substance, and granting rule-making authority.

Adoption of Senate Substitute Amendment 1.

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

Noes, 0 – None.

Passage as amended.

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

Noes, 0 – None.

Senate Bill 514

Relating to: elimination of sick leave for state senators and representatives to the assembly.

Adoption of Senate Substitute Amendment 1.

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

Noes, 0 – None.

Passage as amended.

Ayes, 3 – Senators Zipperer, Kedzie and Galloway.

Noes, 2 – Senators Risser and Erpenbach.

RICH ZIPPERER
Chairperson

The committee on **Public Health, Human Services, and Revenue** reports and recommends:

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.

Passage.

Ayes, 4 – Senators Galloway, Lazich, Vukmir and Carpenter.

Noes, 1 – Senator Shilling.

Senate Bill 524

Relating to: exception to local levy limits for the city of Fox Lake.

Passage.

Ayes, 5 – Senators Galloway, Lazich, Vukmir, Carpenter and Shilling.

Noes, 0 – None.

PAM GALLOWAY
Chairperson

The committee on **Workforce Development, Small Business, and Tourism** reports and recommends:

Senate Bill 407

Relating to: zinc air button cell batteries and providing penalties.

Passage.

Ayes, 5 – Senators Moulton, Cowles, Olsen, Holperin and T. Cullen.

Noes, 0 – None.

TERRY MOULTON
Chairperson

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

Assembly Bill 426

Relating to: regulation of ferrous metallic mining and related activities, making an appropriation, and providing penalties.

Introduction of Senate Substitute Amendment 1.

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.

Introduction of Senate Substitute Amendment 2.

Ayes, 12 – Senators Darling, Olsen, Harsdorf, Grothman, Leibham and Zipperer. Representatives Vos, Meyer, Strachota, LeMahieu, Nygren and Kleefisch.

Noes, 4 – Senators Taylor and Jauch. Representatives Mason and Richards.

Adoption of Senate Substitute Amendment 2.

Ayes, 12 – Senators Darling, Olsen, Harsdorf, Grothman, Leibham and Zipperer. Representatives Vos, Meyer, Strachota, LeMahieu, Nygren and Kleefisch.

Noes, 4 – Senators Taylor and Jauch. Representatives Mason and Richards.

Passage as amended.

Ayes, 12 – Senators Darling, Olsen, Harsdorf, Grothman, Leibham and Zipperer. Representatives Vos, Meyer, Strachota, LeMahieu, Nygren and Kleefisch.

Noes, 4 – Senators Taylor and Jauch. Representatives Mason and Richards.

ALBERTA DARLING
Senate Chairperson

The committee on **Senate Organization** reports:

Referred to, and withdrawn from, the joint committee on **Finance**, pursuant to Senate Rule [41 \(1\)\(e\)](#):

Senate Bill 114
Senate Bill 179
Senate Bill 326
Senate Bill 394
Senate Bill 396
Senate Bill 411
Senate Bill 452
Senate Bill 461
Senate Bill 463
Senate Bill 465
Senate Bill 497
Senate Bill 526

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

Noes: 0 – None.

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

Senate Bill 50
Assembly Bill 176
Assembly Bill 397

Ayes: 3 – Senators Fitzgerald, Ellis, and Grothman.

Noes: 2 – Senators Miller and Hansen.

Made a special order of business on the Senate Calendar of Tuesday, March 6, 2012:

Assembly Bill 426 at 1:31P.M.

Ayes: 3 – Senators Fitzgerald, Ellis, and Grothman.

Noes: 2 – Senators Miller and Hansen.

Placed the following appointments and proposals on the Senate Calendar of Tuesday, March 6, 2012:

Saied Assef

Mark Barrette
Gregg A. Bogost
Eileen Burnett
William Cullinan
Julie Ellis
Brian Hammes
Mary Jafari
Doreen Jensen
Lynn Leazer
Suresh Misra
Andrew Petersen
Mary Ellen Polenske
Larry Rambo
Geraldine Reuter
Timothy Swan
Sridhar V. Vasudevan
Barbara Viste-Johnson
Thomas Wagner
William W. Weis
Patricia Willis
Senate Joint Resolution 58
Senate Joint Resolution 65
Senate Joint Resolution 66
Senate Joint Resolution 69
Senate Bill 50
Senate Bill 58
Senate Bill 114
Senate Bill 179
Senate Bill 255
Senate Bill 308
Senate Bill 338
Senate Bill 394
Senate Bill 396
Senate Bill 399
Senate Bill 407
Senate Bill 411
Senate Bill 415
Senate Bill 429
Senate Bill 441
Senate Bill 452
Senate Bill 453
Senate Bill 457
Senate Bill 459
Senate Bill 461
Senate Bill 463
Senate Bill 464
Senate Bill 465
Senate Bill 474
Senate Bill 475
Senate Bill 476
Senate Bill 492
Senate Bill 496
Senate Bill 497
Senate Bill 498
Senate Bill 518
Senate Bill 524
Senate Bill 526
Assembly Bill 56
Assembly Bill 176
Assembly Bill 217
Assembly Bill 334
Assembly Bill 384
Assembly Bill 395

Assembly Bill 397
Assembly Bill 426

Ayes: 5 – Senators Fitzgerald, Ellis, Grothman, Miller and Hansen.
Noes: 0 – None.

SCOTT FITZGERALD
Chairperson

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Office of the Governor

March 5, 2012

To the Honorable, the Senate:

The following bill(s), originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Senate Bill 442	Act 119	March 2, 2012

Sincerely,
SCOTT WALKER
Governor

Pursuant to Senate Rule 17 (5), Senator S. Cogg added as a coauthor of **Senate Bill 548**.

Pursuant to Senate Rule 17 (5), Representative Berceau added as a cosponsor of **Senate Bill 548**.

Pursuant to Senate Rule 17 (5), Senator Moulton added as a coauthor of **Senate Joint Resolution 69**.

ADVICE AND CONSENT OF THE SENATE

State of Wisconsin
Office of the Governor

March 5, 2012

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BETH WELTER of Prairie Du Chien,

as a member of the Dentistry Examining Board, to serve for the term ending July 1, 2014.

Respectfully submitted,
SCOTT WALKER
Governor

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

State of Wisconsin
Office of the Governor

March 5, 2012

The Honorable, The Senate:

This letter is to remove the following appointment from consideration for confirmation by the Wisconsin Senate:

STEMPSKI, WILLIAM, of Green Bay, as a member of the Dentistry Examining Board, to serve for the term ending July 1, 2015.

Sincerely,
SCOTT WALKER
Governor

REFERRALS AND RECEIPT OF COMMITTEE
REPORTS CONCERNING PROPOSED
ADMINISTRATIVE RULES

The joint committee for review of **Administrative Rules** reports and recommends:

Senate Clearinghouse Rule 10–136

Relating to definitions, duties of brokers, broker disclosure requirements, written proposals, ethical requirements, and educational requirements.

No action taken.

Senate Clearinghouse Rule 11–037

Relating to county and district fairs.

No action taken.

LEAH VUKMIR
Senate Chairperson