



STATE OF WISCONSIN

Senate Journal

One-Hundredth Regular Session

12:45 P.M.

WEDNESDAY, March 7, 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. Cogg, 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 stood for a moment of silence.

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

CHIEF CLERK'S ENTRIES

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 156** offered by Senator Kedzie.

Senate substitute amendment 2 to **Senate Bill 243** offered by Senator Galloway.

Senate substitute amendment 1 to **Senate Bill 502** offered by Senator Lazich.

Senate substitute amendment 2 to **Senate Bill 517** offered by Senator Lasee.

Senate amendment 1 to **Senate Bill 544** offered by Senator Harsdorf.

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Office of the Governor

March 7, 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 357	Act 120 . . .	March 5, 2012
Senate Bill 111	Act 121 . . .	March 7, 2012
Senate Bill 138	Act 122 . . .	March 7, 2012

Sincerely,
SCOTT WALKER
Governor

State of Wisconsin
Office of the Secretary of State

March 7, 2012

The Honorable, the Legislature:

<u>Bill Number</u>	<u>Act Number</u>	<u>Publication Date</u>
Senate Bill 442	Act 119 . . .	March 16, 2012
Senate Bill 357	Act 120 . . .	March 19, 2012

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

Pursuant to Senate Rule 17 (5), Representative Kaufert added as a cosponsor of **Senate Joint Resolution 71**.

Pursuant to Senate Rule 17 (5), Senator Lassa added as a coauthor of **Senate Bill 542**.

Pursuant to Senate Rule 17 (5), Senator Hansen added as a coauthor of **Senate Bill 542**.

Pursuant to Senate Rule 17 (5), Senator Vinehout added as a cosponsor of **Assembly Joint Resolution 76**.

Pursuant to Senate Rule 17 (5), Senator Vinehout added as a cosponsor of **Assembly Joint Resolution 89**.

Pursuant to Senate Rule 17 (5), Senator Vinehout added as a cosponsor of **Assembly Joint Resolution 91**.

Pursuant to Senate Rule 17 (5), Senator Vinehout added as a cosponsor of **Assembly Joint Resolution 99**.

Pursuant to Senate Rule 17 (5), Senator Cowles added as a cosponsor of **Assembly Joint Resolution 102**.

Pursuant to Senate Rule 17 (5), Senator Vinehout added as a cosponsor of **Assembly Joint Resolution 108**.

Pursuant to Senate Rule 17 (5), Senator Carpenter added as a cosponsor of **Assembly Joint Resolution 112**.

Pursuant to Senate Rule 17 (5), Senator Vinehout added as a cosponsor of **Assembly Joint Resolution 117**.

Pursuant to Senate Rule 17 (5), Senator Vinehout added as a cosponsor of **Assembly Joint Resolution 120**.

Pursuant to Senate Rule 17 (5), Senator Lassa added as a cosponsor of **Assembly Bill 322**.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

CORRECTIONS IN:

**SENATE SUBSTITUTE AMENDMENT 2
2011 ASSEMBLY BILL 426**

Prepared by the Legislative Reference Bureau
(March 7, 2012)

1. Page 9, line 19: delete “295.47” and substitute “295.58”.
2. Page 11, line 17: delete “295.47” and substitute “295.58”.
3. Page 13, line 10: delete “295.47” and substitute “295.58”.

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

March 7, 2012

The Honorable, The Senate:

I am writing to request that the Senate Journal officially record that the inspiration for **Assembly Joint Resolution 108**, designating December 12, 2012 as Aaron Rodgers Day, came from Ray Boileau of Weyauwega, Wisconsin.

Mr. Boileau wrote my office and others on December 5, 2011 with this suggestion.

Sincerely,

MICHAEL G. ELLIS

Senate President, 19th Senate District

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 322
Assembly Bill 379
Assembly Bill 417
Assembly Bill 497
Assembly Bill 508
Assembly Bill 552

Adopted and asks concurrence in:

Assembly Joint Resolution 63

Amended and concurred in as amended:

Senate Bill 104 (Assembly Amendment 1 Adopted)

MESSAGES FROM THE ASSEMBLY CONSIDERED

Assembly Bill 322

Relating to: accessible instructional materials for students with disabilities enrolled in the University of Wisconsin System or the Technical College System.

By Representatives Knilans, Seidel, Bewley, Bies, Endsley, Grigsby, Krug, Pope–Roberts, Steinbrink, Turner, C. Taylor

and Mason; cosponsored by Senators Wirch, Erpenbach, S. Cogg, Lasee, C. Larson, Risser and Taylor.

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

Assembly Bill 379

Relating to: keeping certain name changes confidential.

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; cosponsored by Senators Harsdorf, Olsen, Shilling, Taylor, Lassa and King.

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

Assembly Bill 417

Relating to: procedures for establishing a claim (suggested as remedial legislation by the Office of the State Treasurer).

By Representative Kramer; cosponsored by Senator Grothman.

Read first time and referred to committee on **Judiciary, Utilities, Commerce, and Government Operations**.

Assembly Bill 497

Relating to: providing immunity from liability to a school board or the governing body of a charter school that provides public access to school grounds for certain recreational activities.

By Representatives Bies, Bernier, Brooks, Jacque, Kestell, Kooyenga, LeMahieu, Marklein, A. Ott, Petrowski, Spanbauer, Strachota, Stroebel and Thiesfeldt; cosponsored by Senators Galloway, Grothman and Lazich.

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

Assembly Bill 508

Relating to: authorizing the Wisconsin Health and Educational Facilities Authority to issue bonds to finance projects related to nonprofit facilities.

By Representatives Krug, Bernier, Endsley, Kerkman, Petryk, Steineke and Strachota; cosponsored by Senators Olsen and Holperin.

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

Assembly Bill 552

Relating to: statute of limitations for first–degree sexual assault, attempted homicide, and attempted first–degree sexual assault.

By Representatives Steineke, Petryk, Bernard Schaber, Bernier, Endsley, Jacque, Kerkman, T. Larson, Litjens, Marklein, Nygren, A. Ott, Rivard, Severson, Spanbauer, Stroebel, Tranel, Wynn, Ziegelbauer, Bies and Danou; cosponsored by Senators Cowles and Lassa.

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

Assembly Joint Resolution 63

Relating to: recall of elective officers and a code of ethics for government officials (first consideration).

By Representatives Vos, Farrow, Tauchen, Kleefisch, Craig, Knudson, Van Roy, Nygren, A. Ott, Rivard, Severson, Kaufert, Honadel, Kapenga, Litjens, Kuglitsch, Petersen, Kestell, Stroebel, Strachota, Meyer and Ballweg; cosponsored by Senators Harsdorf and Holperin.

Read and referred to committee on **Judiciary, Utilities, Commerce, and Government Operations**.

ADVICE AND CONSENT OF THE SENATE

Senator Fitzgerald, with unanimous consent, asked that all the appointments be taken up en masse.

GERARDO GONZALEZ of Mequon, as a member of the Wisconsin Professional Baseball Park District Board, to serve for the term ending July 1, 2015.

TRACEY KLEIN of Brookfield, as a member of the Wisconsin Professional Baseball Park District Board, to serve for the term ending July 1, 2015.

WILLIAM L. MCREYNOLDS of Racine, as a member of the Wisconsin Professional Baseball Park District Board, to serve for the term ending July 1, 2013.

DON SMILEY of Milwaukee, as a member of the Wisconsin Professional Baseball Park District Board, to serve for the term ending July 1, 2015.

Read.

The question was: Confirmation?

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

Ayes – Senators 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 and Zipperer – 31.

Noes – Senators Carpenter and Wirch – 2.

Absent or not voting – None.

Confirmed.

Pursuant to Senate Rule 18 (4), **Senate Bill 50** was taken up from the unfinished calendar of Tuesday, March 6, 2012.

Senate Bill 50

Relating to: wind energy system rules.

Read a second time.

IN THE CHAIR

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

Senator Lasee asked unanimous consent that **Senate Bill 50** be referred to the committee on **Senate Organization**.

Senator Miller objected.

Senator Lasee moved that **Senate Bill 50** be referred to the committee on **Senate Organization**.

The question was: Shall **Senate Bill 50** be referred to the committee on **Senate Organization**?

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.

Referred.

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

Senate Joint Resolution 70

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

Read.

The question was: Shall **Senate Joint Resolution 70** be adopted?

Adopted by unanimous rising vote.

Senator Leibham, with unanimous consent, asked that all members of the Senate be made coauthors of **Senate Joint Resolution 70**.

Senate Joint Resolution 71

Relating to: proclaiming May 2012 as Motorcycle Awareness Month.

The question was: Shall **Senate Joint Resolution 71** be adopted?

Adopted.

Assembly Joint Resolution 44

Relating to: the life and public service of Virgil D. Roberts and honoring his many accomplishments.

Read.

The question was: Shall **Assembly Joint Resolution 44** be concurred in?

Concurred in by unanimous rising vote.

Senator Leibham, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 44**.

Assembly Joint Resolution 60

Relating to: the life and public service of Judge Terence T. Evans.

The question was: Shall **Assembly Joint Resolution 60** be concurred in?

Concurred in.

Assembly Joint Resolution 74

Relating to: the life and public service of Cecil B. Brown, Jr.

Read.

The question was: Shall **Assembly Joint Resolution 74** be concurred in?

Concurred in by unanimous rising vote.

Senator Leibham, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 74**.

Assembly Joint Resolution 76

Relating to: commending the Department of Natural Resources–Division of Forestry and their emergency response personnel.

The question was: Shall **Assembly Joint Resolution 76** be concurred in?

Concurred in.

Assembly Joint Resolution 89

Relating to: commending Ralph Bruno, the creator of the cheesehead hat.

The question was: Shall **Assembly Joint Resolution 89** be concurred in?

Concurred in.

Assembly Joint Resolution 91

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

The question was: Shall **Assembly Joint Resolution 91** be concurred in?

Concurred in.

Assembly Joint Resolution 99

Relating to: honoring Barbara A. Bitters.

The question was: Shall **Assembly Joint Resolution 99** be concurred in?

Concurred in.

Assembly Joint Resolution 102

Relating to: the life and public service of Jean Lucey.

The question was: Shall **Assembly Joint Resolution 102** be concurred in?

Concurred in.

Assembly Joint Resolution 108

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

The question was: Shall **Assembly Joint Resolution 108** be concurred in?

Concurred in.

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.

The question was: Shall **Assembly Joint Resolution 112** be concurred in?

Concurred in.

Assembly Joint Resolution 113

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

The question was: Shall **Assembly Joint Resolution 113** be concurred in?

Concurred in by unanimous rising vote.

Senator Leibham, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 113**.

Assembly Joint Resolution 117

Relating to: the life and public service of Jim Irwin.

The question was: Shall **Assembly Joint Resolution 117** be concurred in?

Concurred in.

Assembly Joint Resolution 119

Relating to: the life and public service of William Kiley.

The question was: Shall **Assembly Joint Resolution 119** be concurred in?

Concurred in.

Assembly Joint Resolution 120

Relating to: proclaiming May 18, 19, and 20, 2012, Syttende Mai Weekend.

The question was: Shall **Assembly Joint Resolution 120** be concurred in?

Concurred in.

Senator Fitzgerald, with unanimous consent, asked that all action be immediately messaged to the Assembly, with the exception of **Senate Bill 526**:

- Senate Joint Resolution 70**
- Senate Joint Resolution 71**
- Assembly Joint Resolution 44**
- Assembly Joint Resolution 60**
- Assembly Joint Resolution 74**
- Assembly Joint Resolution 76**
- Assembly Joint Resolution 89**
- Assembly Joint Resolution 91**
- Assembly Joint Resolution 99**
- Assembly Joint Resolution 102**
- Assembly Joint Resolution 108**
- Assembly Joint Resolution 112**
- Assembly Joint Resolution 113**
- Assembly Joint Resolution 117**
- Assembly Joint Resolution 119**
- Assembly Joint Resolution 120**

Messaged.

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

Senate Bill 275

Relating to: membership of technical college district boards.

Read a second time.

Senator Grothman, with unanimous consent, asked that Senate amendment 1 to Senate substitute amendment 1 and Senate substitute amendment 1 to **Senate Bill 275** be withdrawn and returned to author.

Senate substitute amendment 2 to **Senate Bill 275** offered by Senator Grothman.

Senate amendment 1 to Senate substitute amendment 2 to **Senate Bill 275** offered by Senators Grothman and Harsdorf.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 2 to **Senate Bill 275**?

Adopted.

Senator C. Larson moved that **Senate Bill 275** be referred to the committee on **Agriculture, Forestry, and Higher Education**.

The question was: Shall **Senate Bill 275** be referred to the committee on **Agriculture, Forestry, and Higher Education**?

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.

Referral Refused.

The question was: Adoption of Senate substitute amendment 2 to **Senate Bill 275**?

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.

Ordered to a third reading.

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

Senator Taylor objected.

Senate Bill 297

Relating to: eliminating ambulatory surgical center assessment.

Read a second time.

Senator S. Fitzgerald, with unanimous consent, asked that **Senate Bill 297** be referred to committee on **Senate Organization**.

Referred.

Senate Bill 300

Relating to: the length of time for which a variance applies.

Read a second time.

Senator Lazich, with unanimous consent, asked that **Senate Bill 300** be placed at the foot of the 11th order of business on today's calendar.

Placed at the foot of the 11th order of business.

Senate Bill 326

Relating to: the issuance of, and exemptions from, certain individual permits, contracts, and general permits for structures, deposits, and other activities in or near navigable waters; areas of significant scientific value that are areas of special natural resource interest; repair and maintenance of boathouses and fixed houseboats; information required to be published on the Department of Natural Resources Internet

Web site; expedited procedures for certain plan approvals; deadlines for action on certain approval applications; and granting rule-making authority.

Read a second time.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 326**?

Adopted.

The question was: Adoption of Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 326**?

Adopted.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 326**?

Adopted.

Ordered to a third reading.

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

Senate Bill 326

Read a third time.

The question was: Shall **Senate Bill 326** be passed?

The ayes and noes were required and the vote was: ayes, 20; noes, 13; absent or not voting, 0; as follows:

Ayes – Senators Cowles, T. Cullen, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Hansen, Harsdorf, Holperin, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir, Wanggaard and Zipperer – 20.

Noes – Senators Carpenter, S. Coggs, Erpenbach, Jauch, King, C. Larson, Lassa, Miller, Risser, Shilling, Taylor, Vinehout and Wirch – 13.

Absent or not voting – None.

Passed.

Senate Bill 376

Relating to: creation and coverage of certain positions of the Wisconsin Economic Development Corporation under the code of ethics for state public officials and employees.

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 376

Read a third time and passed.

Senate Bill 388

Relating to: duties of ski area operators and participants in snow sports, liability of ski area operators, and granting rule-making authority.

Read a second time.

The question was: Adoption of Senate substitute amendment 2 to **Senate Bill 388**?

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 388

Read a third time and passed.

Senate Bill 487

Relating to: the provision of information regarding health care benefits provided to certain assistance program recipients.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 487**?

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 487

Read a third time.

The question was: Shall **Senate Bill 487** be passed?

The ayes and noes were required and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Harsdorf, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Schultz, Shilling, Vinehout, Vukmir, Wanggaard and Zipperer – 19.

Noes – Senators Carpenter, S. Coggs, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, King, C. Larson, Lassa, Miller, Risser, Taylor and Wirch – 14.

Absent or not voting – None.

Passed.

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

Assembly Bill 209

Relating to: mandatory minimum sentences for certain child sex offenses.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Assembly Bill 209**?

Adopted.

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 209

Read a third time and concurred in as amended.

Assembly Bill 263

Relating to: costs associated with providing false information to a law enforcement officer.

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 263

Read a third time and concurred in.

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

Senate Bill 326

Senate Bill 376

Senate Bill 388

Senate Bill 487

Senate Bill 526

Assembly Bill 209

Assembly Bill 263

Messaged.

Assembly Bill 311

Relating to: creating a sporting recruitment and retention council, programs to encourage recruitment of hunters and trappers, restrictions on expenditures under the Warren Knowles–Gaylord Nelson stewardship program, reduced fees for certain first–time hunting and trapping approvals, high school credit under and administration of the hunter and trapper education programs, waiving fishing license requirements for a weekend ice fishing event, and sturgeon spearing license age requirements.

Read a second time.

Senate amendment 1 to Senate substitute amendment 1 to **Assembly Bill 311** offered by Senator Risser.

Senator Risser, with unanimous consent, asked that Senate amendment 1 to Senate substitute amendment 1 to **Assembly Bill 311** be withdrawn and returned to author.

Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 311** offered by Senator Risser.

Senator Galloway moved that Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 311** be laid on the table.

The question was: Shall Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 311** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 28; noes, 5; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Cowles, T. Cullen, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Harsdorf, Holperin, Jauch, Kedzie, King, C. Larson, Lasee, Lassa, Lazich, Leibham, Moulton, Olsen, Schultz, Shilling, Taylor, Vinehout, Vukmir, Wanggaard, Wirch and Zipperer – 28.

Noes – Senators S. Coggs, Erpenbach, Hansen, Miller and Risser – 5.

Absent or not voting – None.

Tabled.

The question was: Adoption of Senate substitute amendment 1 to **Assembly Bill 311**?

Adopted.

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 311

Read a third time.

The question was: Shall **Assembly Bill 311** be concurred in as amended?

The ayes and noes were demanded and the vote was: ayes, 32; noes, 1; 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, Schultz, Shilling, Taylor, Vinehout, Vukmir, Wanggaard, Wirch and Zipperer – 32.

Noes – Senator Risser – 1.

Absent or not voting – None.

Concurred in as amended.

Assembly Bill 418

Relating to: agreements to locate unclaimed property reported to the state treasurer.

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 418

Read a third time and concurred in.

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

Assembly Bill 311

Assembly Bill 418

Messaged.

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

3:13 P.M.

RECESS

5:03 P.M.

The Senate reconvened.

President Ellis in the chair.

Senate Bill 300

Relating to: the length of time for which a variance applies.

Senate substitute amendment 1 to **Senate Bill 300** offered by Senators Lasee and Lazich.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 300**?

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 300

Read a third time and passed.

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

Senate Bill 300

Messaged.

ADJOURNMENT

Senator S. Fitzgerald, with unanimous consent, asked that the Senate stand adjourned until Thursday, March 8, 2012.

Adjourned.

5:12 P.M.