



# STATE OF WISCONSIN

# Senate Journal

## One-Hundred and First Regular Session

11:31 A.M.

WEDNESDAY, April 17, 2013

The Senate met.

The Senate was called to order by Senate President Pro Tempore Leibham.

### 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, Cowles, T. Cullen, Darling, Ellis, Erpenbach, Farrow, S. Fitzgerald, Grothman, Gudex, Hansen, Harris, Harsdorf, Jauch, Kedzie, C. Larson, Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Moulton, Olsen, Petrowski, Risser, Schultz, Shilling, L. Taylor, Tiffany, Vinehout, Vukmir and Wirch - 33.

Absent with leave - None.

The Senate stood for the prayer which was offered by Senator Moulton.

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

### LEAVES OF ABSENCE

Senator Larson, with unanimous consent, asked that Senator Jauch be granted a leave of absence for part of today's session.

### CHIEF CLERK'S ENTRIES

#### AMENDMENTS OFFERED

Senate Amendment 2 to **Senate Bill 72** offered by Senator Farrow.

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

Read first time and referred:

#### **Senate Bill 143**

Relating to: authorizing the circuit court to order a person who engages in discrimination in employment,

unfair honesty testing, or unfair genetic testing to pay compensatory and punitive damages.

By Senators Hansen, Lehman, Harris, Vinehout, Wirch, Lassa, Shilling, Carpenter, Miller, L. Taylor, Risser, C. Larson, T. Cullen, Erpenbach and Jauch; cosponsored by Representatives Sinicki, Kahl, Barca, Barnes, Berceau, Bernard Schaber, Bewley, Billings, Clark, Danou, Doyle, Genrich, Goyke, Hebl, Hesselbein, Hintz, Hulsey, Johnson, Jorgensen, Kessler, Kolste, Mason, Milroy, Ohnstad, Pasch, Pope, Richards, Riemer, Ringhand, Sargent, Shankland, Smith, C. Taylor, Vruwink, Wachs, Wright, Young, Zamarripa and Zepnick.

To committee on **Judiciary and Labor**.

#### **Senate Bill 144**

Relating to: creating a vehicle registration exemption for motor vehicles held by garagekeepers that are operated for purposes of repair, service, or testing.

By Senators Jauch, Olsen, Shilling, Lassa, L. Taylor, Grothman, Lehman and T. Cullen; cosponsored by Representatives Bewley, Pope, Czaja, Berceau, Ohnstad, Sinicki and Ringhand.

To committee on **Transportation, Public Safety, and Veterans and Military Affairs**.

#### **Senate Bill 145**

Relating to: penalties for certain traffic offenses committed while sanitation workers are at risk from traffic and providing a penalty.

By Senators Farrow, Lasee and Hansen; cosponsored by Representatives Jagler, Murtha, Stone, Kooyenga, Petersen, Tranel, A. Ott, Petryk, Spiros, T. Larson, Ripp, Born, Kleefisch, Hesselbein, Barnes, Williams, Bies, Thiesfeldt, Zepnick, Kahl, Bernier, Kestell, Czaja, Hebl, LeMahieu and Ohnstad.

To committee on **Transportation, Public Safety, and Veterans and Military Affairs**.

#### **Senate Bill 146**

Relating to: assessing property used for aging cheese as manufacturing property.

By Senators Leibham, Gudex, Grothman, Kedzie, Tiffany, Olsen, T. Cullen, Lasee, Schultz and Moulton; cosponsored by Representatives Endsley, LeMahieu, Thiesfeldt, Kestell, Marklein, Ripp, Murphy, A. Ott, Schraa, Tranel, Tittl, Stone, Spiros and Mursau.

To committee on **Workforce Development, Forestry, Mining, and Revenue**.

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## PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Senator Carpenter added as a co-author of **Senate Bill 62**.

Pursuant to Senate Rule 17 (5), Senator Hansen added as a co-author of **Senate Bill 117**.

Pursuant to Senate Rule 17 (5), Senator Hansen added as a co-author of **Senate Bill 119**.

Pursuant to Senate Rule 17 (5), Senator Hansen added as a co-author of **Senate Bill 120**.

Pursuant to Senate Rule 17 (5), Senator Hansen added as a co-author of **Senate Bill 118**.

Pursuant to Senate Rule 17 (5), Senator Vinehout added as a co-author of **Senate Bill 62**.

Pursuant to Senate Rule 17 (5), Senator Vinehout added as a co-author of **Senate Bill 117**.

Pursuant to Senate Rule 17 (5), Senator Vinehout added as a co-author of **Senate Bill 96**.

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## REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

### **Senate Clearinghouse Rule 10-141**

Relating to training requirements for individuals administering nonprescription and prescription drug products to pupils.

Submitted by Department of Public Instruction.

Report received from Agency, April 12, 2013.

Referred to committee on **Health and Human Services**, April 17, 2013.

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## MESSAGES FROM THE ASSEMBLY CONSIDERED

### **Assembly Joint Resolution 24**

Relating to: expressing prayers and condolences to the families, friends of the victims, and the injured from the bombings at the Boston Marathon and praising the first responders who rushed to their aid.

By Representatives Barca, Vos, Suder, Pasch, Kramer, Jorgensen, Steineke, Zamarripa and Ballweg; cosponsored by Senators S. Fitzgerald and C. Larson.

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

### **Assembly Bill 58**

Relating to: bank service corporations and credit union service organizations.

By Representatives Craig, Marklein, Czaja, Genrich, Jacque, Kahl, Ohnstad, Sanfelippo, Zepnick and Weininger; cosponsored by Senators Schultz, Lasee, Grothman and Petrowski.

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

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Senator Fitzgerald, with unanimous consent, asked that **Senate Joint Resolution 13** be withdrawn and taken up at this time.

### **Senate Joint Resolution 13**

Relating to: the life and military service of United States Army Staff Sergeant Joseph James Altmann.

Read.

Adopted by unanimous rising vote.

Senator Fitzgerald, with unanimous consent, asked that all members of the Senate be added as coauthors of **Senate Joint Resolution 13**.

Senator Fitzgerald, with unanimous consent, asked that **Senate Joint Resolution 19** be taken up at this time.

### **Senate Joint Resolution 19**

Relating to: the life and military service of United States Army First Lieutenant David Andrew.

Read.

Adopted by unanimous rising vote.

Senator Fitzgerald, with unanimous consent, asked that all members of the Senate be added as coauthors of **Senate Joint Resolution 19**.

Senator Fitzgerald, with unanimous consent, asked that **Senate Joint Resolution 20** be taken up at this time.

### **Senate Joint Resolution 20**

Relating to: the life and military service of United States Army Sgt. Chester G. Stoda.

Read.

Adopted by unanimous rising vote.

Senator Fitzgerald, with unanimous consent, asked that all members of the Senate be added as coauthors of **Senate Joint Resolution 20**.

Senator Fitzgerald, with unanimous consent, asked that **Senate Joint Resolution 21** be taken up at this time.

### **Senate Joint Resolution 21**

Relating to: the life and military service of United States Marine Corporal Michael Conrad Nolen.

Read.

Adopted by unanimous rising vote.

Senator Fitzgerald, with unanimous consent, asked that all members of the Senate be added as coauthors of **Senate Joint Resolution 21**.

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

**Senate Joint Resolution 13**  
**Senate Joint Resolution 19**

**Senate Joint Resolution 20**  
**Senate Joint Resolution 21**

Messaged.

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

11:53 A.M.

**RECESS**

The Senate reconvened.

Senate President Ellis in the chair.

Senator Fitzgerald, with unanimous consent, asked that **Assembly Joint Resolution 24** be withdrawn from the committee on **Senate Organization** and taken up at this time.

**Assembly Joint Resolution 24**

Relating to: expressing prayers and condolences to the families, friends of the victims, and the injured from the bombings at the Boston Marathon and praising the first responders who rushed to their aid.

Senator Vinehout, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 24**.

Concurred in by unanimous rising vote.

**ADVICE AND CONSENT OF THE SENATE**

**JORDAHL, CLARENCE**

Of Middleton, as a member of the Labor and Industry Review Commission, to serve for the term ending March 1, 2019.

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, Cowles, T. Cullen, Ellis, Erpenbach, Farrow, S. Fitzgerald, Grothman, Gudex, Hansen, Harris, Harsdorf, Jauch, Kedzie, C. Larson, Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Moulton, Olsen, Petrowski, Risser, Schultz, Shilling, L. Taylor, Tiffany, Vinehout, Vukmir and Wirch - 32.

Noes - None.

Absent or not voting - Senator Darling - 1.

Confirmed.

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

**Assembly Joint Resolution 24**

Messaged.

**IN THE CHAIR**

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

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

**Senate Joint Resolution 14**

Relating to: University of Wisconsin-Green Bay women's basketball team.

The question was: Adoption of **Senate Joint Resolution 14**?

Adopted.

**Senate Joint Resolution 18**

Relating to: declaring May 2013 Youth Traffic Safety Month.

The question was: Adoption of **Senate Joint Resolution 18**?

Adopted.

**Senate Joint Resolution 22**

Relating to: the life and public service of Prime Minister Margaret Thatcher.

The question was: Adoption of **Senate Joint Resolution 22**?

Adopted.

**Senate Joint Resolution 23**

Relating to: commending Bellin Memorial Hospital for being named the nation's safest hospital.

The question was: Adoption of **Senate Joint Resolution 23**?

Adopted.

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

**Senate Joint Resolution 14**

**Senate Joint Resolution 18**

**Senate Joint Resolution 22**

**Senate Joint Resolution 23**

Messaged.

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

**Senate Bill 11**

Relating to: the Department of Transportation's initial costs of production for special registration plates supporting

the Lions Clubs of Wisconsin and supporting motorcycle safety.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 11**

Read a third time.

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

Ayes - Senators Carpenter, Cowles, T. Cullen, Ellis, Erpenbach, Farrow, S. Fitzgerald, Grothman, Gudex, Hansen, Harris, Harsdorf, Jauch, Kedzie, C. Larson, Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Moulton, Olsen, Petrowski, Risser, Schultz, Shilling, L. Taylor, Tiffany, Vinehout, Vukmir and Wirch - 32.

Noes - None.

Absent or not voting - Senator Darling - 1.

Passed.

**Senate Bill 41**

Relating to: designating and marking a specified highway route in the counties of Rock, Dane, Jefferson, Dodge, and Fond du Lac as the Rock River Trail Scenic and Historic Route.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 41**

Read a third time and passed.

**Senate Bill 45**

Relating to: indication of veteran status on an operator's license or identification card and granting rule-making authority.

Read a second time.

The question was: Adoption of Senate Amendment 1 to **Senate Bill 45**?

Adopted.

The question was: Adoption of Senate Amendment 2 to **Senate Bill 45**?

Adopted.

Ordered to a third reading.

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

**Senate Bill 45**

Read a third time and passed.

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

**Senate Bill 11**

**Senate Bill 41**

**Senate Bill 45**

Messaged.

**Senate Bill 62**

Relating to: proof of motor vehicle liability insurance.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 62**

Read a third time and passed.

**Senate Bill 67**

Relating to: the vehicle registration exemption for amphibious motor vehicles.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 67**

Read a third time and passed.

**Senate Bill 96**

Relating to: designating and marking STH 128 as the 128th Infantry Memorial Highway.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 96**

Read a third time and passed.

**Senate Bill 117**

Relating to: the payment of travel expenses of national guard members on state active duty.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 117**

Read a third time and passed.

**Senate Bill 118**

Relating to: authorization for an additional deputy adjutant general in the department of military affairs.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 118**

Read a third time and passed.

**Senate Bill 119**

Relating to: ratification of the state and province emergency management assistance compact.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 119**

Read a third time and passed.

**Senate Bill 120**

Relating to: financial aid for service members and their immediate families and making an appropriation.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 120**

Read a third time.

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

Ayes - Senators Carpenter, Cowles, T. Cullen, Darling, Ellis, Erpenbach, Farrow, S. Fitzgerald, Grothman, Gudex, Hansen, Harris, Harsdorf, Jauch, Kedzie, C. Larson, Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Moulton, Olsen, Petrowski, Risser, Schultz, Shilling, L. Taylor, Tiffany, Vinehout, Vukmir and Wirch - 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 62**

**Senate Bill 67**

**Senate Bill 96**

**Senate Bill 117**

**Senate Bill 118**

**Senate Bill 119**

**Senate Bill 120**

Messaged.

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

Senator Lehman, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the 64<sup>th</sup> birthday of his good friend, the President of the Village of Pleasant Prairie in Kenosha County, former Representative John Steinbrink.

Senator Lehman, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Trevor Foster, a Senate Scholar from Westosha Central High School and his commitment this week to learn about Wisconsin government. Senator Lehman would also like to give special thanks to Erin Allers and Ted Blazel, the Sergeant at Arms, for creating and carrying out this wonderful school of democracy.

Senator Lassa, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Gannett Central Wisconsin Media's 2013 All Stars of Academic Excellence. They were all nominated by high school principals across the region as the highest academic achievers from the graduating class of 2013. Of the 45 nominations received, a panel of educators selected 12 to receive the All Stars award. The winners were: Alayna Holderman of Amherst High School, Luke Mroczenski of Athens High School, Alex Viegut of Marshfield Columbus Catholic High School, Ryan Eisenman of D.C. Everest Senior High School in Weston, Alma Faroque of Marshfield High School, Sarah Beilke of Newman Catholic High School, Megan Piotrowski of Pittsville High School, Jordan Baur of Wausau East High School, Ellie Battino of Wausau West High School, Camden Goetz of Lincoln High School in Wisconsin Rapids, and Gwynna Norton of Lincoln High School in Wisconsin Rapids.

Senator Hansen, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Sgt. Carrie Seichter and all our correctional officers. Sgt. Seichter was viciously attacked by an inmate a year ago as she participated in a search of an inmate's cell. She was repeatedly punched in the face resulting in a concussion and broken nose that required reconstructive surgery. She also suffers PTSD as a result of the attack.

Senator Tiffany, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Lindsey Lieck, his Senate Scholar from Rhinelander.

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**ADJOURNMENT**

Senator Fitzgerald, with unanimous consent, asked that the Senate stand adjourned until Tuesday, May 7, 2013 pursuant to **Senate Joint Resolution 1**.

Adjourned.

1:47 P.M.