



STATE OF WISCONSIN

Senate Journal

Ninety–Ninth Regular Session

11:22 A.M.

TUESDAY, April 20, 2010

The Senate met.

The Senate was called to order by Senator Alan Lasee.

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, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Absent – None.

Absent with leave – None.

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

LEAVES OF ABSENCE

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

CHIEF CLERK'S ENTRIES

AMENDMENTS OFFERED

Senate amendment 1 to Senate substitute amendment 2 to **Assembly Bill 214** offered by Senator Darling.

Senate substitute amendment 1 to **Senate Bill 620** offered by Senator Kedzie.

Senate amendment 1 to **Senate Bill 663** offered by Senator Plale.

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

Senate Bill 190

Senate Bill 399

Senate Bill 617

Senate Bill 678

Report correctly enrolled on 4–20–2010.

BILLS PRESENTED TO THE GOVERNOR

The Chief Clerk records:

Senate Bill 17

Senate Bill 87

Senate Bill 267

Senate Bill 423

Senate Bill 452

Senate Bill 477

Senate Bill 492

Senate Bill 506

Senate Bill 515

Senate Bill 522

Presented to the Governor on 4–20–2010.

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS

Read and referred:

Senate Joint Resolution 76

Relating to: commending Blake Geoffrion of the University of Wisconsin men's hockey team.

By Senator Risser; cosponsored by Representative Black.
To committee on **Senate Organization**.

Senate Joint Resolution 77

Relating to: commending student–athletes, coaches, and administrators at the University of Wisconsin–Madison.

By Senator Risser; cosponsored by Representatives Black and Hebl.

To committee on **Senate Organization**.

Senate Joint Resolution 78

Relating to: the retirement of John Stolzenberg, chief of research services, Legislative Council staff, following a long and distinguished career in nonpartisan service to the Wisconsin legislature.

By Senator Miller; cosponsored by Representative Soletski.
To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 699

Relating to: providing the public with information on state agency and school district operations expenditures and state agency and school district contracts and grants.

By Senators Hopper, Darling and Leibham; cosponsored by Representatives Kramer, Vukmir, Zipperer, Davis, Vos, LeMahieu, Lothian and Kleefisch.

To committee on **Ethics Reform and Government Operations**.

Senate Bill 700

Relating to: the sale of lead acid batteries and acceptance of used lead acid batteries.

By Senators Plale and Kanavas; cosponsored by Representative Zepnick.

To committee on **Environment**.

Senate Bill 701

Relating to: the foreclosure and sale of residential property.

By Senator Taylor; cosponsored by Representatives Clark, Young, Pasch, Smith, Hebl, Jorgensen, Turner, Bernard Schaber, Grigsby, Sinicki, Zepnick, Hixson, Berceau, Hraychuck and Soletski.

To committee on **Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing**.

REPORT OF COMMITTEES

The committee on **Children and Families and Workforce Development** reports and recommends:

Senate Bill 569

Relating to: training for foster parents.

Passage.

Ayes, 5 – Senators Jauch, Lassa, Vinehout, Kedzie and Hopper.

Noes, 0 – None.

Senate Bill 644

Relating to: the duties of the Milwaukee Child Welfare Partnership Council.

Passage.

Ayes, 5 – Senators Jauch, Lassa, Vinehout, Kedzie and Hopper.

Noes, 0 – None.

ROBERT JAUCH
Chairperson

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

Assembly Bill 532

Relating to: directing the Department of Commerce to award grants to community development corporations to establish capital access programs, providing an exemption from emergency rule procedures, requiring the exercise of rule-making authority, and making an appropriation.

Introduction of Senate Amendment 1.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Adoption of Senate Amendment 1.

Ayes, 14 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman and Montgomery.

Noes, 1 – Representative Vos.

Introduction of Senate Amendment 2.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Adoption of Senate Amendment 2.

Ayes, 11 – Senators Miller, Hansen, Taylor, Lehman, Robson and Lassa. Representatives Pocan, Colon, Mason, Shilling and Sherman.

Noes, 4 – Senators Darling and Olsen. Representatives Vos and Montgomery.

Passage as amended.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Senate Bill 401

Relating to: requiring the Department of Natural Resources to issue one-day fishing licenses.

Introduction and adoption of Senate Amendment 1.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Passage as amended.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Senate Bill 447

Relating to: state contractual services and false claims submitted to state and local governments, requiring the exercise of rule-making authority, and providing penalties.

Introduction of Senate Amendment 3.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Introduction of Senate Substitute Amendment 1.

Ayes, 12 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa and Olsen. Representatives Pocan, Colon, Mason, Shilling and Sherman.

Noes, 3 – Senator Darling. Representatives Vos and Montgomery.

Introduction and adoption of Senate Amendment 1 to Senate Amendment 1 to Senate Substitute Amendment 1.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Introduction of Senate Amendment 1 to Senate Substitute Amendment 1.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Adoption of Senate Amendment 1 to Senate Substitute Amendment 1.

Ayes, 11 – Senators Miller, Hansen, Taylor, Lehman, Robson and Lassa. Representatives Pocan, Colon, Mason, Shilling and Sherman.

Noes, 4 – Senators Darling and Olsen. Representatives Vos and Montgomery.

Introduction and adoption of Senate Amendment 2 to Senate Substitute Amendment 1.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Adoption of Senate Substitute Amendment 1.

Ayes, 12 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa and Olsen. Representatives Pocan, Colon, Mason, Shilling and Sherman.

Noes, 3 – Senator Darling. Representatives Vos and Montgomery.

Passage as amended.

Ayes, 11 – Senators Miller, Hansen, Taylor, Lehman, Robson and Lassa. Representatives Pocan, Colon, Mason, Shilling and Sherman.

Noes, 4 – Senators Darling and Olsen. Representatives Vos and Montgomery.

Senate Bill 461

Relating to: an income and franchise tax credit for a qualified equity investment in a qualified community development entity, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority.

Adoption of Senate Substitute Amendment 1.

Ayes, 14 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman and Montgomery.

Noes, 1 – Representative Vos.

Passage as amended.

Ayes, 14 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman and Montgomery.

Noes, 1 – Representative Vos.

Senate Bill 567

Relating to: elimination of surplus retention limitations for residential care centers for children and youth, group homes, and child welfare agencies that provide rate-based services for the Department of Children and Families or a county department of human services or social services; determination of the rates charged by those providers; establishment of a performance-based contracting system for those providers; and requiring the exercise of rule-making authority.

Adoption of Senate Amendment 1.

Ayes, 12 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason and Montgomery.

Noes, 1 – Representative Vos.

Adoption of Senate Amendment 2.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Passage as amended.

Ayes, 13 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Vos and Montgomery.

Noes, 0 – None.

Senate Bill 579

Relating to: designation of a corporation to receive funding for electronic health information exchange, creation of a corporation, and making an appropriation.

Passage.

Ayes, 14 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Senate Bill 623

Relating to: processing certain applications for farmland preservation agreements.

Adoption of Senate Substitute Amendment 1.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Passage as amended.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Senate Bill 630

Relating to: reimbursement of counties and Indian tribes for unexpected or unusually high-cost placement of Indians in mental health treatment facilities and making an appropriation.

Adoption of Senate Amendment 1.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Introduction and adoption of Senate Amendment 2.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Introduction of Senate Amendment 3.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Adoption of Senate Amendment 3.

Ayes, 11 – Senators Miller, Hansen, Taylor, Lehman, Robson and Lassa. Representatives Pocan, Colon, Mason, Shilling and Sherman.

Noes, 4 – Senators Darling and Olsen. Representatives Vos and Montgomery.

Introduction of Senate Amendment 1 to Senate Amendment 2.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Adoption of Senate Amendment 1 to Senate Amendment 2.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Passage as amended.

Ayes, 13 – Senators Miller, Hansen, Taylor, Lehman, Robson and Lassa. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 2 – Senators Darling and Olsen.

Senate Bill 647

Relating to: payments to hospitals for HIV-related services provided to Medical Assistance recipients.

Introduction and adoption of Senate Amendment 1 to Senate Substitute Amendment 1.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Introduction of Senate Substitute Amendment 1.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Adoption of Senate Substitute Amendment 1.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Passage as amended.

Ayes, 15 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling, Sherman, Vos and Montgomery.

Noes, 0 – None.

Senate Bill 653

Relating to: trial job program and transitional jobs demonstration project and making an appropriation.

Adoption of Senate Amendment 1.

Ayes, 11 – Senators Miller, Hansen, Taylor, Lehman, Robson and Lassa. Representatives Pocan, Mason, Shilling, Sherman and Grigsby.

Noes, 3 – Senators Darling and Olsen. Representative Montgomery.

Passage as amended.

Ayes, 12 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Mason, Shilling and Sherman.

Noes, 2 – Representatives Vos and Montgomery.

Senate Bill 672

Relating to: compliance by employers with certain laws whose enforcement depends on the proper classification of persons as employees or nonemployees and providing penalties.

Passage.

Ayes, 13 – Senators Miller, Hansen, Taylor, Lehman, Robson, Lassa, Darling and Olsen. Representatives Pocan, Colon, Mason, Shilling and Sherman.

Noes, 2 – Representatives Vos and Montgomery.

MARK MILLER
Senate Chairperson

The committee on **Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing** reports and recommends:

Assembly Bill 214

Relating to: posttermination of parental rights contact between a child and a birth relative of the child and disclosure of the report of an investigation of the home of a proposed adoptive parent on the request of the proposed adoptive parent.

Adoption of Senate Amendment 1 to Senate Substitute Amendment 2.

Ayes, 4 – Senators Taylor, Sullivan, Erpenbach and Hopper.
Noes, 1 – Senator Grothman.

Adoption of Senate Substitute Amendment 2.

Ayes, 5 – Senators Taylor, Sullivan, Erpenbach, Grothman and Hopper.

Noes, 0 – None.

Concurrence as amended.

Ayes, 4 – Senators Taylor, Sullivan, Erpenbach and Hopper.
Noes, 1 – Senator Grothman.

Assembly Bill 223

Relating to: the right to a trial by jury for a juvenile for whom the petitioner has reserved the right to recommend

placement in the Serious Juvenile Offender Program or in a juvenile correctional facility beyond the age of majority.

Concurrence.

Ayes, 5 – Senators Taylor, Sullivan, Erpenbach, Grothman and Hopper.

Noes, 0 – None.

Assembly Bill 468

Relating to: municipal court fees.

Concurrence.

Ayes, 4 – Senators Taylor, Sullivan, Erpenbach and Hopper.

Noes, 1 – Senator Grothman.

Assembly Bill 701

Relating to: the Interstate Insurance Receivership Compact, investment guidelines for charitable gift annuity segregated accounts, Health Insurance Risk-Sharing Plan assessment participation, reciprocity for long-term care insurance policies, voting by fraternal members, the insurance security fund, modifications to motor vehicle insurance policy and umbrella and excess liability policy requirements, providing an exemption from emergency rule procedures, and granting rule-making authority.

Concurrence.

Ayes, 5 – Senators Taylor, Sullivan, Erpenbach, Grothman and Hopper.

Noes, 0 – None.

Assembly Bill 769

Relating to: evidentiary recordings of persons under the age of 18 engaging in sexually explicit conduct and attempt of certain sex crimes against children and providing penalties.

Concurrence.

Ayes, 5 – Senators Taylor, Sullivan, Erpenbach, Grothman and Hopper.

Noes, 0 – None.

Senate Bill 493

Relating to: appointment of an examiner for a person committed as a sexually violent person, and specification of the department responsible for providing an escort for a sexually violent person on supervised release (suggested as remedial legislation by the Department of Health Services).

Introduction and adoption of Senate Amendment 1.

Ayes, 5 – Senators Taylor, Sullivan, Erpenbach, Grothman and Hopper.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Taylor, Sullivan, Erpenbach, Grothman and Hopper.

Noes, 0 – None.

Senate Bill 583

Relating to: the time period to petition to review an administrative decision.

Passage.

Ayes, 4 – Senators Taylor, Sullivan, Erpenbach and Hopper.

Noes, 1 – Senator Grothman.

Senate Bill 589

Relating to: indemnity clauses in construction contracts.

Passage.

Ayes, 4 – Senators Taylor, Sullivan, Erpenbach and Hopper.

Noes, 1 – Senator Grothman.

Senate Bill 657

Relating to: abuse and neglect of patients and residents.

Passage.

Ayes, 4 – Senators Taylor, Sullivan, Grothman and Hopper.
Noes, 1 – Senator Erpenbach.

DAVID HANSEN
Chairperson

Senate Bill 658

Relating to: public financing of campaigns for the office of justice of the supreme court.

Adoption of Senate Amendment 1.

Ayes, 4 – Senators Taylor, Sullivan, Erpenbach and Grothman.

Noes, 1 – Senator Hopper.

Passage as amended.

Ayes, 3 – Senators Taylor, Sullivan and Erpenbach.

Noes, 2 – Senators Grothman and Hopper.

Senate Bill 670

Relating to: disposal of decedent's property.

Passage.

Ayes, 5 – Senators Taylor, Sullivan, Erpenbach, Grothman and Hopper.

Noes, 0 – None.

Senate Bill 674

Relating to: the age at which a person who is alleged to have violated a civil law or municipal ordinance is subject to circuit court or municipal court jurisdiction rather than to juvenile court jurisdiction and prohibiting a juvenile who has committed a civil law or municipal ordinance violation from being placed in a juvenile detention facility.

Passage.

Ayes, 3 – Senators Taylor, Sullivan and Erpenbach.

Noes, 2 – Senators Grothman and Hopper.

Senate Bill 676

Relating to: law enforcement standards and requiring the exercise of rule-making authority.

Passage.

Ayes, 4 – Senators Taylor, Sullivan, Erpenbach and Hopper.

Noes, 1 – Senator Grothman.

Senate Bill 695

Relating to: targets for the allocation of federal tax credits by the Wisconsin Housing and Economic Development Authority.

Passage.

Ayes, 3 – Senators Taylor, Sullivan and Erpenbach.

Noes, 2 – Senators Grothman and Hopper.

LENA TAYLOR
Chairperson

The committee on **Public Health, Senior Issues, LongTerm Care, and Job Creation** reports and recommends:

Senate Bill 684

Relating to: agreements between political subdivisions to operate a nursing home or intermediate care facility.

Adoption of Senate Amendment 1.

Ayes, 5 – Senators Hansen, Coggs, Vinehout, Schultz and Kapanke.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Hansen, Coggs, Vinehout, Schultz and Kapanke.

Noes, 0 – None.

The committee on **Transportation, Tourism, Forestry, and Natural Resources** reports and recommends:

Assembly Bill 32

Relating to: extending the employer notification program administered by the Department of Transportation to noncommercial motor vehicle drivers.

Concurrence.

Ayes, 7 – Senators Holperin, Sullivan, Plale, Hansen, Leibham, Kedzie and Grothman.

Noes, 0 – None.

Assembly Bill 335

Relating to: the consumption of alcohol beverages in public places.

Concurrence.

Ayes, 7 – Senators Holperin, Sullivan, Plale, Hansen, Leibham, Kedzie and Grothman.

Noes, 0 – None.

Senate Bill 627

Relating to: special distinguishing registration plate decals for certain vehicles owned by certain members of special groups associated with the armed services.

Adoption of Senate Amendment 1.

Ayes, 7 – Senators Holperin, Sullivan, Plale, Hansen, Leibham, Kedzie and Grothman.

Noes, 0 – None.

Passage as amended.

Ayes, 7 – Senators Holperin, Sullivan, Plale, Hansen, Leibham, Kedzie and Grothman.

Noes, 0 – None.

Senate Bill 690

Relating to: establishment of a Wisconsin conservation corps program, authorizing a transfer of moneys appropriated to one or more state agencies, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, granting rule-making authority, and making an appropriation.

Adoption of Senate Amendment 1.

Ayes, 7 – Senators Holperin, Sullivan, Plale, Hansen, Leibham, Kedzie and Grothman.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Holperin, Sullivan, Plale, Hansen and Kedzie.

Noes, 2 – Senators Leibham and Grothman.

JIM HOLPERIN
Chairperson

PETITIONS AND COMMUNICATIONS

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

CORRECTIONS IN:

**ASSEMBLY AMENDMENT 1
TO 2009 SENATE BILL 399**

Prepared by the Legislative Reference Bureau
(April 20, 2010)

1. Page 4, line 1: delete “ss.” and substitute “s.”.
2. Page 4, line 11: delete “and₂” and substitute “and”.
3. Page 4, line 12: delete “obligations” and substitute “obligations₂”.

Pursuant to Senate Rule 17 (5), Senator Sullivan added as a coauthor of **Senate Resolution 12**.

Pursuant to Senate Rule 17 (5), Senator Lassa added as a coauthor of **Senate Resolution 12**.

Pursuant to Senate Rule 17 (5), Senator Lassa added as a coauthor of **Senate Bill 624**.

Pursuant to Senate Rule 17 (5), Senator Lassa added as a cosponsor of **Assembly Bill 749**.

Pursuant to Senate Rule 17 (5), Senator Lassa added as a cosponsor of **Assembly Bill 756**.

Pursuant to Senate Rule 17 (5), Senator Lassa added as a cosponsor of **Assembly Bill 768**.

Pursuant to Senate Rule 17 (5), Senator Lassa added as a cosponsor of **Assembly Bill 771**.

Pursuant to Senate Rule 17 (5), Senator Hansen added as a coauthor of **Senate Bill 669**.

Pursuant to Senate Rule 17 (5), Senator Hansen added as a cosponsor of **Assembly Bill 600**.

Pursuant to Senate Rule 17 (5), Senator Taylor added as a cosponsor of **Assembly Bill 898**.

IN THE CHAIR

President Risser in the Chair.

MESSAGES FROM THE ASSEMBLY

Senator Decker, with unanimous consent, asked that **Senate Joint Resolution 75** be withdrawn from committee on **Senate Organization** and taken up at this time.

Senate Joint Resolution 75

Relating to: recall of enrolled 2009 Senate Bill 291.

The question was: Shall **Senate Joint Resolution 75** be adopted?

Adopted.

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

Senate Joint Resolution 75

Action Messaged.

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

11:27 A.M.

RECESS

12:10 P.M.

The Senate reconvened.

President Risser in the chair.

President Risser, with unanimous consent, asked that the Senate recess until 12:45 P.M.

RECESS

12:47 P.M.

The Senate reconvened.

President Risser in the chair.

MESSAGES FROM THE ASSEMBLY

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has concurred in:

Senate Joint Resolution 75

Pursuant to the adoption and concurrence of **Senate Joint Resolution 75**, **Senate Bill 291** was recalled from enrolling.

Senate Bill 291

Relating to: authorizing the designation of a tax incremental district as distressed and expanding the use of donor tax incremental districts.

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

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 291**?

Adopted.

Read a second time.

Ordered to a third reading.

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

Senate Bill 291

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, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Noes – None.

Absent or not voting – None.

Passed.

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

Senate Bill 291

Messaged.

Senate Bill 121

Relating to: requiring the Center on Education and Work at the University of Wisconsin–Madison to establish a career conversations program.

The question was: Shall Assembly amendment 1 to **Senate Bill 121** be concurred in?

Concurred in.

Senate Bill 163

Relating to: requiring health insurance coverage of colorectal cancer screening and granting rule-making authority.

The question was: Shall Assembly amendment 1 to **Senate Bill 163** be concurred in?

Concurred in.

Senate Bill 375

Relating to: the exchange of electronic records contained in the Consolidated Court Automation Program and in the Statewide Automated Child Welfare Information System between the director of state courts and the Department of Children and Families and providing a penalty.

The question was: Shall Assembly amendment 1 to **Senate Bill 375** be concurred in?

Concurred in.

Senate Bill 383

Relating to: municipal court elections, judges, and procedure, and providing penalties.

The question was: Shall Assembly amendment 1 to **Senate Bill 383** be concurred in?

Concurred in.

The question was: Shall Assembly amendment 3 to **Senate Bill 383** be concurred in?

Concurred in.

Senate Bill 400

Relating to: operation of all-terrain vehicles to remove snow.

Senate amendment 1 to Assembly substitute amendment 1 to **Senate Bill 400** offered by Senator Holperin.

The question was: Adoption of Senate amendment 1 to Assembly substitute amendment 1 to **Senate Bill 400**?

Adopted.

The question was: Shall Assembly substitute amendment 1 to **Senate Bill 400** be concurred in as amended?

Concurred in as amended.

Senate Bill 409

Relating to: a postsecondary education tax credit for businesses; increasing annual limits on angel investment tax credits; awarding grants to the WiSys Technology Foundation, Inc.; business plan competitions and an emerging technology center in the University of Wisconsin System; rural outsourcing grants; requiring the Department of Commerce to award grants to a high-technology business development corporation and grants for converting manufacturing facilities; increasing funding for certain economic development programs; a pilot program providing microloans for the creation of new businesses; increasing funding for certain technical college training program grants; providing an exemption from emergency rule procedures; granting rule-making authority; and making appropriations.

The question was: Shall Assembly amendment 6 to **Senate Bill 409** be concurred in?

The ayes and noes were required and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Decker, Erpenbach, Hansen, Holperin, Jauch, Kreitlow, Lassa, Lehman, Miller, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirch – 18.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Hopper, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen and Schultz – 15.

Absent or not voting – None.

Concurred in.

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 126

Assembly Joint Resolution 127

Assembly Joint Resolution 130

Assembly Joint Resolution 131

Assembly Joint Resolution 132

Senator Decker, with unanimous consent, asked that **Assembly Joint Resolution 126, Assembly Joint Resolution 127, Assembly Joint Resolution 130, Assembly Joint Resolution 131, and Assembly Joint Resolution 132** be withdrawn and taken up at this time.

Assembly Joint Resolution 126

Relating to: commending the University of Wisconsin–Stevens Point men’s basketball team.

Read.

The question was: Shall **Assembly Joint Resolution 126** be concurred in?

Concurred in.

Assembly Joint Resolution 127

Relating to: the life and public service of Erwin Bessler.

Read.

The question was: Shall **Assembly Joint Resolution 127** be concurred in?

Concurred in.

Assembly Joint Resolution 130

Relating to: commending Blake Geoffrion of the University of Wisconsin men’s hockey team.

Read.

The question was: Shall **Assembly Joint Resolution 130** be concurred in?

Concurred in.

Assembly Joint Resolution 131

Relating to: commending student–athletes, coaches, and administrators at the University of Wisconsin–Madison.

Read.

The question was: Shall **Assembly Joint Resolution 131** be concurred in?

Concurred in.

Assembly Joint Resolution 132

Relating to: the life and public service of Verna Manders-Mandli.

The question was: Shall **Assembly Joint Resolution 132** be concurred in?

Concurred in by unanimous rising vote.

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

Senate Resolution 12

Relating to: supporting the Marinette Marine Corporation's littoral combat ship project.

The question was: Shall **Senate Resolution 12** be adopted?

Adopted.

Senate Joint Resolution 70

Relating to: recognizing Aquaculture Day.

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

Adopted.

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senate Bill 53

Relating to: extending the employer notification program administered by the Department of Transportation to noncommercial motor vehicle drivers.

Read a second time.

Senator Decker, with unanimous consent, asked that **Assembly Bill 32** be withdrawn from the committee on **Senate Organization** and taken up at this time.

Assembly Bill 32

Relating to: extending the employer notification program administered by the Department of Transportation to noncommercial motor vehicle drivers.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 32

Read a third time and concurred in.

Senator Hansen, with unanimous consent, asked that **Senate Bill 53** be laid on the table.

Senate Bill 307

Relating to: special distinguishing registration plates associated with the Lions Clubs of Wisconsin and making an appropriation.

Read a second time.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 307**?

Adopted.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 307**?

Adopted.

Ordered to a third reading.

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

Senate Bill 307

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, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Noes – None.

Absent or not voting – None.

Passed.

Senate Bill 435

Relating to: the period for retention of certain election materials in state and local elections.

Read a second time.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 435**?

Adopted.

Ordered to a third reading.

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

Senate Bill 435

Read a third time and passed.

Senate Bill 445

Relating to: labeling requirements for certain substances that may create a fire hazard when mixed with organic matter (suggested as remedial legislation by the Department of Commerce).

Read a second time.

Ordered to a third reading.

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

Senate Bill 445

Read a third time and passed.

Senate Bill 446

Relating to: eliminating a requirement for reporting on the petroleum storage remedial action program (suggested as remedial legislation by the Department of Commerce).

Read a second time.

Ordered to a third reading.

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

Senate Bill 446

Read a third time and passed.

Senate Bill 574

Relating to: exemption from execution for payments made to certain family farm businesses.

Read a second time.

Ordered to a third reading.

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

Senate Bill 574

Read a third time and passed.

Senate Bill 616

Relating to: energy conservation standards for the construction of certain buildings, energy and environmental design standards for state buildings, structures, and facilities, energy and environmental design standards for school district facilities and other local government buildings, leasing of state buildings, structures, and facilities, standards for the construction and use of graywater systems, granting rule-making authority, and making an appropriation.

Read a second time.

Senator Decker, with unanimous consent, asked that **Senate Bill 616** be placed at the foot of the 11th order of business on today's calendar.

Senate Bill 624

Relating to: expanding the authority of political subdivisions to make residential energy efficiency improvement loans, and authorizing political subdivisions to make water efficiency improvement loans and impose special charges for the loans.

Read a second time.

Ordered to a third reading.

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

Senate Bill 624

Read a third time and passed.

Senate Bill 626

Relating to: modifications to platting requirements.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 626**?

Adopted.

Ordered to a third reading.

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

Senate Bill 626

Read a third time and passed.

Senate Bill 651

Relating to: loans to manufacturing businesses for energy improvements, job creation, retooling, or clean energy production; the administration of energy utility programs; providing an exemption from emergency rule procedures; requiring the exercise of emergency rule-making procedures; and making appropriations.

Read a second time.

Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 651** offered by Senators Plale and Kanavas.

Senate amendment 1 to Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 651** offered by Senator Lassa.

The question was: Adoption of Senate amendment 1 to Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 651**?

Adopted.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 651**?

Adopted.

Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 651** offered by Senators Leibham and Schultz.

POINT OF ORDER

Senator Lassa raised the point of order that Senate amendment 2 to Senate substitute amendment 1 was not germane.

The Chair ruled the point of order well taken.

Senator Leibham 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, 18; noes, 14; absent or not voting, 1; as follows:

Ayes – Senators Carpenter, Coggs, Decker, Erpenbach, Hansen, Holperin, Jauch, Kreitlow, Lassa, Lehman, Miller, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirch – 18.

Noes – Senators Cowles, Darling, S. Fitzgerald, Grothman, Harsdorf, Hopper, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen and Schultz – 14.

Absent or not voting – Senator Ellis – 1.

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

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 651**?

Adopted.

Ordered to a third reading.

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

Senate Bill 651

Read a third time.

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

Ayes – Senators Carpenter, Coggs, Darling, Decker, Ellis, Erpenbach, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, Lassa, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirsch – 28.

Noes – Senators Cowles, S. Fitzgerald, Grothman, A. Lasee and Lazich – 5.

Absent or not voting – None.

Passed.

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

Senate Joint Resolution 70

Senate Bill 307

Senate Bill 400

Senate Bill 435

Senate Bill 445

Senate Bill 446

Senate Bill 574

Senate Bill 624

Senate Bill 626

Senate Bill 651

Assembly Joint Resolution 126

Assembly Joint Resolution 127

Assembly Joint Resolution 130

Assembly Joint Resolution 131

Assembly Joint Resolution 132

Assembly Bill 32

Messaged.

Senate Bill 121

Senate Bill 163

Senate Bill 375

Senate Bill 383

Senate Bill 409

Action Messaged.

Senate Bill 661

Relating to: general permits for certain wetland restoration activities and providing a penalty.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 661**?

Adopted.

Ordered to a third reading.

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

Senate Bill 661

Read a third time and passed.

Senate Bill 664

Relating to: financial assistance under the Clean Water Fund Program and the Safe Drinking Water Loan Program.

Read a second time.

Ordered to a third reading.

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

Senate Bill 664

Read a third time and passed.

Senate Bill 667

Relating to: licensure and regulation of behavior analysts, insurance coverage of the services of behavior analysts for autism treatment, providing an exemption from emergency rule procedures, granting rule-making authority, and providing a penalty.

Read a second time.

Ordered to a third reading.

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

Senate Bill 667

Read a third time and passed.

Senate Bill 669

Relating to: willful misclassification of an employee as a nonemployee by a person engaged in the painting or drywall finishing of buildings or other structures with intent to evade the laws related to income tax withholding, worker's compensation, unemployment insurance, or employment discrimination and providing a penalty.

Read a second time.

Ordered to a third reading.

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

Senate Bill 669

Senator Decker, with unanimous consent, asked that **Senate Bill 669** be placed after **Assembly Bill 600** on today's calendar.

Senate Bill 616

Relating to: energy conservation standards for the construction of certain buildings, energy and environmental design standards for state buildings, structures, and facilities, energy and environmental design standards for school district facilities and other local government buildings, leasing of state buildings, structures, and facilities, standards for the construction and use of graywater systems, granting rule-making authority, and making an appropriation.

Read a second time.

Senate substitute amendment 1 to **Senate Bill 616** offered by Senators Risser and Miller.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 616**?

Adopted.

Ordered to a third reading.

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

Senate Bill 616

Read a third time.

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

Ayes – Senators Carpenter, Coggs, Decker, Erpenbach, Hansen, Holperin, Jauch, Kreitlow, Lassa, Lehman, Miller, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 19.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Hopper, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham and Olsen – 14.

Absent or not voting – None.

Passed.

SECOND READING AND AMENDMENTS OF ASSEMBLY JOINT RESOLUTIONS AND ASSEMBLY BILLS

Assembly Bill 333

Relating to: limiting disclosure of information gathered by news persons.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 333

Read a third time and concurred in.

Assembly Bill 347

Relating to: the Internet sale of unclaimed personal property by a sheriff.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 347

Read a third time and concurred in.

Assembly Bill 561

Relating to: eliminating the notary requirement for assessor certification renewal (suggested as remedial legislation by the Department of Revenue).

Read a second time.

Ordered to a third reading.

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

Assembly Bill 561

Read a third time and concurred in.

Assembly Bill 563

Relating to: eliminating obsolete provisions related to the use value assessment of agricultural land (suggested as remedial legislation by the Department of Revenue).

Read a second time.

Ordered to a third reading.

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

Assembly Bill 563

Read a third time and concurred in.

Assembly Bill 564

Relating to: long-term name reservation by a limited liability company (suggested as remedial legislation by the Department of Financial Institutions).

Read a second time.

Ordered to a third reading.

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

Assembly Bill 564

Read a third time and concurred in.

Assembly Bill 565

Relating to: changing the registered office or registered agent of a limited partnership or registered limited liability partnership (suggested as remedial legislation by the Department of Financial Institutions).

Read a second time.

Ordered to a third reading.

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

Assembly Bill 565

Read a third time and concurred in.

Assembly Bill 566

Relating to: certain review, reporting, and out-of-date requirements regarding the Public Service Commission (suggested as remedial legislation by the Public Service Commission).

Read a second time.

Ordered to a third reading.

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

Assembly Bill 566

Read a third time and concurred in.

Assembly Bill 600

Relating to: authority of the Public Service Commission regarding fuel costs of certain electric public utilities and granting rule-making authority.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 600

Read a third time and concurred in.

Senate Bill 669

Relating to: willful misclassification of an employee as a nonemployee by a person engaged in the painting or drywall finishing of buildings or other structures with intent to evade the

laws related to income tax withholding, worker's compensation, unemployment insurance, or employment discrimination and providing a penalty.

Senator Decker, with unanimous consent, asked that **Assembly Bill 929** be withdrawn from the committee on **Labor, Elections and Urban Affairs** and taken up at this time.

Assembly Bill 929

Relating to: willful misclassification of an employee as a nonemployee by a person engaged in the painting or drywall finishing of buildings or other structures with intent to evade the laws related to income tax withholding, worker's compensation, unemployment insurance, or employment discrimination and providing a penalty.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 929

Read a third time.

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

Ayes – Senators Carpenter, Coggs, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 31.

Noes – Senators Cowles and A. Lasee – 2.

Absent or not voting – None.

Concurred in.

Senator Decker, with unanimous consent, asked that **Senate Bill 669** be laid on the table.

Assembly Bill 689

Relating to: Public Service Commission intervenor grants and making an appropriation.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 689

Read a third time.

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

Ayes – Senators Carpenter, Coggs, Decker, Erpenbach, Hansen, Holperin, Jauch, Kreitlow, A. Lasee, Lassa, Lehman, Miller, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirch – 19.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Hopper, Kanavas, Kapanke, Kedzie, Lazich, Leibham, Olsen and Schultz – 14.

Absent or not voting – None.

Concurred in.

Assembly Bill 713

Relating to: mutual assistance between tribal and county or municipal law enforcement agencies.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 713

Read a third time and concurred in.

Assembly Bill 749

Relating to: an income and franchise tax credit for equipment used to harvest or process woody biomass.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 749

Read a third time.

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

Ayes – Senators Carpenter, Coggs, Darling, Decker, Ellis, Erpenbach, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 31.

Noes – Senators Cowles and S. Fitzgerald – 2.

Absent or not voting – None.

Concurred in.

Assembly Bill 756

Relating to: the dairy and livestock investment tax credits.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 756

Read a third time.

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

Ayes – Senators Carpenter, Coggs, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 32.

Noes – Senator Cowles – 1.

Absent or not voting – None.

Concurred in.

Assembly Bill 757

Relating to: a food processing plant and food warehouse investment tax credit, requiring the exercise of rule-making authority, and making an appropriation.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Assembly Bill 757**?

Adopted.

Ordered to a third reading.

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

Assembly Bill 757

Read a third time.

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

Ayes – Senators Carpenter, Coggs, Darling, Decker, Ellis, Erpenbach, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 31.

Noes – Senators Cowles and S. Fitzgerald – 2.

Absent or not voting – None.

Concurred in as amended.

Assembly Bill 768

Relating to: authorizing the Department of Commerce to designate two additional enterprise zones.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 768

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 3; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 30.

Noes – Senators Cowles, Grothman and Lazich – 3.

Absent or not voting – None.

Concurred in.

Assembly Bill 771

Relating to: a grant to Wisconsin Workforce Development Association from the Department of Commerce and making an appropriation.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 771

Read a third time.

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

Ayes – Senators Carpenter, Coggs, Decker, Erpenbach, Hansen, Harsdorf, Holperin, Jauch, Kreitlow, Lassa, Lehman,

Miller, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 20.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Hopper, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham and Olsen – 13.

Absent or not voting – None.

Concurred in.

Assembly Bill 857

Relating to: exemption for interstate natural gas companies from certain requirements regarding real estate transactions and court actions, creation and powers of municipal electric companies, and exemption from certificate of public convenience and necessity for certain electric transmission line projects.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 857

Read a third time and concurred in.

Assembly Bill 864

Relating to: authorizing the Department of Commerce to certify for tax benefits a business located in an enterprise zone and having a Wisconsin supply chain.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 864

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 4; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Darling, Decker, Ellis, Erpenbach, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 29.

Noes – Senators Cowles, S. Fitzgerald, Grothman and Lazich – 4.

Absent or not voting – None.

Concurred in.

Assembly Bill 898

Relating to: trial job program and transitional jobs demonstration project and making an appropriation.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 898

Read a third time.

The ayes and noes were required and the vote was: ayes, 22; noes, 11; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Darling, Decker, Ellis, Erpenbach, Hansen, Harsdorf, Holperin, Jauch, Kreitlow, Lassa, Lehman, Miller, Olsen, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirch – 22.

Noes – Senators Cowles, S. Fitzgerald, Grothman, Hopper, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham and Schultz – 11.

Absent or not voting – None.

Concurred in.

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

- Senate Bill 616**
- Senate Bill 661**
- Senate Bill 664**
- Senate Bill 667**
- Assembly Bill 333**
- Assembly Bill 347**
- Assembly Bill 561**
- Assembly Bill 563**
- Assembly Bill 564**
- Assembly Bill 565**
- Assembly Bill 566**
- Assembly Bill 600**
- Assembly Bill 689**
- Assembly Bill 713**
- Assembly Bill 749**
- Assembly Bill 756**
- Assembly Bill 757**
- Assembly Bill 768**
- Assembly Bill 771**
- Assembly Bill 857**
- Assembly Bill 864**
- Assembly Bill 898**
- Assembly Bill 929**

Messaged.

MOTIONS MAY BE OFFERED

Senator Taylor, with unanimous consent, asked to be recorded as voting “No” on the questions of passage of Senate amendment 1 to **Senate Bill 273** and passage of **Senate Bill 273**, on the calendar of Thursday, April 15, 2010.

Senator Kapanke moved that **Senate Resolution 11** be withdrawn from Committee on **Senate Organization** and taken up at this time.

The question was: Shall **Senate Resolution 11** be withdrawn from Committee on **Senate Organization** and taken up at this time?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 18; absent or not voting, 0; as follows:

Ayes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Hopper, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, and Schultz – 15.

Noes – Senators Carpenter, Coggs, Decker, Erpenbach, Hansen, Holperin, Jauch, Kreitlow, Lassa, Lehman, Miller, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirch – 18.

Absent or not voting – None.

Motion fails.

ANNOUNCEMENTS, ADJOURNMENT HONORS, AND REMARKS UNDER SPECIAL PRIVILEGE

Senator Lassa, with unanimous consent, asked that when the Senate adjourn, it do so in memory of Frances Obremski and Wallace Lassa, who both recently passed away. They will be deeply missed by their family.

Senator Kanavas, with unanimous consent, asked that when the Senate adjourn, it do so in honor of his family, who has put up with him during his nine and a half years working in the Legislature.

Senator Kedzie, with unanimous consent, asked that when the Senate adjourn, it do so in memory of Joyce Nass, who passed away on Sunday, April 11, 2010. She was the mother of State Representative Steve Nass.

Senator Sullivan, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Stephanie Dalton, a second grade teacher at Roosevelt Elementary in Wauwatosa, who recently earned National Board Certification.

Senator Plale, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the people from all around Wisconsin that are part of the Armenian community here today, and in honor of the 85th anniversary of the Armenian genocide.

Senator Coggs, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the African American Immersion School students visiting us today.

Senator Coggs, with unanimous consent, asked that when the Senate adjourn, it do so in memory of Ms. Dorothy Height, leader of the National Council of Negro Women, who died at 98. She was called “The Godmother of the Civil Rights Movement for 40 years,” by President Barack Obama.

Senator Lazich, with unanimous consent, asked that when the Senate adjourn, it do so in honor of pest control expert Rob Van Willigen, of Batzner Pest Management Co., New Berlin, who has received national honors, being named “Commercial Service Technician of the Year 2009” by Pest Control Technology (PCT). PCT is a national trade publication based in Cleveland, Ohio.

Senator Lazich, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Sheri Nelson, of East Troy, who is one of six 2010 Alice in Dairyland finalists. Alice in Dairyland is a young woman that tours the state each year promoting agriculture.

Senator Lazich, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Chris Hill, of Franklin, who bowled a perfect 300 game in the Bluemound Bowl Bob Kodel Major League. For Hill, it was his sixth career perfect game.

Senator Lazich, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Girl’s Basketball Team at New Berlin Eisenhower, who won the WIAA Division 2 State Championship Saturday night, with a 59–50 win over Winneconne. For the Lions, it’s their first girl’s state title in school history.

Senator Carpenter, with unanimous consent, asked that when the Senate adjourn, it do so in honor of his Constituent

Robert Dams, Police Chief of Greendale, Wisconsin. In 2005, Greendale Police Chief Robert Dams suffered a great loss: his son Nick was killed in a driving accident. The driver who caused the accident which took Nick Dam's life was not legally licensed to drive; the driver's license had been suspended. The driver was fined \$186. Chief Robert Dam's response to this needless tragedy has been to tirelessly work over the years to make sure that such a loss would be less likely to happen to another family. Chief Dams has for years worked to increase the awareness of lawmakers and the public to the need to create a stronger deterrent – to driving without a valid license – by increasing the penalties as in a bill known as “Nick’s Law” AB 181/SB 495. The bill is supported by Wisconsin Chiefs of Police Association, Wisconsin County Police Association,

Milwaukee Police Association, Milwaukee County Law Enforcement Executives Association, Milwaukee Deputy Sheriffs' Association, Milwaukee County District Attorney John Chisholm. The bill has passed the Assembly, and Senator Carpenter believes that the Senate should honor the memory of Chief Dams by also bringing up this bill and passing it.

ADJOURNMENT

Senator Decker, with unanimous consent, asked that the Senate adjourn until Thursday, April 22, 2010.

2:27 P.M.

Adjourned.