



STATE OF WISCONSIN Senate Journal

One-Hundred and First Regular Session

9:13 A.M.

WEDNESDAY, March 12, 2014

The Senate met.

The Senate was called to order by Senate 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, 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 a moment of silent meditation.

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

IN THE CHAIR

President Pro Tempore Leibham in the chair.

9:17 A.M.

Pursuant to Senate Rule 17 (6), the Chief Clerk makes the following entries under the above date.

CHIEF CLERK'S ENTRIES

AMENDMENTS OFFERED

Senate Amendment 1 to **Assembly Bill 33** offered by Senator Leibham.

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

Senate Bill 73

Report correctly enrolled on 3-12-2014.

BILLS PRESENTED TO THE GOVERNOR

The Chief Clerk records:

Senate Bill 73

Presented to the Governor on 3-12-2014.

REPORT OF COMMITTEES

The committee on **Government Operations, Public Works, and Telecommunications** reports and recommends:

Assembly Bill 635

Relating to: appointing delegates for a convention under Article V of the United States Constitution.

Concurrence.

Ayes: 4 - Senators Farrow, Gudex, Lasee and Kedzie.

Noes: 3 - Senators Wirch, Harris and Shilling.

Assembly Joint Resolution 77

Relating to: appointment of treasurer in Milwaukee county (first consideration).

Concurrence.

Ayes: 6 - Senators Farrow, Gudex, Lasee, Kedzie, Harris and Shilling.

Noes: 1 - Senator Wirch.

Assembly Joint Resolution 81

Relating to: application to Congress under the provisions of Article V of the Constitution of the United States for a convention for proposing amendments relating to a balanced budget.

Concurrence.

Ayes: 4 - Senators Farrow, Gudex, Lasee and Kedzie.

Noes: 3 - Senators Wirch, Harris and Shilling.

Senate Bill 617

Relating to: ordinances, variances, and rules relating to the constructing or altering of, or adding to, public buildings and buildings that are places of employment, the creation of a building code council, and inspections of public buildings and buildings that are places of employment, and granting rule-making authority.

Senate Amendment 1 adoption.

Ayes: 7 - Senators Farrow, Gudex, Lasee, Kedzie, Wirch, Harris and Shilling.

Noes: 0.

Passage as amended.

Ayes: 7 - Senators Farrow, Gudex, Lasee, Kedzie, Wirch, Harris and Shilling.

Noes: 0.

Senate Bill 629

Relating to: substance abuse by employees performing work on public utility projects located in public rights-of-way and passing emergency or roadside service vehicles stopped on or near the highway.

Senate Amendment 1 adoption.

Ayes: 7 - Senators Farrow, Gudex, Lasee, Kedzie, Wirch, Harris and Shilling.

Noes: 0.

Passage as amended.

Ayes: 7 - Senators Farrow, Gudex, Lasee, Kedzie, Wirch, Harris and Shilling.

Noes: 0.

Senate Bill 636

Relating to: limiting the security a town or municipality may require as a condition of plat approval.

Passage.

Ayes: 7 - Senators Farrow, Gudex, Lasee, Kedzie, Wirch, Harris and Shilling.

Noes: 0.

Senate Bill 74

Relating to: state procurement of products and services from businesses located in this state and setting a goal for local government to purchase a certain percentage of products and services from businesses located in this state.

Senate Substitute Amendment 1 adoption.

Ayes: 6 - Senators Farrow, Gudex, Lasee, Wirch, Harris and Shilling.

Noes: 1 - Senator Kedzie.

Passage as amended.

Ayes: 6 - Senators Farrow, Gudex, Lasee, Wirch, Harris and Shilling.

Noes: 1 - Senator Kedzie.

PAUL FARROW

Chairperson

Committee on Government Operations, Public Works, and Telecommunications

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Representative Bernard Schaber added as a co-sponsor of **Senate Bill 660**.

**THIRD READING OF JOINT RESOLUTIONS
AND BILLS**

Senate Bill 20

Relating to: residency of election officials.

Read a third time.

The question was: Passage of **Senate Bill 20**?

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, Farrow, S. Fitzgerald, Grothman, Gudex, Harsdorf, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Petrowski, Tiffany and Vukmir - 17.

Noes - Senators Carpenter, T. Cullen, Erpenbach, Hansen, Harris, Jauch, C. Larson, Lassa, Lehman, Miller, Risser, Schultz, Shilling, L. Taylor, Vinehout and Wirch - 16.

Absent or not voting - None.

Passed.

Senate Bill 324

Relating to: limiting the times for voting by absentee ballots in person.

Read a third time.

The question was: Passage of **Senate Bill 324**?

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, Farrow, S. Fitzgerald, Grothman, Gudex, Harsdorf, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Petrowski, Tiffany and Vukmir - 17.

Noes - Senators Carpenter, T. Cullen, Erpenbach, Hansen, Harris, Jauch, C. Larson, Lassa, Lehman, Miller, Risser, Schultz, Shilling, L. Taylor, Vinehout and Wirch - 16.

Absent or not voting - None.

Passed.

Senate Bill 592

Relating to: the liability of an adult sponsor of a minor applicant for a motor vehicle operator's license.

Read a third time.

The question was: Passage of **Senate Bill 592**?

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, Farrow, S. Fitzgerald, Grothman, Gudex, Harsdorf, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Petrowski, Tiffany and Vukmir - 17.

Noes - Senators Carpenter, T. Cullen, Erpenbach, Hansen, Harris, Jauch, C. Larson, Lassa, Lehman, Miller, Risser, Schultz, Shilling, L. Taylor, Vinehout and Wirch - 16.

Absent or not voting - None.

Passed.

Senate Bill 655

Relating to: various changes in the campaign finance and lobbying laws.

Read a third time.

The question was: Passage of **Senate Bill 655**?

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, Farrow, S. Fitzgerald, Grothman, Gudex, Harsdorf, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Petrowski, Tiffany and Vukmir - 17.

Noes - Senators Carpenter, T. Cullen, Erpenbach, Hansen, Harris, Jauch, C. Larson, Lassa, Lehman, Miller, Risser, Schultz, Shilling, L. Taylor, Vinehout and Wirch - 16.

Absent or not voting - None.

Passed.

Assembly Bill 19

Relating to: torts and personal injury trusts.

Read a third time.

The question was: Concurrence of **Assembly Bill 19** as amended?

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, Farrow, S. Fitzgerald, Grothman, Gudex, Harsdorf, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Petrowski, Tiffany and Vukmir - 17.

Noes - Senators Carpenter, T. Cullen, Erpenbach, Hansen, Harris, Jauch, C. Larson, Lassa, Lehman, Miller, Risser, Schultz, Shilling, L. Taylor, Vinehout and Wirch - 16.

Absent or not voting - None.

Concurred in as amended.

Assembly Bill 202

Relating to: certification of election observers.

Read a third time.

The question was: Concurrence of **Assembly Bill 202**?

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, Farrow, S. Fitzgerald, Grothman, Gudex, Harsdorf, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Petrowski, Tiffany and Vukmir - 17.

Noes - Senators Carpenter, T. Cullen, Erpenbach, Hansen, Harris, Jauch, C. Larson, Lassa, Lehman, Miller, Risser, Schultz, Shilling, L. Taylor, Vinehout and Wirch - 16.

Absent or not voting - None.

Concurred in.

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

Senate Bill 20
Senate Bill 324

Senate Bill 592
Senate Bill 655
Assembly Bill 19
Assembly Bill 202

Messaged.

MOTIONS MAY BE OFFERED

Senator Hansen moved that the rules be suspended and that **Senate Bill 505** be withdrawn from the committee on **Judiciary and Labor** and taken up at this time.

Senate Bill 505

Relating to: a state minimum wage, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, providing an exemption from rule-making procedures, and requiring the exercise of rule-making authority.

The question was: Shall **Senate Bill 505** be withdrawn from committee on **Judiciary and Labor**?

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

Ayes - Senators Carpenter, T. Cullen, Erpenbach, Hansen, Harris, Jauch, C. Larson, Lassa, Lehman, Miller, Risser, Shilling, L. Taylor, Vinehout and Wirch - 15.

Noes - Senators Cowles, Darling, Ellis, Farrow, S. Fitzgerald, Grothman, Gudex, Harsdorf, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Petrowski, Schultz, Tiffany and Vukmir - 18.

Absent or not voting - None.

Refused to suspend rules and take up.

Senator Erpenbach moved that the rules be suspended and that **Senate Bill 163** be withdrawn from the committee on **Elections and Urban Affairs** and taken up at this time.

Senate Bill 163

Relating to: legislative and congressional redistricting.

The question was: Shall **Senate Bill 163** be withdrawn from committee on **Elections and Urban Affairs**?

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

Ayes - Senators Carpenter, T. Cullen, Erpenbach, Hansen, Harris, Jauch, C. Larson, Lassa, Lehman, Miller, Risser, Schultz, Shilling, L. Taylor, Vinehout and Wirch - 16.

Noes - Senators Cowles, Darling, Ellis, Farrow, S. Fitzgerald, Grothman, Gudex, Harsdorf, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Petrowski, Tiffany and Vukmir - 17.

Absent or not voting - None.

Refused to suspend rules and take up.

ANNOUNCEMENTS, ADJOURNMENT HONORS, AND REMARKS UNDER SPECIAL PRIVILEGE

Senator Farrow, with unanimous consent, asked that when the Senate adjourns, it do so in honor of his oldest son Andrew, who turns 21 today.

Senator Wirch, with unanimous consent, asked that when the Senate adjourns, it do so in honor of Coach Luke Reigel and the UW-Parkside Men's Basketball Team on a very successful year.

Senator Darling, with unanimous consent, asked that when the Senate adjourns, it do so in honor of the University of Wisconsin- Milwaukee Men's Basketball team who won the Horizon League on Tuesday evening. The Panthers will be making their first trip to the NCAA Tournament in seven years.

Senator Ellis, with unanimous consent, asked that when the Senate adjourns, it do so in honor of the Green Bay Phoenix, who went 15-3 this year.

Senator Lazich, with unanimous consent, asked that when the Senate adjourns, it do so in honor of the 175th anniversary of the founding of the Town of Vernon. The Town of Vernon, located in Waukesha County, was founded March 8, 1869 by John Dodge, Prucius Purman, Curtis Haseltine, and Onien Haseltine all from Andover, Vermont. The Town of Vernon is said to be named by Onien Haseltine honoring his home state of Vermont or honoring President George Washington's Mount Vernon home. Today, the Town of Vernon's population is 7,221, with four supervisors and a town chairman.

Senator Lazich, with unanimous consent, asked that when the Senate adjourns, it do so in honor of the Greendale Panthers Boys Basketball team and the Mukwonago Indians Boys Basketball team, who both qualified for the WIAA State Boys basketball championship at the Kohl Center in Madison, March 13-15, 2014. Greendale is scheduled to take on Rice Lake on Friday March 14, 2014 at 3:15 PM for Division 2 Semifinals. Mukwonago will play Neenah at 8:15 PM on Friday, March 14, 2014 for Division 1 semifinals.

Senator Schultz, with unanimous consent, asked that when the Senate adjourns, it do so in memory of Elva Acton of Loganville, who throughout her 90 years gave hugs and a listening ear to all she came to know. Her five children, daughters Carolyn Meyer, Janet Dorow, Gloria Hirsch and Donna Petra-sitis, and son Jerome Ninnemann had the good fortune of having a mom who liked to cook and engaged in

many hobbies in addition to caring for her cats. Elva delighted in being around people; her efficacious smile brought a ray of sunshine to all as she went about her work at the Sauk County Health Care Center for many, many years. Her love of music was evident at church, and at music presentations involving her grandchildren. She was a tough competitor playing cards, she was active in her church, and she often welcomed visitors to join her and her husband, Bob Acton, for dinner. Bob passed away last year in September. Together, they were a terrific team. Bob and Elva were appreciated by many and will be missed by many.

Senator Taylor, with unanimous consent, asked that when the Senate adjourns, it do so in honor of the Divine 9, international Greek Sororities and Fraternities, who are here at the Capitol today.

Senator Taylor, with unanimous consent, asked that when the Senate adjourns, it do so in honor of Marlaina, Miss Wisconsin Central Outstanding Teen.

Senator Kedzie, with unanimous consent, asked that when the Senate adjourns, it do so in honor of his wife Kerrie. They celebrated their 35th wedding anniversary on March 10, 2014.

Senator Shilling, with unanimous consent, asked that when the Senate adjourns, it do so in honor of all the women who are here job shadowing today.

Senator Tiffany, with unanimous consent, asked that when the Senate adjourns, it do so in honor of the Rhinelander mock trial team, who, just yesterday, won the mock trial state championship. They will now represent the State of Wisconsin in the National High School Mock Trial Tournament which will be held in Madison.

Senator Tiffany, with unanimous consent, asked that when the Senate adjourns, it do so in honor of John Sweeney, the chief deputy of the Oneida county Sheriff's Office, who will be retiring later this year after nearly 30 years of service. John has been a loyal and very valuable employee. Everyone who knows John can attest to his excellent service and commitment to the community.

ADJOURNMENT

Senator Fitzgerald, with unanimous consent, asked that the 2013 Regular Session of the Senate stand adjourned until Thursday, March 13, 2014.

Adjourned.

12:03 P.M.