

STATE OF WISCONSIN  
**Senate Journal**  
Ninety–Seventh Regular Session

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WEDNESDAY, April 5, 2006

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

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**CHIEF CLERK'S ENTRIES**

The Chief Clerk makes the following entries dated Tuesday, March 21, 2006.

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The committee on **Senate Organization** reports:

March 17, 2006

**[MOTION]** To create the Road to the Future Committee. The committee shall be a Senate select committee. The Senate select committee is authorized to combine with duly appointed Representatives to the Assembly to form a Joint Legislative Road to the Future Committee. All powers and duties of the Senate select committee may be exercised or satisfied by action of the Senate select committee or by action of the Joint Legislative Road to the Future Committee.

The committee shall explore and identify savings and revenue opportunities to maintain the strength of the state's transportation infrastructure. The committee shall issue reports and recommendations, which may include recommended legislation.

The committee may hold hearings and take testimony at the discretion of the chairperson. At the discretion of the chairperson, the committee may hold hearings in Wisconsin at locations outside of Madison, except that between May 31 and November 7, 2006 no hearings may be held at locations outside of Madison. Committee members and the committee clerk may be reimbursed for actual and necessary expenses incurred in attending any hearing outside of Madison. Such reimbursement is not charged against the Senator's office account.

The Legislative Fiscal Bureau shall staff the committee, attend every meeting of the committee, and assist the committee clerk with the production of documents for the committee. The Sergeant-at-Arms shall provide staff support at any hearing held outside of Madison, unless such support is provided by the Assembly Sergeant-at-Arms.

The committee shall consist of 3 Republican members and 2 Democratic members, all appointed by the Majority Leader. The two Democratic members shall be appointed based upon nomination by the Minority Leader.

No later than December 15, 2006, the committee shall issue its report and recommendations to the Chief Clerk for distribution to each Senator.

Ayes, 5 – Senators Schultz, Lasee, Kedzie, Robson and Hansen.

Noes, 0 – None.

Dale Schultz  
Senate Majority Leader

March 17, 2006

**[MOTION]** To add one Republican member to the Road to the Future Committee.

Ayes, 4 – Senators Schultz, Lasee, Kedzie, and Robson  
Noes, 1 – Senator Hansen.

Dale Schultz  
Senate Majority Leader

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**State of Wisconsin**

March 21, 2006

The Honorable, The Senate:

Pursuant to Senate Rule 20 (2)(a), I have made the following appointments to Senate committees:

To the Committee on Road to the Future, Senators Kapanke (Chair), Fitzgerald, Zien, Grothman, Decker, and Breske.

With regard to members of the minority party, appointments are made based on nominations made by that caucus.

Sincerely,

DALE W. SCHULTZ  
Senate Majority Leader

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The Chief Clerk makes the following entries dated Friday, March 31, 2006.

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Read first time and referred:

**Senate Bill 677**

Relating to: the failure to publish certain notices relating to the creation, or attempted creation, of a tax incremental financing district in the village of Kimberly.

By Senator A. Lasee; cosponsored by Representative Ott.  
To committee on **Housing and Financial Institutions**.

**Senate Bill 678**

Relating to: the use of seclusion and restraints in schools.  
By Senator Hansen, by request of Disability Rights Wisconsin.

To committee on **Education**.

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The joint committee on **Finance** reports and recommends:  
**Assembly Bill 591**

Relating to: global positioning system tracking for certain sex offenders while on probation, extended supervision, parole,

supervised release, or conditional release and providing a penalty.

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

Ayes, 16 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor. Representatives Kaufert, Ward, Stone, Rhoades, Meyer, Gottlieb, Pocan and Colon.

Noes, 0 – None.

Adoption of Senate Substitute Amendment 2.

Ayes, 14 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen and Decker. Representatives Kaufert, Ward, Stone, Rhoades, Meyer, Gottlieb and Colon.

Noes, 2 – Senator Taylor. Representative Pocan.

Concurrence as amended.

Ayes, 15 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor. Representatives Kaufert, Ward, Stone, Rhoades, Meyer, Gottlieb and Colon.

Noes, 1 – Representative Pocan.

**Senate Bill 483**

Relating to: an income and franchise tax credit for sales and use taxes paid on the purchase of Internet equipment used in the broadband market.

Introduction of Senate Substitute Amendment 3.

Ayes, 16 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor. Representatives Kaufert, Ward, Stone, Rhoades, Meyer, Gottlieb, Pocan and Colon.

Noes, 0 – None.

Adoption of Senate Substitute Amendment 3.

Ayes, 13 – Senators S. Fitzgerald, Darling, Leibham, Olsen, Decker and Taylor. Representatives Kaufert, Ward, Stone, Rhoades, Meyer, Gottlieb and Colon.

Noes, 3 – Senators Lazich and Cowles. Representative Pocan.

Passage as amended.

Ayes, 13 – Senators S. Fitzgerald, Darling, Leibham, Olsen, Decker and Taylor. Representatives Kaufert, Ward, Stone, Rhoades, Meyer, Gottlieb and Colon.

Noes, 3 – Senators Lazich and Cowles. Representative Pocan.

**Senate Bill 563**

Relating to: creating income and franchise tax credits for expenses related to film production services and for capital investments made by a film production company, requiring the exercise of rule-making authority, and making an appropriation.

Adoption of Senate Amendment 1.

Ayes, 16 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor. Representatives Kaufert, Ward, Stone, Rhoades, Meyer, Gottlieb, Pocan and Colon.

Noes, 0 – None.

Introduction and adoption of Senate Amendment 2.

Ayes, 16 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor. Representatives Kaufert, Ward, Stone, Rhoades, Meyer, Gottlieb, Pocan and Colon.

Noes, 0 – None.

Passage as amended.

Ayes, 15 – Senators S. Fitzgerald, Lazich, Darling, Leibham, Olsen, Decker and Taylor. Representatives Kaufert, Ward, Stone, Rhoades, Meyer, Gottlieb, Pocan and Colon.

Noes, 1 – Senator Cowles.

**Senate Bill 658**

Relating to: creating an individual income tax checkoff for prostate cancer research, creating the Prostate Cancer Research Board, creating the prostate cancer research program, and making appropriations.

Introduction and adoption of Senate Substitute Amendment 1.

Ayes, 16 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor. Representatives Kaufert, Ward, Stone, Rhoades, Meyer, Gottlieb, Pocan and Colon.

Noes, 0 – None.

Passage as amended.

Ayes, 16 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor. Representatives Kaufert, Ward, Stone, Rhoades, Meyer, Gottlieb, Pocan and Colon.

Noes, 0 – None.

**Senate Bill 661**

Relating to: the establishment of a college savings program bank deposit trust fund and a college savings program credit union deposit trust fund and making appropriations.

Passage.

Ayes, 16 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor. Representatives Kaufert, Ward, Stone, Rhoades, Meyer, Gottlieb, Pocan and Colon.

Noes, 0 – None.

SCOTT FITZGERALD  
Senate Chairperson

**State of Wisconsin  
Office of the Governor**

March 31, 2006

To the Honorable, the Senate:

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

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Senate Bill 284	Act 232	March 29, 2006
Senate Bill 637	Act 246	March 30, 2006
Senate Bill 597	Act 247	March 30, 2006
Senate Bill 34	Act 248	March 30, 2006
Senate Bill 150	Act 249	March 30, 2006
Senate Bill 480	Act 250	March 30, 2006
Senate Bill 601	Act 251	March 30, 2006
Senate Bill 520	Act 252	March 30, 2006
Senate Bill 539	Act 253	March 30, 2006
Senate Bill 540	Act 254	March 30, 2006

Sincerely,  
JIM DOYLE  
Governor

**State of Wisconsin  
Office of the Secretary of State**

To the Honorable, the Senate:

<u>Bill Number</u>	<u>Act Number</u>	<u>Publication Date</u>
Senate Bill 516	Act 200	April 10, 2006
Senate Bill 448	Act 201	April 10, 2006
Senate Bill 450	Act 204	April 10, 2006
Senate Bill 484	Act 214	April 10, 2006
Senate Bill 584	Act 217	April 10, 2006
Senate Bill 482	Act 219	April 10, 2006

<b>Senate Bill 259</b>	<b>Act 220</b>	April 10, 2006
<b>Senate Bill 323</b>	<b>Act 222</b>	April 10, 2006
<b>Senate Bill 324</b>	<b>Act 223</b>	April 10, 2006
<b>Senate Bill 382</b>	<b>Act 224</b>	April 10, 2006
<b>Senate Bill 384</b>	<b>Act 225</b>	April 10, 2006
<b>Senate Bill 273</b>	<b>Act 226</b>	April 10, 2006

<b>Joint Resolution</b>	<b>Enrolled Number</b>	<b>Publication Date</b>
<b>SJR 13</b>	<b>31</b>	Not Published
<b>SJR 34</b>	<b>32</b>	Not Published
<b>SJR 58</b>	<b>33</b>	Not Published
<b>SJR 62</b>	<b>34</b>	Not Published
<b>SJR 64</b>	<b>35</b>	Not Published
<b>SJR 65</b>	<b>36</b>	Not Published
<b>SJR 66</b>	<b>37</b>	Not Published
<b>SJR 67</b>	<b>38</b>	Not Published

Sincerely,  
DOUGLAS LA FOLLETTE  
Secretary of State

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**State of Wisconsin  
Office of the Governor**

March 19, 2006

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BROWN, RITCHIE, of Black River Falls, as a member of the Lower Wisconsin State Riverway Board, to serve for the term ending May 1, 2009.

Sincerely,  
JIM DOYLE  
Governor

Read and referred to committee on **Natural Resources and Transportation.**

**State of Wisconsin  
Office of the Governor**

March 29, 2006

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint TREDINNICK, KIM, of DeForest, as a member of the Accounting Examining Board, to serve for the term ending July 1, 2010.

Sincerely,  
JIM DOYLE  
Governor

Read and referred to committee on **Job Creation, Economic Development and Consumer Affairs.**

**Senate Clearinghouse Rule 06-001**

Relating to electronic funds transfer, information returns, and wage statements.  
Submitted by Department of Revenue.

Report received from Agency, March 31, 2006.  
Referred to committee on **Job Creation, Economic Development and Consumer Affairs**, March 31, 2006.

**Senate Clearinghouse Rule 06-010**

Relating to continuing education.  
Submitted by Department of Regulation and Licensing.  
Report received from Agency, March 31, 2006.  
Referred to committee on **Health, Children, Families, Aging and Long Term Care**, March 31, 2006.

**Senate Clearinghouse Rule 05-120**

Relating to continuing education credits for social workers.  
Submitted by Department of Regulation and Licensing.  
Report received from Agency, March 31, 2006.  
Referred to committee on **Health, Children, Families, Aging and Long Term Care**, March 31, 2006.

**Senate Clearinghouse Rule 05-119**

Relating to continuing education credits for professional counselors.  
Submitted by Department of Regulation and Licensing.  
Report received from Agency, March 31, 2006.  
Referred to committee on **Health, Children, Families, Aging and Long Term Care**, March 31, 2006.

**Senate Clearinghouse Rule 05-122**

Relating to continuing education credits for marriage and family therapists.  
Submitted by Department of Regulation and Licensing.  
Report received from Agency, March 31, 2006.  
Referred to committee on **Health, Children, Families, Aging and Long Term Care**, March 31, 2006.

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The Chief Clerk makes the following entries dated Monday, April 3, 2006.

Read first time and referred:

**Senate Bill 679**

Relating to: ballast water management, providing a penalty, and making an appropriation.  
By Senators Cowles and Roessler; cosponsored by Representatives Krawczyk, Molepske, Hines, Musser, Ott, Black, Vos, Pocan, Kessler, Berceau, Lehman and Hahn.  
To committee on **Natural Resources and Transportation.**

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**State of Wisconsin  
Revisor of Statutes Bureau**

April 1, 2006

To the Honorable, the Senate:

The following rules have been published:

<u>Clearinghouse Rules</u>	<u>Effective Date(s)</u>
<b>05-051</b>	4-1-2006
<b>05-072</b>	4-1-2006
<b>05-085</b>	4-1-2006
<b>05-088</b>	4-1-2006

Sincerely,  
GARY L. POULSON  
Deputy Revisor

The Chief Clerk records:

- Senate Bill 341
- Senate Bill 349
- Senate Bill 370
- Senate Bill 405
- Senate Bill 529
- Senate Bill 569
- Senate Bill 602
- Senate Bill 642
- Senate Bill 652

Presented to the Governor on April 3, 2006.

The Chief Clerk makes the following entries dated Tuesday, April 4, 2006.

**State of Wisconsin  
Office of the Secretary of State**

To the Honorable, the Senate:

<u>Bill Number</u>	<u>Act Number</u>	<u>Publication Date</u>
Senate Bill 284	Act 232	April 12, 2006
Senate Bill 637	Act 246	April 12, 2006
Senate Bill 597	Act 247	April 12, 2006
Senate Bill 34	Act 248	April 12, 2006
Senate Bill 150	Act 249	April 12, 2006
Senate Bill 480	Act 250	April 12, 2006
Senate Bill 601	Act 251	April 12, 2006
Senate Bill 520	Act 252	April 12, 2006
Senate Bill 539	Act 253	April 12, 2006
Senate Bill 540	Act 254	April 12, 2006
<u>Joint Resolution</u>	<u>Enrolled Number</u>	<u>Publication Date</u>
SJR 38	45	Not Published

Sincerely,  
DOUGLAS LA FOLLETTE  
Secretary of State

**State of Wisconsin**

April 4, 2006

The Honorable, The Senate:

Pursuant to Senate Rule 46(2)(c), I am writing to direct that **Assembly Bill 538** be withdrawn from the committee on **Job Creation, Economic Development and Consumer Affairs** and rereferred to the committee on **Housing and Financial Institutions**. I have obtained the consent of the appropriate chairperson.

Sincerely,  
ALAN LASEE  
Senate President

The committee on **Housing and Financial Institutions** reports and recommends:

**Senate Clearinghouse Rule 04-031**

Relating to the apportionment of net business incomes of interstate financial organizations.

No action taken.

CATHY STEPP  
Chairperson

**REPORT OF COMMITTEES**

The committee on **Senate Organization** reports:

March 17, 2006

**[MOTION]** To create the Committee on Health Care Reform. The committee shall be a Senate select committee. The committee shall study the laws and regulations of this state relating to health care, specifically the underlying causes of rising health care costs to individuals, local and state government and private companies. The committee shall issue a report and recommendations, which may include legislation.

Upon agreement of the co-chairpersons, the committee shall hold hearings and take testimony. The committee may hold up to 5 hearings in Wisconsin at locations outside of Madison, except that after May 31, 2006 no hearings may be held at locations outside of Madison. Committee members and the committee clerk may be reimbursed for actual and necessary expenses incurred in attending any hearing outside of Madison. Such reimbursement is not charged against the Senator's office account.

The Legislative Council Staff shall provide staff counsel to the committee, who shall attend every meeting of the committee and assist the committee clerk with the production of documents for the committee. The Sergeant-at-Arms shall provide staff support at any hearing held outside of Madison. The committee shall consist of 3 Republican members and 2 Democratic members, all appointed by the Majority Leader. The two Democratic members shall be appointed based upon nomination by the Minority Leader.

No later than September 13, 2006, the committee shall issue its report and recommendations to the Chief Clerk for distribution to each Senator.

Ayes, 5 – Senators Schultz, Lasee, Kedzie, Robson and Hansen.

Noes, 0 – None.

Dale Schultz  
Senate Majority Leader

**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin  
Office of the Governor**

April 5, 2006

To the Honorable, the Senate:

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

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Senate Bill 642	Act 257	April 5, 2006
Senate Bill 529	Act 258	April 5, 2006
Senate Bill 602	Act 259	April 5, 2006
Senate Bill 652	Act 262	April 5, 2006

**Senate Bill 370 Act 267**

April 5, 2006

Sincerely,  
JIM DOYLE  
Governor

**State of Wisconsin**

April 4, 2006

The Honorable, The Senate:

Pursuant to Senate Rule 20 (2)(a), I have made the following appointments to Senate committees:

To the Committee on Health Care Reform, Senators Roessler (Co-chair), Darling (Co-chair), Olsen, Erpenbach, and Miller.

With regard to members of the minority party, appointments are made based on nominations made by that caucus.

Sincerely,

DALE W. SCHULTZ  
Senate Majority Leader

**State of Wisconsin**

April 4, 2006

The Honorable, The Senate:

This letter is to inform you of a temporary replacement on the Senate Select Committee on the Taxpayer Protection Amendment. Senator Lena Taylor will be replacing Senator Fred Risser.

This appointment will be effective immediately, as the committee is scheduled to meet tomorrow.

Thank you for your attention to this matter.

Sincerely,

DALE W. SCHULTZ  
Senate Majority Leader

**State of Wisconsin  
Ethics Board**

April 4, 2006

The Honorable, The Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

Foti, Steven	Pharmaceutical Research and Manufacturers of America
Moghadam, B J	Wisconsin Customers for Affordable Local and Long Distance Service
Newton, Delora	Greater Madison Chamber of Commerce, Inc.
Osborne, Patrick	ACS State & Local Solutions Inc
Panzer, Mary	Wisconsin Dells Visitors and Convention Bureau
Theo, Michael	AT&T Wisconsin (formerly SBC)
Vaughn, Joseph	Wisconsin Fathers for Children and Families

For more detailed information about these lobbyists and organizations and a complete list of organizations and people

authorized to lobby the 2005 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us>

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by organizations that employ lobbyists.

Sincerely,

R. ROTH JUDD  
Director

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**ADVICE AND CONSENT OF THE SENATE**

**State of Wisconsin  
Office of the Governor**

April 4, 2006

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KAMPS, GEORGE, of Green Bay, as a member of the Family Therapy Professional Counseling and Social Work Examining Board, to serve for the term ending July 1, 2009.

Sincerely,

JIM DOYLE  
Governor

Read and referred to committee on **Health, Children, Families, Aging and Long Term Care.**

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

The committee on **Job Creation, Economic Development and Consumer Affairs** reports and recommends:

**Senate Clearinghouse Rule 02-137**

Relating to unemployment insurance availability.

No action taken.

**Senate Clearinghouse Rule 05-067**

Relating to garnishment.

No action taken.

TED KANAVAS  
Chairperson

The committee on **Labor and Election Process Reform** reports and recommends:

**Senate Clearinghouse Rule 05-093**

Relating to the training and certification of election inspectors.

No action taken.

THOMAS REYNOLDS  
Chairperson