

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

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WEDNESDAY, October 8, 2003

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The Chief Clerk makes the following entries dated **October 3, 2003** :

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**CHIEF CLERK’S ENTRIES**

The select committee on **Job Creation** reports and recommends:

**Assembly Bill 520**

Relating to: the method of calculating technology zone tax credits and the certification of businesses under the technology zone program.

Concurrence.

Ayes, 4 – Senators Kanavas, Stepp, Leibham and Jauch.  
Noes, 1 – Senator Chvala.

Ted Kanavas  
Senate Chairperson  
Cathy Stepp  
Senate Chairperson

Referred to joint committee on **Finance** pursuant to Senate Rule 41 (1) (e).

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

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

Read and referred:

**Senate Bill 270**

Relating to: granting high school credit for extracurricular sports.

By Senators Kanavas and Welch; cosponsored by Representatives Vukmir, Nischke, Bies, Gundrum, Albers, Gronemus, Petrowski, Owens, F. Lasee, Hines, Ladwig and Vrakas.

To committee on **Education, Ethics and Elections**.

**Senate Bill 271**

Relating to: transferring certain alcohol beverage licenses to premises in another municipality within the same county.

By Senators Kanavas, Welch, Zien, Decker, Breske and Lassa; cosponsored by Representatives Petrowski, M. Lehman, Hahn, Bies, Friske, Montgomery, Gunderson, Huber, Van Roy, Hundertmark, Ainsworth and Seratti.

To committee on **Homeland Security, Veterans and Military Affairs and Government Reform**.

**Senate Bill 272**

Relating to: local government telecommunications utilities and public hearings for ordinances and resolutions authorizing local government cable television, telecommunications, and Internet access facilities.

By Senators Kanavas, Kedzie, Plale, Stepp, Reynolds, M. Meyer, S. Fitzgerald, Wirch, Leibham, A. Lasee, Breske, Brown, Carpenter and Welch; cosponsored by Representatives Montgomery, Vrakas, Suder, J. Fitzgerald, F. Lasee, Owens, Gundrum, Schneider, Shilling, D. Meyer, Hundertmark, Stone, Huebsch, Gronemus, Pettis, Grothman, Nass, Seratti, LeMahieu, Hines, Friske, Van Roy, J. Wood, Musser and Jeskewitz.

To committee on **Transportation and Information Infrastructure**.

**Senate Bill 273**

Relating to: limiting the amount of bond set by a court in a civil action.

By Senators Kanavas, Erpenbach, Welch, Plale, S. Fitzgerald, Lassa, Schultz, M. Meyer, Darling, Wirch, Stepp, Decker, Zien, Reynolds, Leibham, Hansen and Breske; cosponsored by Representatives Suder, Kreuser, Pettis, Huebsch, J. Wood, Friske, Shilling, Musser, Ladwig, Jeskewitz, Kaufert, Montgomery, Travis, Balow, McCormick, Hubler, Petrowski, Hines, Plouff, J. Fitzgerald, Gunderson, Grothman, Richards, Schneider, F. Lasee, Sherman, Colon, Sinicki and Hundertmark.

To committee on **Judiciary, Corrections and Privacy**.

**Senate Bill 274**

Relating to: regulating the cremation of human remains, creating a Crematory Authority Council, granting rule-making authority, and providing penalties.

By Senators Roessler, Leibham, Schultz, Risser, Lazich, Lassa, Breske and Cowles; cosponsored by Representatives Kerkman, Hines, Ladwig, Albers, Bies, Freese, Gronemus, Hahn, Hundertmark, Kestell, Krawczyk, M. Lehman, Montgomery, Nass, Olsen, Ott, Owens, Seratti, Stone, Van Roy and Vrakas.

To committee on **Labor, Small Business Development and Consumer Affairs**.

**Senate Bill 275**

Relating to: the definition of the practice of chiropractic; chiropractic evaluations, treatments, and referrals to physicians; unprofessional conduct by chiropractors; delegations by chiropractors; continuing education for chiropractors; nutritional guidance provided by chiropractors

to patients; granting rule-making authority, and providing penalties.

By Senators Schultz, Breske, Carpenter, Plale and M. Meyer; cosponsored by Representatives Freese, Hines, Vrakas, LeMahieu, Kreibich, Kestell, Musser, Van Roy and Hahn.

To committee on **Health, Children, Families, Aging and Long Term Care.**

**Senate Bill 276**

Relating to: use of federal registration numbers required for prescribers of controlled substances and providing a penalty.

By Senators Kanavas and Darling; cosponsored by Representatives Vukmir, Underheim, Wasserman, Gielow, Schneider, Hahn, Van Roy, M. Lehman, Owens, Powers, Ainsworth, Huebsch, D. Meyer, Gundrum, Ward, Balow, Suder, Montgomery, Gottlieb, Nass, Cullen, Gronemus, Hundertmark, Petrowski, Pettis, Stone, Hines, Friske, Towns, Ladwig, Bies, Townsend, Albers and Gunderson.

To committee on **Health, Children, Families, Aging and Long Term Care.**

**REPORT OF COMMITTEES**

The committee on **Judiciary, Corrections and Privacy** reports and recommends:

**Assembly Bill 232**

Relating to: failure to pay for gasoline or diesel fuel and suspension of operating privileges after conviction for theft of gasoline or diesel fuel and providing penalties.

Concurrence.

Ayes, 4 – Senators Zien, S. Fitzgerald, Stepp and George.  
Noes, 1 – Senator Carpenter.

**Senate Bill 223**

Relating to: the reduction and recovery of damages and admissibility of evidence in civil actions related to use or nonuse of protective headgear by operators and passengers of motorcycles, all-terrain vehicles, and snowmobiles.

Passage.

Ayes, 3 – Senators Zien, S. Fitzgerald and Stepp.  
Noes, 2 – Senators George and Carpenter.

**Senate Bill 233**

Relating to: marriage between one man and one woman.

Passage.

Ayes, 3 – Senators Zien, S. Fitzgerald and Stepp.  
Noes, 2 – Senators George and Carpenter.

**Senate Bill 49**

Relating to: evidence of lay and expert witnesses.

Passage.

Ayes, 3 – Senators Zien, S. Fitzgerald and Stepp.  
Noes, 2 – Senators George and Carpenter.

**Senate Bill 86**

Relating to: failure to pay for gasoline or diesel fuel and suspension of operating privileges after conviction for theft of gasoline or diesel fuel and providing penalties.

Passage.

Ayes, 4 – Senators Zien, S. Fitzgerald, Stepp and George.  
Noes, 1 – Senator Carpenter.

David Zien  
Chairperson

**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin  
Ethics Board**

October 7, 2003

To the Honorable the Senate:

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

For more detailed information about these lobbyists and organizations and a complete list of organizations and people authorized to lobby the 2001 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us>

- Ashenfelter, Barry **Wisconsin Voter Lists**
- Broydrick, William **Societys Assets Inc**
- Carey, Ray **Johnson Financial Group Inc**
- Mettner, Michelle **Societys Assets Inc**
- Mettner, Michelle **Wisconsin Beer Distributors Association Inc**
- Palmer, Todd **Wisconsin Paper Council**
- Rosati, Kelly **Wisconsin Association of Health Plans**
- Schubert, Louis **Wisconsin Association of Health Plans**
- Schulze, Connie **Wisconsin Credit Union League**
- Strosahl, Mark **Northern Counties Legislative Consortium**

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

**ADVICE AND CONSENT OF THE SENATE**

**State of Wisconsin  
Office of the Governor**

September 29, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint YOUNGER, JAMES G., of Neenah, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 2004.

Sincerely,  
JIM DOYLE  
Governor

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

**State of Wisconsin  
Office of the Governor**

September 29, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BLAKE, MARY B., of Green Bay, as a member of the Barbering and Cosmetology Examining Board, to serve for the term ending July 1, 2007.

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**

**Senate Clearinghouse Rule 02–129**

Relating to private onsite wastewater treatment systems and sanitation.

Submitted by Department of Commerce.

Report received from Agency, October 2, 2003.

Referred to committee on **Environment and Natural Resources**, October 8, 2003.

**Senate Clearinghouse Rule 03–061**

Relating to the identification of a topic of a lobbying communication that relates to an attempt to influence administrative action.

Submitted by Ethics Board.

Report received from Agency, October 7, 2003.

Referred to committee on **Education, Ethics and Elections**, October 8, 2003.

**Senate Clearinghouse Rule 03–062**

Relating to the annuity dividend effective date.

Submitted by Department of Employee Trust Funds.

Report received from Agency, October 7, 2003.

Referred to committee on **Agriculture, Financial Institutions and Insurance**, October 8, 2003.

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The committee on **Health, Children, Families, Aging and Long Term Care** reports and recommends:

**Senate Clearinghouse Rule 02–139**

Relating to faculty licenses.

No action taken.

Carol Roessler  
Chairperson

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**MESSAGES FROM THE ASSEMBLY**

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has passed and asks concurrence in:

**Assembly Bill 265**

**Assembly Bill 486**

**Assembly Bill 487**

Concurred in:

**Senate Joint Resolution 44**

**Senate Joint Resolution 45**

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**MESSAGES FROM THE ASSEMBLY  
CONSIDERED**

**Assembly Bill 265**

Relating to: causing substantial bodily harm to another person and providing a penalty.

By Representatives Suder, Shilling, Albers, Balow, Berceau, Boyle, Coggs, Cullen, Gottlieb, Hahn, Hines, Hundertmark, Kaufert, Krawczyk, Kreibich, Kreuser, Ladwig, Lassa, J. Lehman, Loeffelholz, McCormick, Montgomery, Morris, Musser, Nischke, Owens, Pettis, Plouff, Pocan, Richards, Schooff, Stone, Turner, Van Roy, Wasserman, Weber and Zepnick; cosponsored by Senators Stepp, Brown, Darling, Lazich, Robson, Roessler and Wirch.

Read first time and referred to committee on **Judiciary, Corrections and Privacy**.

**Assembly Bill 486**

Relating to: periods in which state agencies will act on certain applications, approval of certain applications, refunds of fees, and granting rule-making authority.

By Representatives Montgomery, Suder, Nischke, Musser, Ladwig, Seratti, McCormick, Olsen, F. Lasee, Owens, Ainsworth, Hines, Jensen, Petrowski, Bies, Weber, Kestell and J. Fitzgerald; cosponsored by Senators Stepp, Schultz, Roessler, Harsdorf and A. Lasee.

Read first time and referred to joint committee on **Finance**.

**Assembly Bill 487**

Relating to: the purpose and integrity of the patients compensation fund and changing its name to the injured patients and families compensation fund.

By Representatives Ladwig, Gielow, Weber, Albers, Bies, J. Fitzgerald, Freese, Gunderson, Jensen, Jeskewitz, Kerkman, Krawczyk, Kreibich, M. Lehman, LeMahieu, Lothian, McCormick, D. Meyer, Montgomery, Nischke, Olsen, Petrowski, Pettis, Seratti, Stone, Suder, Towns, Townsend, Van Roy, Vukmir, Wasserman and Owens; cosponsored by Senators Schultz, Roessler, Brown, Darling, S. Fitzgerald, Kanavas, Kedzie, A. Lasee, Panzer, Reynolds, Stepp, Zien and Welch.

Read first time and referred to committee on **Agriculture, Financial Institutions and Insurance**.

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**CHIEF CLERK'S REPORT**

The Chief Clerk records:

**Senate Joint Resolution 17**

**Senate Joint Resolution 24**

**Senate Joint Resolution 35**

**Senate Joint Resolution 37**

Deposited in the office of the Secretary of State on October 3, 2003.