



STATE OF WISCONSIN

Senate Journal

Ninety–Sixth Regular Session

10:00 A.M.

WEDNESDAY, October 22, 2003

The Senate met.

The Senate was called to order by Senator Alan Lasee.

The roll was called and the following Senators answered to their names:

Present – Senators Breske, Brown, Carpenter, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Jauch, Kanavas, Kedzie, A. Lasee, Lassa, Lazich, Leibham, M. Meyer, Moore, Panzer, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Welch, Wirch and Zien – 32.

Absent – Senator George–1.

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

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

The Chief Clerk makes the following entries dated **October 21, 2003** :

CHIEF CLERK'S ENTRIES

The committee on **Environment and Natural Resources** reports and recommends:

Assembly Bill 13

Relating to: sales of damaged timber by the department of natural resources and by counties from county forest lands.

Concurrence.

Ayes, 5 – Senators Kedzie, Stepp, Zien, Risser and Wirch.
Noes, 0 – None.

Assembly Bill 200

Relating to: restrictions on promulgating or enforcing certain rules regulating the sighting of a firearm.

Concurrence.

Ayes, 4 – Senators Kedzie, Stepp, Zien and Wirch.
Noes, 1 – Senator Risser.

Assembly Bill 519

Relating to: the feeding of deer and elk.

Adoption of Senate Amendment 1.

Ayes, 3 – Senators Kedzie, Stepp and Risser.
Noes, 2 – Senators Zien and Wirch.

Introduction and adoption of Senate Amendment 2.

Ayes, 3 – Senators Kedzie, Stepp and Zien.
Noes, 2 – Senators Risser and Wirch.

Concurrence as amended.

Ayes, 3 – Senators Kedzie, Stepp and Zien.
Noes, 2 – Senators Risser and Wirch.

Neal Kedzie
Chairperson

The committee on **Senate Organization** reports and recommends:

Senate Resolution 14

Relating to: commending the Japan External Trade Organization.

Adoption.

Ayes, 5 – Senators Panzer, A. Lasee, Zien, Erpenbach and Hansen.

Noes, 0 – None.

Mary Panzer
Chairperson

The committee on **Transportation and Information Infrastructure** reports and recommends:

Senate Bill 3

Relating to: the specialized transportation assistance program, minimum qualifications for the operator of a human service vehicle, the registration of human service vehicles, and providing penalties.

Introduction and adoption of Senate Amendment 1.

Ayes, 5 – Senators Leibham, Kanavas, Kedzie, Breske and M. Meyer.

Noes, 0 – None.

Passage as amended.

Ayes, 4 – Senators Leibham, Kanavas, Kedzie and M. Meyer.

Noes, 1 – Senator Breske.

PETITIONS AND COMMUNICATIONS

State of Wisconsin Legislative Audit Bureau

October 21, 2003

The Honorable, The Legislature:

At the request of several legislators, we have conducted a review of state efforts to combat chronic wasting disease (CWD), a fatal neurological disease that affects members of the deer family. The Department of Natural Resources (DNR) has primary responsibility for coordinating CWD management efforts in Wisconsin, in cooperation with the Department of Agriculture, Trade and Consumer Protections (DATCP), the Department of Health and Family Services, and the University of Wisconsin. Through fiscal year (FY) 2002-03, we estimate these state agencies spent a total of \$14.7 million combating the disease. The majority of expenditures – 64.9 percent – supported the salaries and benefits of an estimated 122.8

full-time equivalent employees dedicated to CWD efforts in FY 2002-03.

DNR had the largest share of CWD-related expenditures. Its spending totaled \$12.6 million, including \$4.0 million for the collection and extraction of deer tissue and for constructing and modifying facilities in which to conduct this work. At \$2.0 million, costs associated with herd reduction and carcass disposal represented the second-largest expenditure category. In addition, DATCP spent a total of \$1.1 million on CWD activities, primarily for regulating and preventing disease among farm-raised deer; the University of Wisconsin Veterinary Diagnostic Laboratory spent \$924,000 to test deer tissue for the presence of CWD; and the Department of Health and Family Services spent \$49,000 to review potential links between CWD and a related disease in humans.

A number of questions regarding efforts to contain CWD will need to be addressed in the future, including how best to ensure the effectiveness of herd depopulation efforts, ensure cooperation between DNR and DATCP in the regulation of farm-raised deer, make the greatest use of a new tissue digester that will likely provide a less-costly means of disposal than incineration, and ensure the most appropriate allocation of limited resources.

I hope you find this information helpful. We appreciate the courtesy and cooperation extended to us by DNR, DATCP, the Department of Health and Family Services, and the University of Veterinary Diagnostic Laboratory.

Sincerely,

JANICE MUELLER
State Auditor

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 49

Assembly Bill 89

Assembly Bill 101

Assembly Bill 124

Assembly Bill 256

Assembly Bill 263

Assembly Bill 343

Assembly Bill 365

Assembly Bill 375

Assembly Bill 396

Assembly Bill 409

Assembly Bill 459

Assembly Bill 602

Adopted and asks concurrence in:

Assembly Joint Resolution 49

Amended and concurred in as amended:

Senate Bill 38 (Assembly substitute amendment 1 adopted)

Concurred in:

Senate Bill 29

Senate Joint Resolution 26

Senate Joint Resolution 31

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Bill 49

Relating to: burglary and providing a penalty.

By Representatives Ladwig, Gunderson, J. Lehman, Turner, Bies, Gielow, Gronemus, Hines, Huebsch, Krawczyk, Lassa, McCormick, Owens, Pettis, Stone, Suder, Townsend, Vrakas, J. Wood and Ziegelbauer; cosponsored by Senators Stepp and Roessler.

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

Assembly Bill 89

Relating to: installment payments of refunds of taxes on manufacturing property, the interest on refunded and additional taxes on manufacturing property, and making an appropriation.

By Representatives M. Lehman, Jeskewitz, W. Wood, Olsen, Gielow, J. Lehman, Grothman, Seratti, Townsend, Ziegelbauer, Hahn, F. Lasee, Krawczyk, Ladwig and Colon; cosponsored by Senators Kanavas and A. Lasee.

Read first time and referred to committee on **Homeland Security, Veterans and Military Affairs and Government Reform**.

Assembly Bill 101

Relating to: juvenile in need of protection or services jurisdiction over a juvenile who commits a 3rd alcohol beverage violation.

By Representatives Huber, Bies, Staskunas, Ladwig, Underheim, Plouff, J. Lehman, Musser and Turner; cosponsored by Senators Roessler and Decker.

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

Assembly Bill 124

Relating to: regional emergency response team requirements.

By Representatives Gunderson, Kerkman, Albers, Bies, Berceau, Gronemus, Hahn, Huber, Ladwig, M. Lehman, McCormick, Olsen, Ott, Townsend, Vrakas, J. Wood and J. Fitzgerald; cosponsored by Senators Cowles, Brown and Roessler.

Read first time and referred to committee on **Homeland Security, Veterans and Military Affairs and Government Reform**.

Assembly Bill 256

Relating to: compatible offices and positions for city, village, and town elective officeholders.

By Representatives Hundertmark, Jeskewitz, Albers, Bies, Friske, Gielow, Hines, J. Lehman, M. Lehman, Olsen, Ott and Owens; cosponsored by Senators Welch and Schultz.

Read first time and referred to committee on **Education, Ethics and Elections**.

Assembly Bill 263

Relating to: changing the bonding requirements for city, village, and county officers.

By Representatives Stone, Musser, Ainsworth, Ladwig, Grothman, Hines, Bies, Gunderson, Olsen, Hahn and Hundertmark; cosponsored by Senator Brown.

Read first time and referred to committee on **Homeland Security, Veterans and Military Affairs and Government Reform.**

Assembly Bill 343

Relating to: establishing a clearinghouse for information about special education transition services and vocational opportunities that are available in each county.

By Representatives Owens, Townsend, Ladwig, Jeskewitz, J. Wood, Van Roy, Krawczyk, Loeffelholz, Musser, Hines, Berceau, Gronemus, Miller and Zepnick; cosponsored by Senators Roessler, Ellis, Stepp, Plale, Wirch and Robson.

Read first time and referred to committee on **Education, Ethics and Elections.**

Assembly Bill 365

Relating to: authorizing municipal courts to contract with collection agencies and the sharing of collection costs by cities, villages, towns, and counties.

By Representatives Nischke, Foti, Vrakas, Nass, Bies, Friske, Gard, Gunderson, Hines, Jensen, Kestell, Ladwig, F. Lasee, M. Lehman, McCormick, Musser, Ott, Staskunas, Townsend, Van Roy, Taylor, Plouff, Pettis, Weber, J. Wood and Grothman; cosponsored by Senators Kedzie, Roessler and Stepp.

Read first time and referred to committee on **Homeland Security, Veterans and Military Affairs and Government Reform.**

Assembly Bill 375

Relating to: leaving the scene of an accident and providing a penalty.

By Representatives Hines, Friske, Zepnick, McCormick, Owens, Kreibich, Ainsworth, Ott, Wasserman, Seratti, Gronemus, Hundertmark, Townsend, Hahn, Nass, Bies, J. Fitzgerald, Turner, Van Roy, Pettis, Suder and Vrakas; cosponsored by Senators S. Fitzgerald, Darling, Erpenbach, Roessler and Kanavas.

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

Assembly Bill 396

Relating to: Clean Water Fund Program financial hardship assistance for the Elcho Sanitary District.

By Representatives Friske and Gard.

Read first time and referred to committee on **Environment and Natural Resources.**

Assembly Bill 409

Relating to: the duties of county veterans' service officers.

By Representatives Musser, Boyle, Bies, Schneider, Pettis, Gronemus, Kreibich, Travis, Suder, Freese, McCormick, Morris, Gunderson, Turner, Kestell, Hines, Vrakas, Krawczyk, Van Roy, Ott, M. Lehman, Albers, Berceau, Nass, Black, Ainsworth, Miller and Hahn; cosponsored by Senators S. Fitzgerald, Roessler, Hansen, Wirch, Schultz and Carpenter.

Read first time and referred to committee on **Homeland Security, Veterans and Military Affairs and Government Reform.**

Assembly Bill 459

Relating to: inclusion of social security numbers and employer identification numbers in Uniform Commercial Code financing statements.

By Representatives Ladwig, Kerkman, Albers, Gronemus, Grothman, Gundrum, Hines, Huber, Hundertmark, F. Lasee, McCormick, Montgomery, Nischke, Owens, Seratti, Staskunas, Towns, Vukmir and Van Roy; cosponsored by Senators Darling, Lassa, Roessler and Schultz.

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

Assembly Bill 602

Relating to: decreasing the level of authorized general obligation bonding, and payment of debt service on such bonding, for certain highway projects, and making an appropriation.

By Representatives Ainsworth, Gard, Petrowski, Stone, Kaufert, J. Fitzgerald and Vrakas; cosponsored by Senators Leibham, Panzer and Darling.

Read first time and referred to committee on **Senate Organization.**

Assembly Joint Resolution 49

Relating to: the life and public service of Judge James W. Rice.

By Representatives Musser, Huebsch, Johnsrud and Albers; cosponsored by Senators Brown, Schultz and M. Meyer.

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

Senator Panzer, with unanimous consent, asked that the Senate recess until 2:00 P.M..

10:21 A.M.

RECESS

2:00 P.M.

The Senate reconvened.

Senator A. Lasee in the chair.

LEAVES OF ABSENCE

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

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senate Bill 3

Relating to: the specialized transportation assistance program, minimum qualifications for the operator of a human service vehicle, the registration of human service vehicles, and providing penalties.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 3?**

Adopted.

Ordered to a third reading.

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

Senate Bill 3

Read a third time and passed.

Senate Bill 66

Relating to: time limits for the prosecution of 2nd-degree intentional homicide and 2nd-degree reckless homicide.

Read a second time.

Ordered to a third reading.

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

Senate Bill 66

Read a third time and passed.

Senate Bill 75

Relating to: creating a civil liability exemption for certain municipalities and their agents that issue fireworks permits.

Read a second time.

Senate amendment 1 to **Senate Bill 75** offered by Senator Decker.

Senator Welch moved rejection of Senate amendment 1 to **Senate Bill 75**.

The question was: Rejection of Senate amendment 1 to **Senate Bill 75**?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; absent or not voting, 1; as follows:

Ayes – Senators Breske, Brown, Cowles, Darling, Ellis, S. Fitzgerald, Harsdorf, Kanavas, Kedzie, A. Lasee, Lazich, Leibham, Panzer, Reynolds, Roessler, Schultz, Stepp, Welch and Zien – 19.

Noes – Senators Carpenter, Chvala, Decker, Erpenbach, Hansen, Jauch, Lassa, M. Meyer, Moore, Plale, Risser, Robson and Wirch – 13.

Absent or not voting – Senator George – 1.

Rejected.

Ordered to a third reading.

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

Senate Bill 75

Read a third time and passed.

Senate Bill 168

Relating to: enforcement of the one- and two-family dwelling code in certain cities, villages, and towns.

Read a second time.

Ordered to a third reading.

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

Senate Bill 168

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 1; absent or not voting, 1; as follows:

Ayes – Senators Breske, Brown, Carpenter, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Jauch, Kanavas, Kedzie, A. Lasee, Lassa, Lazich, Leibham, M. Meyer, Moore, Panzer, Plale, Risser, Robson, Roessler, Schultz, Stepp, Welch, Wirch and Zien – 31.

Noes – Senator Reynolds – 1.

Absent or not voting – Senator George – 1.

Passed.

Senate Bill 170

Relating to: the Veterans Mortgage Loan Program, veterans tuition and fee reimbursement, authority for the Department of Veterans Affairs to acquire a headquarters building,

departmental delivery of services to veterans, veterans personal loans, eligibility for burial at a veterans cemetery, part-time study grants for veterans, housing loans for veterans, mortgage loan repayment fund, grants to county veteran service offices, national guard tuition grants, granting rule-making authority, and making an appropriation.

Read a second time.

Senator Darling, with unanimous consent, asked that **Senate Bill 170** be referred to the Joint Committee on **Finance**.

Senate Bill 202

Relating to: the purchase of health care coverage by individuals who are engaged in the business of farming through the Group Insurance Board, granting rule-making authority, and making an appropriation.

Read a second time.

Senator Darling, with unanimous consent, asked that **Senate Bill 202** be referred to the Joint Committee on **Finance**.

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

Assembly Bill 27

Relating to: the issuance of wild turkey hunting licenses to qualified resident landowners.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 27

Read a third time and concurred in.

Assembly Bill 62

Relating to: dispositional orders for truancy or habitual truancy and the disclosure of juvenile records by a juvenile court or a municipal court.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 62

Read a third time and concurred in.

Assembly Bill 130

Relating to: creating a new method for towns to consolidate.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 130

Read a third time and concurred in.

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.

Read a second time.

Senate amendment 1 to **Assembly Bill 232** offered by Senators Carpenter, Robson and Moore.

Senator S. Fitzgerald moved rejection of Senate amendment 1 to **Assembly Bill 232**.

The question was: Rejection of Senate amendment 1 to **Assembly Bill 232**?

The ayes and noes were demanded and the vote was: ayes, 23; noes, 9; absent or not voting, 1; as follows:

Ayes – Senators Breske, Brown, Cowles, Darling, Ellis, S. Fitzgerald, Harsdorf, Kanavas, Kedzie, A. Lasee, Lassa, Lazich, Leibham, M. Meyer, Panzer, Plale, Reynolds, Roessler, Schultz, Stepp, Welch, Wirch and Zien – 23.

Noes – Senators Carpenter, Chvala, Decker, Erpenbach, Hansen, Jauch, Moore, Risser and Robson – 9.

Absent or not voting – Senator George – 1.

Rejected.

Senate amendment 2 to **Assembly Bill 232** offered by Senator Moore.

Senator S. Fitzgerald moved rejection of Senate amendment 2 to **Assembly Bill 232**.

The question was: Rejection of Senate amendment 2 to **Assembly Bill 232**?

The ayes and noes were demanded and the vote was: ayes, 23; noes, 9; absent or not voting, 1; as follows:

Ayes – Senators Breske, Brown, Cowles, Darling, Ellis, S. Fitzgerald, Harsdorf, Kanavas, Kedzie, A. Lasee, Lassa, Lazich, Leibham, M. Meyer, Panzer, Plale, Reynolds, Roessler, Schultz, Stepp, Welch, Wirch and Zien – 23.

Noes – Senators Carpenter, Chvala, Decker, Erpenbach, Hansen, Jauch, Moore, Risser and Robson – 9.

Absent or not voting – Senator George – 1.

Rejected.

Ordered to a third reading.

Senator Panzer moved that the rules be suspended.

The question was: Shall the rules be suspended?

The ayes and noes were required and the vote was: ayes, 23; noes, 9; absent or not voting, 1; as follows:

Ayes – Senators Breske, Brown, Cowles, Darling, Ellis, S. Fitzgerald, Harsdorf, Jauch, Kanavas, Kedzie, A. Lasee, Lazich, Leibham, M. Meyer, Panzer, Plale, Reynolds, Roessler, Schultz, Stepp, Welch, Wirch and Zien – 23.

Noes – Senators Carpenter, Chvala, Decker, Erpenbach, Hansen, Lassa, Moore, Risser and Robson – 9.

Absent or not voting – Senator George – 1.

Rules Suspended.

Senator Carpenter moved that **Assembly Bill 232** be referred to the joint committee on **Finance**.

The question was: Shall **Assembly Bill 232** be referred to the joint committee on **Finance**?

The ayes and noes were demanded and the vote was: ayes, 7; noes, 25; absent or not voting, 1; as follows:

Ayes – Senators Carpenter, Chvala, Erpenbach, Hansen, Moore, Risser and Robson – 7.

Noes – Senators Breske, Brown, Cowles, Darling, Decker, Ellis, S. Fitzgerald, Harsdorf, Jauch, Kanavas, Kedzie, A. Lasee, Lassa, Lazich, Leibham, M. Meyer, Panzer, Plale, Reynolds, Roessler, Schultz, Stepp, Welch, Wirch and Zien – 25.

Absent or not voting – Senator George – 1.

Refused to refer to joint committee on **Finance**.

Senator Panzer, with unanimous consent, asked that the Senate recess until 5:00 P.M..

4:05 P.M.

RECESS

5:00 P.M.

The Senate reconvened.

Senator A. Lasee in the chair.

Senator Panzer, with unanimous consent, asked that **Assembly Bill 232** be placed at the foot of the calendar of October 22, 2003.

Assembly Bill 259

Relating to: eligibility for participation in the Milwaukee Parental Choice Program.

Read a second time.

Senate amendment 1 to **Assembly Bill 259** offered by Senator Moore.

Senate amendment 1 to Senate amendment 1 to **Assembly Bill 259** offered by Senator Moore.

The question was: Adoption of Senate amendment 1 to Senate amendment 1 to **Assembly Bill 259**?

Adopted.

Senator Darling moved rejection of Senate amendment 1 to **Assembly Bill 259**.

QUORUM CALL

Senator Moore called the attention of the Chair to the possible lack of a quorum.

The roll was called and the following Senators answered to their names:

Senators Breske, Carpenter, Chvala, Darling, Decker, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Kanavas, Kedzie, A. Lasee, Lassa, Leibham, M. Meyer, Moore, Panzer, Plale, Reynolds, Risser, Robson, Roessler, Stepp, Welch and Wirch – 25.

Absent – Senators Brown, Cowles, Ellis, Jauch, Lazich, Schultz and Zien.

Absent with leave – Senator George – 1.

CALL OF THE HOUSE

Senator Moore moved a call of the house on the question of rejection of Senate amendment 1 to **Assembly Bill 359**.

There were sufficient seconds.

The Sergeant was ordered to close the doors.

The roll was called and the following Senators answered to their names:

Present – Senators Breske, Brown, Carpenter, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Jauch, Kanavas, Kedzie, A. Lasee, Lassa, Lazich, Leibham, M. Meyer, Moore, Panzer, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Welch, Wirch and Zien – 32.

Absent – None.

Absent with leave – Senator George – 1.

The Sergeant made his report to the Chair that all were present.

The question was: Rejection of Senate amendment 1 to **Assembly Bill 259**?

The ayes and noes weredemanded and the vote was: ayes, 18; noes, 14; absent or not voting, 1; as follows:

Ayes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Harsdorf, Kanavas, Kedzie, A. Lasee, Lazich, Leibham, Panzer, Reynolds, Roessler, Schultz, Stepp, Welch and Zien – 18.

Noes – Senators Breske, Carpenter, Chvala, Decker, Erpenbach, Hansen, Jauch, Lassa, M. Meyer, Moore, Plale, Risser, Robson and Wirch – 14.

Absent or not voting – Senator George – 1.

Rejected.

Senate amendment 2 to **Assembly Bill 259** offered by Senator Moore.

Senator Darling moved rejection of Senate amendment 2 to **Assembly Bill 259**.

IN THE CHAIR

7:31 P.M.

Senator Welch in the chair.

Chair, with unanimous consent, asked that the Senate stand informal until 9:20 P.M..

8:00 P.M.

STOOD INFORMAL

9:20 P.M.

The Senate reconvened.

Senator A. Lasee in the chair.

The question was: Rejection of Senate amendment 2 to **Assembly Bill 259**?

The ayes and noes weredmanded and the vote was: ayes, 18; noes, 14; absent or not voting, 1; as follows:

Ayes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Harsdorf, Kanavas, Kedzie, A. Lasee, Lazich, Leibham, Panzer, Reynolds, Roessler, Schultz, Stepp, Welch and Zien – 18.

Noes – Senators Breske, Carpenter, Chvala, Decker, Erpenbach, Hansen, Jauch, Lassa, M. Meyer, Moore, Plale, Risser, Robson and Wirch – 14.

Absent or not voting – Senator George – 1.

Rejected.

Senate amendment 3 to **Assembly Bill 259** offered by Senator Chvala.

Senator Chvala, with unanimous consent, asked that Senate amendment 3 to **Assembly Bill 259** be withdrawn and returned to author.

Ordered to a third reading.

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

Assembly Bill 259

Read a third time.

The ayes and noes were required and the vote was: ayes, 19; noes, 13; absent or not voting, 1; as follows:

Ayes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Harsdorf, Kanavas, Kedzie, A. Lasee, Lazich, Leibham, Panzer, Plale, Reynolds, Roessler, Schultz, Stepp, Welch and Zien – 19.

Noes – Senators Breske, Carpenter, Chvala, Decker, Erpenbach, Hansen, Jauch, Lassa, M. Meyer, Moore, Risser, Robson and Wirch – 13.

Absent or not voting – Senator George – 1.

Concurred in.

Senator Carpenter, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Sr. Ann Catherine Veierstahler, SCSJA, RN. Sr. Ann has started a website at www.hopetohealing.com to tell the stories of people who, through their hope, have achieved healing and are now living productive and fulfilling lives.

Senator Fitzgerald, with unanimous consent, asked that when the Senate adjourn, it do so in honor of his staff member: **Lt. Col. Tom Rhatican**. He has returned to state service as Chief of Staff after 9 months of service to his country in Iraq.

Senator Risser, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the University of Wisconsin students residing on the 10th and 11th Floors of Chadbourne Hall in their efforts to win the hall-wide scavenger hunt.

Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Marge Bong Drucker, wife of Richard I. Bong, one of the most celebrated World War II fighter pilots and a national war hero, who died at the age of 79 on September 27, 2003. A native of Poplar, Wisconsin and longtime resident of Superior, Marge dedicated her life to the establishment of the Richard I. Bong World War II Heritage Center, which honors all World War II veterans in addition to paying respect to her late husband.

Senator Moore, with unanimous consent, asked that when the Senate adjourn today it do so in honor of her newest Granddaughter Sade Yetunde Moore-Beamon, born October 2, 2003, weighing 3lbs. 10oz.

Senator Panzer, with unanimous consent, asked that the Senate adjourn until Thursday, at 10:00 A.M..

Adjourned.

9:48 P.M.

AMENDMENTS OFFERED

Senate amendment 3 to **Assembly Bill 519** offered by Senator Kedzie.

Senate substitute amendment 1 to **Assembly Bill 261** offered by Senators Carpenter and Moore.

Senate amendment 1 to **Assembly Bill 261** offered by Senator Moore.

Senate amendment 1 to **Assembly Bill 503** offered by Senator Decker.