



STATE OF WISCONSIN

Senate Journal

Ninety–Seventh Regular Session

10:00 A.M.

TUESDAY, January 25, 2005

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:

Senators Breske, Brown, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Miller, Olsen, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 33.

Absent – None.

Absent with leave – None.

The Senate stood for a moment of silent meditation.

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

CHIEF CLERK'S ENTRIES

The Chief Clerk makes the following entries dated Friday, January 21, 2005.

Read and referred:

Senate Resolution 2

Relating to: the senate rules.

By Senator A. Lasee.

To committee on **Senate Organization**.

The Chief Clerk makes the following entries dated Monday, January 24, 2005.

Read first time and referred:

Senate Bill 19

Relating to: the sunset of local professional baseball park district sales and use taxes and restricting the use of sales and use tax revenue and auditing the finances of a local professional baseball park district.

By Senators Stepp, Darling, Carpenter, Kanavas, Leibham, Brown, Lazich, Erpenbach and Grothman; cosponsored by Representatives Vos, Lehman, Turner, Gunderson, Kerkman, Nass, Gundrum, Pettis, McCormick, Ainsworth, Kreibich, Albers, Krawczyk, Honadel and Hundertmark.

To committee on **Job Creation, Economic Development and Consumer Affairs**.

Senate Bill 20

Relating to: a sales tax and use tax exemption for nonprofit cemeteries.

By Senators Kedzie and A. Lasee; cosponsored by Representatives Nass, Townsend, Ott, Stone and Gunderson.

To joint survey committee on **Tax Exemptions**.

Senate Bill 21

Relating to: county ordinances regarding drug paraphernalia or the possession of marijuana.

By Senator Kedzie; cosponsored by Representatives Nass, Gundrum, Musser, Kestell, Nischke, Townsend, Hines, Staskunas, Davis, Ott, Hundertmark, Hahn and Albers.

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

Senate Bill 22

Relating to: the number of deputy coroners that may be appointed by a coroner and the appointment of a chief deputy coroner.

By Senator Roessler; cosponsored by Representatives Underheim, McCormick, Townsend and Musser.

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

Senate Bill 23

Relating to: regulating the manufactured housing industry and manufactured home installations; promoting rehabilitation and recycling of manufactured housing; requiring the exercise of rule-making authority; providing a penalty; and making appropriations.

By Senators Roessler, Lassa, Olsen, Brown, Kedzie, Wirch, Breske and Stepp; cosponsored by Representatives Nass, Vruwink, Vrakas, Kerkman, Montgomery, Kreibich, Suder, Vos, Ott, Hines, Hahn, Musser, Molepske, Nerison, Petrowski and Townsend.

To committee on **Housing and Financial Institutions**.

Senate Bill 24

Relating to: threats to social service workers, juvenile intake workers, child support workers, or school employees and providing a penalty.

By Senators Brown, Roessler and Stepp; cosponsored by Representatives Musser, Ziegelbauer, Shilling, Lothian, Bies, Hines, Ott and Stone.

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

Senate Bill 25

Relating to: requiring a determination of the amount of general school aid necessary to fund two-thirds of statewide school costs and making an appropriation.

By Senators Carpenter, Decker and A. Lasee; cosponsored by Representatives Gronemus, Fields, Freese, Lehman and Pocan.

To committee on **Education**.

Senate Bill 26

Relating to: waiver of camping fees for certain camping parties, lowering the minimum age for hunting to 10 years old, waiver of fishing license requirement for certain groups, and reducing the number of acres needed to qualify as a resident landowner under the preference system administered by the Department of Natural Resources for the issuance of special deer hunting permits.

By Senators Decker, A. Lasee, Breske and Wirch; cosponsored by Representatives Freese, Sherman and Zepnick.

To committee on **Natural Resources and Transportation**.

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

Senate Resolution 2

Relating to: the senate rules.

Adoption.

Ayes, 3 – Senators Schultz, A. Lasee and Kedzie.
Noes, 2 – Senators Robson and Hansen.

DALE SCHULTZ
Chairperson

Senate Clearinghouse Rule 04–132

Relating to motorcycle licensing and courses.

Submitted by Department of Transportation.

Report received from Agency, January 20, 2005.

Referred to committee on **Natural Resources and Transportation**, January 24, 2005.

Senate Bill 16

Relating to: reducing the amount of the estate tax imposed by the state.

Withdrawn from the committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform** and referred to the committee on **Job Creation, Economic Development and Consumer Affairs**, pursuant to Senate Rule 46(2)(c).

INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Read and referred:

Senate Joint Resolution 4

Relating to: recognizing February 6 as Ronald Reagan Day in the state of Wisconsin.

By Senators Kanavas, S. Fitzgerald, Stepp, Darling, Leibham, A. Lasee, Cowles, Roessler and Reynolds; cosponsored by Representatives Gard, Jensen, Gielow, J. Fitzgerald, Wieckert, Suder, Nischke, Vukmir, Vos, Lothian, Nass, Hahn, Kestell, F. Lasee, Jeskewitz, McCormick, Van Roy, Bies, Kreibich, Gunderson, Townsend, Hines, Freese,

Krawczyk, Honadel, Ott, Hundertmark, Nerison, Albers, Kaufert, Vrakas and Stone.

To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 27

Relating to: the media used for recording real estate instruments.

By Senators Stepp, Grothman, Lassa and Roessler; cosponsored by Representatives Davis, Vos, Gunderson, Hundertmark, Ott and Hines.

To committee on **Housing and Financial Institutions**.

Senate Bill 28

Relating to: school district revenue limits and levy limits for cities, villages, towns, counties, and technical college districts.

By Senators Kanavas, S. Fitzgerald, Stepp, Kedzie, Leibham, Darling, Brown, Reynolds, Roessler, Zien, Lazich and A. Lasee; cosponsored by Representatives Honadel, Suder, Bies, Davis, J. Fitzgerald, Freese, Friske, Gard, Gunderson, Hines, Hundertmark, Huebsch, Jensen, Kaufert, Lamb, F. Lasee, LeMahieu, McCormick, Meyer, Montgomery, Moulton, Nass, Nerison, Nischke, Owens, Pettis, Stone, Strachota, Townsend, Van Roy, Vos, Vrakas, Vukmir, M. Williams and Wood.

To joint committee on **Finance**.

PETITIONS AND COMMUNICATIONS

State of Wisconsin

January 18, 2005

The Honorable, The Senate:

Pursuant to the statutes governing, I have made the following appointments to committee:

Council on Alcohol and Other Drug Abuse: Senator Roessler

Wisconsin Artistic Endowment Foundation: Senator Grothman

State Building Commission: Senators Roessler and Zien

Education Commission of the States: Senator Olsen

Educational Communications Board: Senator Olsen

Environmental Education Board: Senator Kedzie

Forward Wisconsin: Senator Stepp

Heritage Tourism Council: Senator Zien

Historical Society Board of Curators: Senator Schultz

Migrant Labor Council: Senator Brown

Milwaukee Child Welfare Partnership Council: Senator Darling

Mississippi River Parkway Commission: Senator Kapanke

Rural Economic Development Board: Senator Brown

Sentencing Commission: Senator Zien

State Capitol and Executive Residence Board: Senators Leibham and Schultz

State Fair Park Board: Senator Reynolds

Council on Tourism: Senator Zien

Transportation Projects Commission: Senators Kedzie, Lasee and Leibham

Wisconsin Housing and Economic Development Authority: Senator Kanavas

World Dairy Center Authority: Senator Harsdorf

Sincerely,

DALE SCHULTZ

Senate Majority Leader

State of Wisconsin

January 25, 2005

The Honorable, The Senate:

Unfortunately, due to the unexpected nature of the calling for a special session, I was unable to participate in the January 2005 Special Session and vote in favor of passage of Senate Bill 1 as a result of my previously scheduled honeymoon.

Therefore, I am writing today to request that my vote from the January 2005 Special Session regarding passage of Senate Bill 1 be recorded in the Senate Journal to reflect that I would have voted in favor of passage of Senate Bill 1.

I appreciate your attention in this matter.

Sincerely,

JOE LEIBHAM
State Senator

**State of Wisconsin
Ethics Board**

January 25, 2005

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

Anderson, Robert	Milwaukee Teachers Education Association
Andreopoulos, William	Milwaukee Public Schools
Appling, Julaine K	Family Research Institute of Wisconsin Inc
Barry, Robert	AT&T Corporation
Baumann, Rebecca	Wisconsin Land and Water Conservation Association
Bentley, Marc S	Murphy Oil USA Inc
Bentley, Marc S	Wisconsin Motor Carriers Association
Blaska, J Michael	Wisconsin Counties Association
Blatnik, David	Marathon Oil Company (subsidiaries and affiliates)
Boryczka, Nicole	Medco Health Solutions Inc
Boryczka, Nicole	Wisconsin Physical Therapy Association
Boryczka, Nicole	Wisconsin Public Power Inc
Bowman, D'Anna	AARP
Boxer, Barbara K	Managed Health Services Insurance Corporation
Boyer, Amy	Aggregate Producers of Wisconsin Inc
Boyer, Amy	Flint Hills Resources
Boyer, Amy	Northern States Power d/b/a Xcel Energy
Brosnan, Sharon	Thrivent Financial for Lutherans
Brown, Senn	Wisconsin Charter Schools Association
Broydrick, Cynthia	Childrens Health System Inc
Broydrick, Cynthia	Milwaukee Metropolitan Sewerage District
Broydrick, William	Childrens Health System Inc
Broydrick, William	Independent Care Health Plan

Broydrick, William

Broydrick, William
Broydrick, William
Broydrick, William

Broydrick, William
Buchen, Elizabeth J
Buchen, Elizabeth J

Buchen, Elizabeth J
Bush, Daniel

Carey, Ray
Carey, Ray
Carmen, Samuel

Carter, Michael

Casey, Brian
Christianson, Peter C
Chybowski, Robert

Cliff, Roger

Coddington, Connie

Colon, Hector

Crass, David
Crass, David
Cruz, Lorenzo
Curtis, Carol
Daggett, Julie A

Dennik-Champion, Georgina M

Dicks, Helen Marks

Diedrick-Kasdorf, Sarah
Early, Annie

Early, Annie

Elias, Nathan
Elias, Nathan
Elias, Nathan

Elias, Nathan

Ellinger, Lisa
Elliott, Brian
Elliott, Brian
Elliott, Brian
Elliott, Brian
Elmer, Jane

Elverman, Timothy J
Elverman, Timothy J
Elverman, Timothy J
Engels, Tom
Essie, Patrick

Milwaukee Metropolitan Sewerage District
Milwaukee Public Schools
Plumbers Local 75
Wisconsin Wine and Spirit Institute
YWCA of Greater Milwaukee
Eli Lilly & Company
Lutheran Social Services of Wisconsin & Upper Michigan
Nextel Communications
United Council of UW Students Inc
General Motors Corporation
Johnson Financial Group Inc
Milwaukee Teachers Education Association
Wisconsin Potato and Vegetable Growers Association
Thrivent Financial for Lutherans
Connections Academy Inc
Wisconsin Council 40 AFSCME, AFL-CIO
Wisconsin Farm Bureau Federation
Christian Science Committee on Publication for Wisconsin
City of Milwaukee
Dairy Business Association
Writing The Script Coalition, Inc
CenturyTel Service Group LLC
AstraZeneca Pharmaceuticals LP
Lutheran Social Services of Wisconsin & Upper Michigan
Wisconsin Nurses Association
Coalition of Wisconsin Aging Groups Inc
Wisconsin Counties Association
Forest County Potawatomi Community
Wisconsin Troopers Association Inc
Community Loans of America
Wal-Mart Stores Inc
Wisconsin State Attorney's Union
Wisconsin Transportation Builders Association
Wisconsin Health Project
Ho-Chunk Nation
McCain Foods USA Inc.
Omni Resources, Inc.
Spirit Foundation
University of Phoenix
Wisconsin Retired Educators Association
J P Morgan Chase & Co.
Plumbers Local 75
YWCA of Greater Milwaukee
Pharmacy Society of Wisconsin
American International Group

JOURNAL OF THE SENATE [January 25, 2005]

Evert, Fred	WEA Insurance Corporation	Hedberg, Matthew	Schering–Plough External Affairs, Inc.
Farnsworth, Kathleen	Marshfield Clinic		Citizens Utility Board
Fassbender, Robert I	Flint Hills Resources	Higley, Charles	United Council of UW Students Inc
Fassbender, Robert I	Northern States Power d/b/a Xcel Energy	Hilton, Stephanie	Wisconsin Counties Association
Fischer, Laurie	Dairy Business Association	Hochkammer, Jon	ARC – Wisconsin Disability Association, The
Fisk, Susan	Seasonal Residents Association – Wisconsin Chapter	Hoegemeier, James	Marathon Oil Company (subsidiaries and affiliates)
Fitzgerald, Moira E	Childrens Health System Inc	Hough, James E	Northern States Power d/b/a Xcel Energy
Fitzgerald, Moira E	J P Morgan Chase & Co.	Hough, James E	Milwaukee Metropolitan Sewerage District
Fitzgerald, Moira E	Milwaukee Metropolitan Sewerage District	Hoven, Timothy	Orion Energy Systems
Fonfara, Thomas	Connections Academy Inc	Hovells, Thomas A	Wisconsin Motor Carriers Association
Franken, Andrew	Northern States Power d/b/a Xcel Energy	Hubbard, Gregory	Milwaukee Metropolitan Sewerage District
Frazier, Thomas L	Coalition of Wisconsin Aging Groups Inc	Hubbard, Gregory	Nestle Waters North America
Froehlke, Scott	Gathering Waters Conservancy, Inc.	Hubbard, Gregory	Oakwood Lutheran Homes Association, Inc.
Froehlke, Scott	Wisconsin Academy of Trial Lawyers	Hunjadi, Donald	Wisconsin EMS Association
Froehlke, Scott	Wisconsin Winery Association Inc	Jablonski, Ann	St Croix Chippewa Indians of Wisconsin
Fucik, Patrick	Sprint Communications Company LP	Jacobs, Alan	WEA Insurance Corporation
Gentile, Sabrina	Wisconsin Farm Bureau Federation	Jacquart, Steve	Milwaukee Metropolitan Sewerage District
Gerlach, Chet	Association of Wisconsin Tourism Attractions	Jensen, Eric	Wisconsin Beer Distributors Association Inc
Gerlach, Chet	Sprint Communications Company LP	Jentz, Robert	Arjo Wiggins Appleton Limited
Gerlach, Chet	State Farm Insurance Companies	Jentz, Robert	Association of Wisconsin Snowmobile Clubs Inc
Gerlach, Chet	Wisconsin Ethanol Producers Association	Jentz, Robert	Wisconsin Court Reporters Association
Gerrard, M William	Canadian National	Kammer, Peter	Wisconsin Beer Distributors Association Inc
Gifford, Michael	AIDS Resource Center of Wisconsin Inc	Kent, Paul	Georgia–Pacific Corporation
Gillespie, John F	ThedaCare	Kilgore, Kathleen	Academic Staff Public Representation Organization
Glisch–Sanchez, David	United Council of UW Students Inc	Kilgore, Kathleen	Assn of Health Information Outsourcing Services
Gonda, Jennifer	City of Milwaukee	Kilgore, Kathleen	Wisconsin Association of Campground Owners
Goyke, Gary	Aquatic Alliance	Kinnard, Kari	Mothers Against Drunk Driving
Goyke, Gary	Whitetails of Wisconsin	Klaetsch, George	Alliant Energy
Goyke, Gary	Wisconsin Pyrotechnic Arts Guild Inc.	Kreuser, Harry	Plumbers Local 75
Goyke, Gary	Wisconsin Self–Service Laundry Association	Kuehn, Ronald W	Air Wisconsin Airlines Corporation
Goyke, Gary	Wisconsin World Trade Legislation Council	Kuehn, Ronald W	Envirotest Wisconsin Inc
Gratz, Samuel	Canadian National	Kuehn, Ronald W	Wisconsin Agri–Service Association
Handrick, Joey	Wisconsin Bear Hunters Association	Kuehn, Ronald W	Wisconsin Potato and Vegetable Growers Association
Handzel Jr, Henry	Murphy Oil USA Inc	Kussow, Michelle	Bicycle Federation of Wisconsin
Hansen, Gina	National Association of Industrial and Office Properties – Wisconsin Chapter	Kussow, Michelle	Marshfield Clinic
Hanson, Thomas	Dairyland Greyhound Park Inc	Kussow, Michelle	Pharmacy Society of Wisconsin
Hanson, Thomas	Primerica Financial Services	Lamb, Jordan	Air Wisconsin Airlines Corporation
Hanson, Thomas	Wisconsin Bear Hunters Association	Lamb, Jordan	Envirotest Wisconsin Inc
Haselow, Douglas	Association for Equity in Funding UA	Lamb, Jordan	Wisconsin Agri–Service Association

JOURNAL OF THE SENATE [January 25, 2005]

Lamb, Jordan	Wisconsin Potato and Vegetable Growers Association	McDowell, Kelly McDowell, Kelly	Miller Brewing Company Philip Morris Incorporated by its service company Altria Corporate Services Inc Wisconsin Green Industry Federation Wisconsin Soft Drink Association Wisconsin State Brewers Association Wisconsin Health Care Association Inc Independent Care Health Plan Milwaukee Metropolitan Sewerage District Wisconsin EMS Association Froedtert and Community Health Childrens Health System Inc Milwaukee Metropolitan Sewerage District City of Milwaukee Wisconsin Health Care Association Inc Milwaukee Public Schools Chicago Title Insurance Company Wisconsin Counties Association PROFS Inc Aggregate Producers of Wisconsin Inc Managed Health Services Insurance Corporation Marathon Oil Company (subsidiaries and affiliates) C Orlando Owens Murphy Oil USA Inc Wisconsin Academy of Ophthalmology Wisconsin Chapter of the American College of Emergency Physicians Inc Wisconsin Land and Water Conservation Association City of Oak Creek Evercare IBM Omni Resources, Inc. Spirit Foundation DeHart & Darr Associates Inc on behalf of Direct Geneva Lakes Greyhound Track Snap-On Incorporated Wisconsin Association of Distributors Inc Wisconsin State Attorney's Union Wisconsin Wine and Spirit Institute Wisconsin Agri-Service Association Elevator Industry Work Preservation Fund Marshfield Clinic
Lamkins, Lisa	AARP		
Langenohl, Tony	American Management Systems		
Langenohl, Tony	America's Health Insurance Plans (AHIP)	McDowell, Kelly	
Langenohl, Tony	Plum Creek Timber Company Inc	McDowell, Kelly	
Larson, David	Lutheran Social Services of Wisconsin & Upper Michigan	McDowell, Kelly	
Legreid, Brad	Wisconsin Dairy Products Association Inc	McGinn, James	
Lehmann, Robert	Milwaukee Teachers Education Association	McIntosh, Forbes McIntosh, Forbes	
Leonard, Ramie	Childrens Health System Inc		
Leonard, Ramie	Milwaukee Metropolitan Sewerage District	McIntosh, Forbes McNally, Maureen	
Leonard, Ramie	Milwaukee Public Schools	Mettner, Michelle	
Leonhart, James	AT&T Corporation	Mettner, Michelle	
Leonhart, James	NCR Corporation		
Longmire, Erin	Distilled Spirits Council of the United States	Miller, Michael Moore, Thomas P	
Lyon, T Jeffrey	Wisconsin Farm Bureau Federation		
Manke, Gary	Wisconsin Automotive Aftermarket Association Inc	Nate, Michelle Nielsen, J Bushnell	
Manke, Gary	Wisconsin Automotive Parts Association	O'Connell, Mark D O'Meara, Jack	
Mathie, J Scott	Metropolitan Builders Association of Greater Milwaukee	Osborne, Patrick	
McCabe, Michael J	Milwaukee Metropolitan Sewerage District	Osborne, Patrick	
McClenahan, William	Wisconsin Fraternal Congress		
McCoshen, Carol	Managed Health Services Insurance Corporation	Owens, C Orlando Palmer, Todd	
McCoshen, William J	American Management Systems	Paul, Richard	
McCoshen, William J	America's Health Insurance Plans (AHIP)	Paul, Richard	
McCoshen, William J	Community Loans of America		
McCoshen, William J	Dairy Business Association		
McCoshen, William J	Development Association Inc, The	Pawlisch, Curt	
McCoshen, William J	Managed Health Services Insurance Corporation	Petak, George Petak, George	
McCoshen, William J	Plum Creek Timber Company Inc	Petak, George Petak, George	
McCoshen, William J	Scientific Games International Inc	Petak, George Petersen, Eric J	
McCoshen, William J	Snap-On Incorporated		
McCoshen, William J	Wal-Mart Stores Inc	Petersen, Eric J	
McCoshen, William J	Wisconsin Association of Distributors Inc	Petersen, Eric J Petersen, Eric J	
McCoshen, William J	Wisconsin State Attorney's Union	Petersen, Eric J	
McCoshen, William J	Wisconsin Wine and Spirit Institute	Petty, John	
McDowell, Kelly	Apartment Association of Southeastern Wisconsin		
McDowell, Kelly	Fair Aid Coalition	Pfaff, Bruce A	
McDowell, Kelly	Forest County Potawatomi Community	Phillips, M. D., Robert	

JOURNAL OF THE SENATE [January 25, 2005]

Purtell, Brian	Wisconsin Health Care Association Inc	Smith, Billy	National Federation of Independent Business
Raclaw, Sebastian	Milwaukee Police Association	Soucie, Kevin	Canadian National
Radtke, Randall	Wisconsin Newspaper Association	Sowell, Linda	Forest County Potawatomi Community
Ramsey, Thomas	Wisconsin Association of Homes & Services for the Aging	Speight, Bruce	Wisconsin Public Interest Research Group (WISPIRG)
Redman, Scott	Plumbers Local 75	Springer, Thomas J	CenturyTel Service Group LLC
Robinson, Sharon	City of Milwaukee	Springer, Thomas J	Evercare
Roettgers, David J	Petroleum Marketers Assn of WI / WI Assn of Convenience Stores	Springer, Thomas J	Ho-Chunk Nation
Rogowski, Michael	CenturyTel Service Group LLC	Springer, Thomas J	IBM
Rogowski, Michael	Evercare	Springer, Thomas J	McCain Foods USA Inc.
Rogowski, Michael	Ho-Chunk Nation	Springer, Thomas J	Omni Resources, Inc.
Rogowski, Michael	IBM	Springer, Thomas J	Sonic Foundry
Rogowski, Michael	McCain Foods USA Inc.	Springer, Thomas J	Spirit Foundation
Rogowski, Michael	Omni Resources, Inc.	Springer, Thomas J	University of Phoenix
Rogowski, Michael	Sonic Foundry	Stenger, Scott	Wisconsin School Food Service Association
Rogowski, Michael	Spirit Foundation	Stenger, Scott	American International Group
Rogowski, Michael	University of Phoenix	Stenger, Scott	Verizon Communications
Rongstad, Deedee	Legal Action of Wisconsin, Inc	Stinson, Ceasar	Verizon Wireless
Rosenzweig, Peggy	Milwaukee Metropolitan Sewerage District	Stohr, Matthew	Milwaukee Public Schools
Rosenzweig, Peggy	Wisconsin Academy of Ophthalmology	Suarez, Sandy	Wisconsin Counties Association
Rosenzweig, Peggy	Wisconsin Chapter of the American College of Emergency Physicians Inc	Sumi, Gail	United Council of UW Students Inc
Rubin, Carol	WEA Insurance Corporation	Swandby, Janet R	AARP
Rybarik, Brian	Wisconsin State Telecommunications Association	Swandby, Janet R	Academic Staff Public Representation Organization
Sauer, John R	Wisconsin Association of Homes & Services for the Aging	Swandby, Janet R	Assn of Health Information Outsourcing Services
Sayers, Anne	Wisconsin League of Conservation Voters (WLCV)	Swiderski, Julie	Wisconsin Association of Campground Owners
Schimming, Brian	Forest County Potawatomi Community	Swiderski, Julie	All Saints Healthcare
Schoeneck, Brian	Wisconsin Association of Homes & Services for the Aging	Taylor, Chad	Covenant Healthcare System Inc
Scholz, Brandon	Bicycle Federation of Wisconsin	Taylor, Chad	Dairy Business Association
Scholz, Brandon	Marshfield Clinic	Tenuta, James	Northern States Power d/b/a Xcel Energy
Schreiber, Martin	Pharmacy Society of Wisconsin	Tenuta, James	Writing The Script Coalition, Inc
Schreiber, Martin	Forest County Potawatomi Community	Terrell, Caryl	Association for Equity in Funding UA
Schumacher, Elizabeth	Wisconsin Fraternal Congress	Theo, Michael	Medco Health Solutions Inc
Schumann, Kerry	Meriter Management Services Inc	Theo, Michael	Wisconsin Physical Therapy Association
Schwartz, Daniel	Wisconsin League of Conservation Voters (WLCV)	Thiel, Christopher	Sierra Club – John Muir Chapter
Schwartz, Daniel	National Association of Professional Benefits	Thompson, Craig	Murphy Oil USA Inc
Seger, Patti	Wisconsin Coalition Against Domestic Violence	Tierney, Jodie	Plum Creek Timber Company Inc
Sellen, Jayme	Wisconsin Counties Association	Tierney, Jodie	Milwaukee Public Schools
Shafer, Kevin	Milwaukee Metropolitan Sewerage District	Tyrene, Jodie	Wisconsin Counties Association
Shriner Jr, Thomas L	Chicago Title Insurance Company	Tyrene, Jodie	Childrens Health System Inc
Size, Tim	Rural Wisconsin Health Cooperative	Tyre, Scott	Milwaukee Metropolitan Sewerage District
		Uram, Eric	General Motors Corporation
		Vance, Vaughn	Sierra Club – John Muir Chapter
		Vaughan, Michael	WEA Insurance Corporation
		Venne, Kate	Cendant Corporation
		Walby, Kathleen	AIDS Resource Center of Wisconsin Inc
		Walsh, Kenneth	General Motors Corporation
			Forest County Potawatomi Community

Ward, Marjorie	Bicycle Federation of Wisconsin
Welch, Robert	Wisconsin Wine and Spirit Institute
Welsh, Michael	Petroleum Marketers Assn of WI / WI Assn of Convenience Stores
Welsh, Michael	Wisconsin Academy of Family Physicians
Wieske, JP	Council for Affordable Health Insurance
Wilson, John D	Northern States Power d/b/a Xcel Energy
Winters, Amy	Monsanto Company
Wiswell Sr, Jeffrey L	Miller Brewing Company
Wiswell Sr, Jeffrey L	Wisconsin Sheriffs and Deputy Sheriffs Association
Zimmerman, Paul	Wisconsin Farm Bureau Federation

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
Executive Director

**State of Wisconsin
Department of Administration**

January 20, 2005

The Honorable, The Legislature:

Included with this correspondence, I am submitting the reports from the Department of Administration, Division of Gaming (Gaming), for the fourth quarter of fiscal year 2004 (April 1, 2004 through June 30, 2004), the first quarter of fiscal year 2005 (July 1, 2004 through September 30, 2004) and the second quarter of fiscal year 2005 (October 1, 2004 through December 31, 2004). As required by s. 562.02(1)(g), Wis. Stats., the attached materials contain pari-mutuel wagering and racing statistical information, as well as the revenues for the program areas of Racing, Charitable Gaming, Bingo and Indian Gaming.

If you have any questions or comments regarding this report, please do not hesitate to contact Rachel Meek at (608) 270-2535.

Sincerely,

RICHARD PEDERSEN
Director, Racing and Support Services

**State of Wisconsin
Department of Health and Family Services**

January 21, 2005

The Honorable, The Legislature:

On behalf of the Department of Health and Family Services, I am transmitting Wisconsin's Child Abuse and Neglect Report for Calendar Year 2003. In many ways, 2003 represents a transition for child welfare in our state.

Governor Jim Doyle and the Department of Health and Family Services place a high priority on keeping children safe in their own homes and providing adequate services when children must be removed to keep them safe. Throughout 2003, the Department joined with county and tribal child welfare agencies to build a statewide consensus for change in our child protection programs. Staff from tribal, county and state government, as well as advocates and private sector providers joined to create a program Enhancement Plan in order to strengthen the policies and practices that child welfare staff use

to respond to abused and neglected children. Our plan was also a response to federal findings that indicated areas in which Wisconsin and all states needed to improve. We completed work on the plan in October 2004 and officially began its implementation on November 1, 2004. Implementation of Wisconsin's plan will be guided by a multidisciplinary team of more than 80 individuals, many of whom were part of the original planning team.

In 2004, Governor Doyle also identified a number of initiatives to enhance child welfare services in Wisconsin through his KidsFirst agenda. These initiatives, as well as the action steps identified in our Program Enhancement Plan, will have a significant impact on the course of child welfare services in the state.

We have much to accomplish over the next two years in order to meet the goals we have identified and we will look to all of our partners, including the state legislature to assist us in accomplishing our tasks. We look forward to working with you in the upcoming legislative session as we identify policy issues to improve how we serve children and families in Wisconsin. We appreciate your support for this important work.

Sincerely,

HELENE NELSON
Secretary

**State of Wisconsin
Department of Health and Family Services**

January 21, 2005

The Honorable, The Senate:

In [1997 Act 27](#), the 97-99 Biennial Budget, the Legislature established requirements in state law intended to strengthen protections for children and vulnerable adults in organized care settings. The provisions require, among other things, that designated caregivers conduct background checks on all new and existing staff and bar them from employing anyone who has committed certain crimes or acts. DHFS and (for certain child care providers) counties and local school boards must perform checks on a provider before issuing a license or other credential. Individuals who have committed prohibited crimes or acts may apply to the Department, counties, or school boards for a waiver of the employment or licensing bans upon evidence of rehabilitation.

Sections [48.685\(5g\)](#) and [50.065\(5g\)](#) of the Wisconsin Statutes direct the Department to submit an annual report to the legislature that specifies the number of persons who have sought waivers of employment or licensing bans by requesting to demonstrate that they have been rehabilitated. The report must also specify the number of requests that were approved and the reasons for the success or failure of the requests. Attached is the report for 2004.

Questions about this report should be referred to Linda Dawson, Acting Chief Legal Counsel, at 608-266-0355.

Thank you for distributing this report to members of the Senate.

Sincerely,

HELENE NELSON
Secretary

**State of Wisconsin
Department of Justice**

January 14, 2005

The Honorable, The Legislature:

Section [165.90](#) of the Wisconsin Statutes requires the Department of Justice to report on the performance of cooperative county-tribal law enforcement programs receiving aid under this section. This letter constitutes our report.

This marks the seventeenth year that the Department has awarded grants for cooperative county-tribal law enforcement

programs. The statutes require counties and tribes to develop joint program plans. The Department requires plans to include resolutions of support for the plan adopted by county boards and tribal governing bodies, to signify cooperation and mutual commitment.

This program pays for a variety of law enforcement services to Native American communities across Wisconsin. Grants have been used for the costs of patrol, investigation, crime prevention, K-9 units, information technology, law enforcement training, alternatives to drug abuse and gang involvement, diversity training, cultural awareness education, water rescue and other emergency equipment. An increasing number of grants are awarded to programs that include tribal police departments, while most generally help pay for services provided by county sheriffs to Native American reservations and communities.

The amount appropriated for this program in State Fiscal Year 2005 was \$708,400, an amount that hasn't been increased since 1995. Grant moneys come from Indian gaming receipts as appropriated in the biennial budget. For Calendar Year 2005, the Department issued 18 awards totaling \$708,400. These awards were in the following amounts:

<u>COUNTY</u>	<u>TRIBE</u>	<u>2005 AWARD</u>
Ashland	Bad River	\$55,036
Barron	St. Croix	\$20,717
Bayfield	Red Cliff	\$63,223
Brown	Oneida	\$27,304
Forest	Potawatomi	\$43,456
Forest	Sokaogon	\$35,277
Jackson	Ho Chunk	\$33,418
Juneau	Ho Chunk	\$39,380
Menominee	Menominee	\$55,615
Monroe	Ho Chunk	\$24,582
Outagamie	Oneida	\$27,073
Polk	St. Croix	\$22,420
Sauk	Ho Chunk	\$26,283
Sawyer	Lac Courtes Oreilles	\$81,547
Shawano	Ho Chunk	\$5,358
Shawano	Stockbridge	\$58,373
Vilas	Lac du Flambeau	\$69,055
Wood	Ho Chunk	\$20,283
TOTAL		\$708,400

The Department of Justice's County-Tribal Law Enforcement Grant Program continues to help local law enforcement provide needed services in Native American communities. In addition, this program helps build a cooperative atmosphere and positive relationship between law enforcement and tribal governments and communities. Departmental staff is available to discuss this report and this important program.

Sincerely,

PEGGY A. LAUTENSCHLAGER
Attorney General

**Milwaukee Public Schools
Department of Finance**

January 21, 2005

The Honorable, The Senate:

Enclosed you will find a copy of the report entitled "High/Scope All-Day Five-Year-Old Kindergarten Program and High/Scope First Grade Program." This report provides a summary of the project and the data collected for the 2003-2004 school year.

Each year a report is prepared in response to Sections 119.71, 119.73, and 119.75 of the current state statutes.

Sincerely,

MICHELLE J. NATE

Chief Financial and Operations Officer

Referred to the committee on **Education**.

**CONSIDERATION OF MOTIONS AND
RESOLUTIONS**

Senate Resolution 2

Relating to: the senate rules.

Read.

Senator Schultz, with unanimous consent, asked that the Senate stand informal.

12:10 P.M.

STOOD INFORMAL

12:19 P.M.

The Senate reconvened.

Senate amendment 1 to **Senate Resolution 2** offered by Senators Hansen, Plale, Robson, Risser, Breske and Miller.

Senator Kedzie moved that Senate amendment 1 to **Senate Resolution 2** be laid on the table.

The question was: Shall Senate amendment 1 to **Senate Resolution 2** be laid on the table?

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

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

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Lassa, Miller, Plale, Risser, Robson, Taylor and Wirch – 14.

Absent or not voting – None.

Tabled.

Senate amendment 2 to **Senate Resolution 2** offered by Senators Robson, Risser, Breske, Miller and Hansen.

Senate amendment 1 to Senate amendment 2 to **Senate Resolution 2** offered by Senator Risser.

The question was: Adoption of Senate amendment 1 to Senate amendment 2 to **Senate Resolution 2**?

Adopted.

Senator Kedzie moved that Senate amendment 2 to **Senate Resolution 2** be laid on the table.

The question was: Shall Senate amendment 2 to **Senate Resolution 2** be laid on the table?

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

Ayes – Senators Brown, Cowles, Darling, Ellis, Grothman, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Reynolds, Roessler, Schultz, Stepp and Zien – 19.

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Lassa, Miller, Plale, Risser, Robson, Taylor and Wirch – 13.

Absent or not voting – Senator S. Fitzgerald – 1.

Tabled.

Senate amendment 3 to **Senate Resolution 2** offered by Senators Risser, Robson and Breske.

Senate amendment 1 to Senate amendment 3 to **Senate Resolution 2** offered by Senators Risser and Erpenbach.

The question was: Adoption of Senate amendment 1 to Senate amendment 3 to **Senate Resolution 2**?

Adopted.

Senator Kedzie moved that Senate amendment 3 to **Senate Resolution 2** be laid on the table.

The question was: Shall Senate amendment 3 to **Senate Resolution 2** be laid on the table?

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

Ayes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Miller, Olsen, Reynolds, Roessler, Schultz, Stepp and Zien – 20.

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Lassa, Plale, Risser, Robson, Taylor and Wirch – 13.

Absent or not voting – None.

Tabled.

Senator Fitzgerald, with unanimous consent, asked that the journal reflect that he would have voted aye on Senate amendment 2 to **Senate Resolution 2**.

Senate amendment 4 to **Senate Resolution 2** offered by Senators Robson, Risser, Breske and Miller.

Senator Kedzie moved that Senate amendment 4 to **Senate Resolution 2** be laid on the table.

The question was: Shall Senate amendment 4 to **Senate Resolution 2** be laid on the table?

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

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

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Lassa, Miller, Plale, Risser, Robson, Taylor and Wirch – 14.

Absent or not voting – None.

Tabled.

Senate amendment 5 to **Senate Resolution 2** offered by Senators Risser and Breske.

Senator Schultz moved that Senate amendment 5 to **Senate Resolution 2** be laid on the table.

The question was: Shall Senate amendment 5 to **Senate Resolution 2** be laid on the table?

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

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

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Lassa, Miller, Plale, Risser, Robson, Taylor and Wirch – 14.

Absent or not voting – None.

Tabled.

Senate amendment 6 to **Senate Resolution 2** offered by Senators Risser and Robson.

Senate amendment 1 to Senate amendment 6 to **Senate Resolution 2** offered by Senator Risser.

The question was: Adoption of Senate amendment 1 to Senate amendment 6 to **Senate Resolution 2**?

Adopted.

The question was: Adoption of Senate amendment 6 to **Senate Resolution 2**?

Adopted.

Senate amendment 7 to **Senate Resolution 2** offered by Senators Robson, Risser, Breske and Hansen.

Senator Kedzie moved that Senate amendment 7 to **Senate Resolution 2** be laid on the table.

The question was: Shall Senate amendment 7 to **Senate Resolution 2** be laid on the table?

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

Ayes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie,

A. Lasee, Lazich, Leibham, Olsen, Reynolds, Roessler, Schultz, Stepp and Zien – 19.

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Lassa, Miller, Plale, Risser, Robson, Taylor and Wirch – 14.

Absent or not voting – None.

Tabled.

The question was: Shall **Senate Resolution 2** be adopted?

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

Ayes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Reynolds, Roessler, Schultz, Stepp and Zien – 20.

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Lassa, Miller, Plale, Risser, Robson, Taylor and Wirch – 13.

Absent or not voting – None.

Adopted.

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senate Joint Resolution 2

Relating to: 4–year terms of office for certain county officers (2nd consideration).

Read a second time.

Ordered to a third reading.

Senator Schultz, with unanimous consent, asked that the joint resolution be considered for final action at this time.

Senate Joint Resolution 2

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 Breske, Brown, Carpenter, Coggs, Cowles, Darling, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Miller, Olsen, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 32.

Noes – Senator Decker – 1.

Absent or not voting – None.

Adopted.

Senator A. Lasee, with unanimous consent, asked to be added as a coauthor of **Senate Joint Resolution 2**.

Senate Bill 2

Relating to: regional emergency response team requirements.

Read a second time.

Ordered to a third reading.

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

Senate Bill 2

Read a third time and passed.

Senator Schultz, with unanimous consent, asked that all action be immediately messaged to the Assembly.

ANNOUNCEMENTS, ADJOURNMENT HONORS, AND REMARKS UNDER SPECIAL PRIVILEGE

Senator Carpenter, with unanimous consent, asked that when the Senate adjourn, it do so in honor of James Pennington, Executive Director of the New Milwaukee LGBT Community Center.

Senator Brown, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the citizens from the Chippewa Valley area visiting Madison for the 11th annual Chippewa Valley Rally, an excellent example of regional participation in state government.

Senator Darling, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the University of Wisconsin Men's Basketball Team.

Senator Plale, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Edward Tesmer, father of former legislator and judge, Louise Tesmer, who passed away last week.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Brent Vroman of Omro, who was killed in combat in Iraq on December 13, 2004. A 2001 graduate of Omro High School, Brent was a member of the U.S. Marine Corps Reserves and belonged to the Milwaukee based Fox Company 2nd Battalion 24th Marine Regiment, 4th Marine Division. Brent lived with passion and purpose. He made the ultimate sacrifice.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Kevin Kendall. Kevin was a member of the Senate page staff during the spring semester of 2003. Upon graduation from UW-Madison, Kevin returned to the Fox Cities community. He volunteered in the after-school program at Horizons Elementary School through the AmeriCorps VISTA program. He also was named to the Appleton Post-Crescent Editorial Board. Kevin's passion was to urge others to create a community, ride bikes, turn off televisions, share meals, and talk together. Sadly, Kevin Kendall died in a car accident on November 6, 2004. In his last journal entry he wrote, "Revelation 2:10, be faithful, even to the point of death, and I will give you the crown of life. To him who overcomes and does my will to the end, I will give authority over the nations. My citizenship is in heaven."

Senators Zien, Brown, Harsdorf, and Schultz, with unanimous consent, asked that when the Senate adjourn, it do so in honor

of Bert Gronemus, husband of State Representative Barbara Gronemus.

Senator Robson, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Senator Erpenbach, whose birthday is Friday, January 28.

ADJOURNMENT

Senator Schultz, with unanimous consent, asked that the Senate adjourn until Thursday, January 27 at 10:00 A.M.

Adjourned.

2:12 P.M.