



STATE OF WISCONSIN

Senate Journal

Ninety–Seventh Regular Session

12:00 P.M.

WEDNESDAY, April 13, 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 Cowles led the Senate in the pledge of allegiance to the flag of the United States of America.

INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Read and referred:

Senate Bill 169

Relating to: the sales tax imposed on services provided by a temporary help company.

By Senators Darling, Reynolds, Lazich, Brown, Grothman, Roessler and Kanavas; cosponsored by Representatives Wieckert, Gottlieb, Jensen, Gard, Kaufert, Wood, Kestell, Bies, Hundertmark, Gunderson, Musser, Hines, Nass, Van Roy, Pettis, Krawczyk, Nischke, Hahn, Kreibich, Vos, Strachota, Stone, Townsend, Albers, Ballweg, Owens, F. Lasee and Pridemore.

To committee on **Labor and Election Process Reform**.

Senate Bill 170

Relating to: electric service provided by municipal utilities to rental dwellings.

By Senators Darling, Grothman, Roessler, Reynolds and Lazich; cosponsored by Representatives Jeskewitz, Nass, Petrowski, Townsend, Van Roy, Ainsworth, Vos, Nerison and F. Lasee.

To committee on **Energy, Utilities and Information Technology**.

Senate Bill 171

Relating to: the scheduling of referenda to approve school district borrowing or exceed a school district's revenue limit.

By Senators A. Lasee, Darling, Grothman, Leibham, Reynolds, Kanavas, Brown, Stepp, Kedzie and Lazich; cosponsored by Representatives Hines, Suder, Freese, Bies,

Vukmir, Kerkman, Pettis, Van Roy, Ainsworth, Kreibich, Vos, Musser, Wood, Pridemore, Nass, Gunderson, F. Lasee and Vrakas.

To committee on **Labor and Election Process Reform**.

PETITIONS AND COMMUNICATIONS

State of Wisconsin

April 8, 2005

The Honorable, The Senate:

Pursuant to Senate Rule 46(2)(c), I am writing to direct that **Senate Bill 43** be withdrawn from the committee on **Housing and Financial Institutions** and rereferred to the committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform**. I have obtained the consent of the appropriate chairperson.

Sincerely,

ALAN LASEE
Senate President

State of Wisconsin

April 8, 2005

The Honorable, The Senate:

Pursuant to Senate Rule 46(2)(c), I am writing to direct that **Senate Bill 52** and **Senate Bill 119** be withdrawn from the committee on **Senate Organization** and rereferred to the joint committee on **Finance**. I have obtained the consent of the appropriate chairperson.

Sincerely,

ALAN LASEE
Senate President

State of Wisconsin Office of the Governor

April 12, 2005

The Honorable, The Legislature:

As required by Article V, Section 6 of the Wisconsin Constitution, I am submitting the annual Executive Clemency Report to the Legislature, covering those clemency cases upon which final disposition were rendered for applicants during the 2004 calendar year. Below is a list of applicants that received a full pardon in 2004:

Kimberly (Jones) Abernathy, (date of birth March 22, 1960,) convicted on or about November 16, 1982 of Failure to Report a Change in Circumstances in Milwaukee County and was sentenced to two years probation and restitution. The Governor's Pardon Advisory Board recommended by a vote of 6-0 to grant a pardon. Following the Board's recommendation, Ms. Abernathy was pardoned on January 28, 2004, because of the length of time since her crime and her lack of subsequent

contacts with the criminal justice system. In addition, Ms. Abernathy has demonstrated extensive personal growth by entering the nursing profession.

Deirdra Adams, (date of birth December 22, 1964,) convicted on or about March 23, 1987 of Failure to Report Receipt of Income in Milwaukee County and was sentenced to six years probation and restitution. The Governor's Pardon Advisory Board recommended by a vote of 7-0 to grant a pardon. Following the Board's recommendation, Ms. Adams was pardoned on December 20, 2004, because of the length of time since her crime, her lack of subsequent contacts with the criminal justice system and her positive adjustment.

Lyle Ahles, (date of birth June 18, 1929,) convicted on or about May 12, 1947 of Larceny, for taking tires from a car, in Marathon County and was sentenced to one year probation and \$51.83 in court costs. The Governor's Pardon Advisory Board recommended by a vote of 7-0 to grant a pardon. Following the Board's recommendation, Mr. Ahles was pardoned on December 20, 2004, because he has shown positive adjustment and has had a lack of criminal justice system contacts for over fifty years.

Robert Downing, (date of birth August 7, 1931,) convicted on or about October 15, 1984 of False Application for Certificate of a Title (Party to a Crime) in La Crosse County and sentenced to three years probation and restitution. The Governor's Pardon Advisory Board recommended by a vote of 4-2 to grant a pardon. Following the Board's recommendation, Mr. Downing was pardoned on January 28, 2004, because of the length of time since his crime and the non-violent nature of the crime.

Joyce Dye, (date of birth August 25, 1955,) convicted on or about August 9, 1974 of Forgery-Uttering, for forging a check in the amount of \$187.57, in Milwaukee County, and was sentenced to three years probation and restitution. The Governor's Pardon Advisory Board recommended by a vote of 4-0 to grant a pardon. Following the Board's recommendation, Ms. Dye has demonstrated extensive personal growth by entering the nursing profession, receiving a Licensed Practical Nurse degree in 2002, and continuing her education to become a registered nurse.

Robert Fullerton, (date of birth May 26, 1944,) convicted on or about April 22, 1963 of Burglary for stealing chips, candy and soda from a grocery store; and Attempted Burglary for throwing a bottle through the window of a grocery store in Milwaukee County. Mr. Fullerton was sentenced to one year in jail and probation. The Governor's Pardon Advisory Board recommended by a vote of 4-0 to grant a pardon. Following the Board's recommendation, Mr. Fullerton was pardoned on May 12, 2004 because of the length of time since his crime and his lack of subsequent criminal justice system contacts.

Daniel Ganter, (date of birth December 18, 1963,) convicted on or about October 20, 1983 of Possession of a Controlled Substance with Intent to Deliver to a Prisoner, for attempting to deliver marijuana to a friend in jail, in Marinette County and was sentenced to two years in prison, eighteen months probation, and \$30 in restitution. The Governor's Pardon Advisory Board recommended by a vote of 5-1 to grant a pardon. Following the Board's recommendation, Mr. Ganter was pardoned on December 20, 2004 because of the length of time since his crime and his lack of other criminal justice system contacts.

Lori Ann Hansen, (date of birth September 9, 1970,) convicted on or about July 24, 1989 of Forgery, for purchasing less than \$250 of clothes with a stolen credit card, in Dane County and was sentenced to three years probation and restitution. The Governor's Pardon Advisory Board recommended by a vote of 6-0 to grant a pardon. Following the Board's recommendation,

Ms. Hansen was pardoned on August 25, 2004 because of the length of time since her crime and her lack of other criminal justice system contacts. In addition, she has demonstrated extensive personal growth by obtaining her Bachelor of Social Work from the University of Wisconsin-Whitewater and her Master of Social Work from the University of Wisconsin-Madison. Finally, Ms. Hansen was pardoned because she has become a role model in her community, working with economically disadvantaged families as a social worker.

Donald Klipstein, (date of birth March 23, 1938,) convicted on or about June 18, 1956 of Larceny, for stealing pigeons, in Walworth County and sentenced to not less than one year nor more than three years in prison and two years probation. The Governor's Pardon Advisory Board recommended by a vote of 6-0 to grant a pardon. Following the Board's recommendation, Mr. Klipstein was pardoned on January 28, 2004, because of the length of time since his crime, the non-violent nature of his crime and his positive adjustment.

Gary Linder, (date of birth May 9, 1949,) convicted on or about June 5, 1970 of possession of one gram of marijuana in Dane County and sentenced to two years probation. The Governor's Pardon Advisory Board recommended by a vote of 6-0 to grant a pardon. Following the Board's recommendation, Mr. Linder was pardoned on January 28, 2004 because of the length of time since his crime, the non-violent nature of his crime and valid job concerns. Mr. Linder would not have been able to continue in his professional capacity as a surveillance agent without a pardon.

Darcy Manuel, (date of birth May 27, 1959,) convicted on or about January 14, 1980 of Delivery of a Controlled Substance in Washington County and was sentenced to eighteen months in prison, two years probation and \$35 in restitution. The Governor's Pardon Advisory Board was split in their recommendation; three recommended granting a pardon, three recommended to deny a pardon, and one board member abstained. Ms. Manuel was pardoned on December 20, 2004 because of the length of time since her crime, her demonstrated positive adjustment by obtaining her General Educational Development (GED), and her interest in furthering her career in the medical field.

Henry Neal, (date of birth April 19, 1958,) convicted on or about March 20, 1996 of Failure to Support, for not paying child support to his wife while they were temporarily separated, in Milwaukee County and was sentenced to two years in prison, three years probation and restitution. The Governor's Pardon Advisory Board recommended by a vote of 6-0 to grant a pardon. Following the Board's recommendation, Mr. Neal was pardoned on December 20, 2004 because of his extensive personal growth by serving as a foster parent for two children for the past ten years. Mr. Neal and his wife demonstrated substantial need because they have a strong desire to adopt the children. Although the Bureau of Milwaukee Child Welfare was in support of the children being adopted by the Neals, they could not adopt the children without a pardon.

Joseph Plummer, (date of birth November 3, 1961,) convicted on or about November 13, 1980 of Theft, for stealing calves from a farm, in Pierce County and was sentenced to five years probation and \$150 in restitution. The Governor's Pardon Advisory Board recommended by a vote of 6-0 to grant a pardon. Following the Board's recommendation, Mr. Plummer was pardoned on January 28, 2004 because of the length of time since his crime and the non-violent nature of his crime. In addition, Mr. Plummer demonstrated positive adjustment by owning and operating a successful general contracting business.

Joseph Reed, (date of birth December 20, 1967,) convicted on or about December 3, 1986 of Burglary, for stealing camping

gear, in Kenosha County and was sentenced to eighteen months probation and \$413 in restitution. The Governor's Pardon Advisory Board recommended by a vote of 5-0 with one abstention, to grant a pardon. Following the Board's recommendation, Mr. Reed was pardoned on December 20, 2004 because of the length of time since his crime and his positive adjustment.

John Rombalski, Jr., (date of birth December 6, 1955,) convicted on or about December 3, 1973 of Theft, for stealing a mini-bike, in Buffalo County and was sentenced to eighteen months probation and \$130.79 in restitution. The Governor's Pardon Advisory Board recommended by a vote of 6-0 to grant a pardon. Following the Board's recommendation, Mr. Rombalski was pardoned on January 28, 2004 because of the length of time since his crime, his lack of subsequent criminal justice system contacts and his demonstrated personal growth in his career.

Dennis Taylor, (date of birth August 15, 1960,) convicted on or about May 7, 1979 of calling in a bomb scare to his high school at the age of eighteen in Marinette County and was sentenced to one year probation. Following the Board's recommendation, Mr. Taylor was pardoned on December 20, 2004 because of the length of time since his crime and his demonstrated positive adjustment.

Robert Wesel, (date of birth October 2, 1958,) convicted on or about July 28, 1981 of Delivery of a Controlled Substance, for selling two ounces of marijuana, in Milwaukee County and was sentenced to pay a fine of \$500 and court costs. The Governor's Pardon Advisory Board recommended by a vote of 4-0 to grant a pardon. Following the Board's recommendation, Mr. Wesel was pardoned on May 12, 2004 because of the length of time since his crime and his lack of subsequent criminal justice system contacts. In addition, he has demonstrated community achievements by previously serving in the Army National Guard and volunteering his time as an emergency medical technician for his local volunteer fire department. Finally, Mr. Wesel travels internationally for his job and a pardon will help him during security background checks.

Roger Williams, (date of birth November 23, 1959,) convicted of three counts of Delivery of a Controlled Substance in Grant County and was sentenced to eighteen months in prison for each count (consecutive). The Governor's Pardon Advisory Board recommended by a vote 5-1 to grant a pardon. Following the Board's recommendation, Mr. Williams was pardoned on January 28, 2004 because of the length of time since his crime and his lack of subsequent criminal justice system contacts. Mr. Williams also demonstrated extensive personal growth by volunteering with DARE programs and at camp for people with developmental disabilities.

Sincerely,

JIM DOYLE
Governor

Pursuant to Senate Rule 17 (5), Senator Zien added as a coauthor to **Senate Bill 26**.

ADVICE AND CONSENT OF THE SENATE

Senator Kedzie, with unanimous consent, asked that the reading be dispensed with and the appointments be taken up en masse.

BERENS, NICHOLAS, of Antigo, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 2007.

CARLSON, KAREN, of Frederic, as a member of the Snowmobile Recreation Council, to serve for the term ending July 1, 2007.

CERNY, MIKE, of Sharon, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 2007.

CHWALA, THOMAS, of Lake Mills, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 2006.

DITTMAR, BEVERLY, of Eagle River, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 2007.

GEERTSEN, DAVID, of Racine, as a member of the State of Wisconsin Investment Board, to serve for the term ending May 1, 2011.

GREEN, JERRY D., of Black River Falls, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 2005.

SCHWEITZER, JON, of Black River Falls, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 2007.

STEIMEL, RICHARD, of Dane, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 2006.

WILLMAN, MICHAEL, of Merrill, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 2007.

BABLITCH, STEPHEN, of Whitefish Bay, as a member of the State of Wisconsin Investment Board, to serve for the term ending May 1, 2011.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – 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, Wirsch and Zien – 33.

Noes – None.

Absent or not voting – None.

Confirmed.

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

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

Senate Clearinghouse Rule 05-012

Relating to definitions, applicability requirements, registrations, annual audits and reports, trust accounts, ethical and competent practice, education, examination, brokerage agreements and consumer disclosures.

No action taken.

CATHY STEPP
Chairperson

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

Senate Clearinghouse Rule 04–110

Relating to the licensure and regulation of athlete agents.
No action taken.

TED KANAVAS
Chairperson

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 149

Assembly Bill 206

Assembly Bill 208

Assembly Bill 209

Assembly Bill 241

Assembly Bill 246

Assembly Bill 277

Assembly Bill 278

Adopted and asks concurrence in:

Senate Joint Resolution 20

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Bill 149

Relating to: attorney fees in civil actions.

By Representatives Hundertmark, Krawczyk, Gronemus, Kerkman, Hahn, Hines, LeMahieu, Gunderson, Nass, Ballweg, Lehman, Vos, Townsend, Nischke, Van Roy, Petrowski, McCormick, Ott, Albers, Vrakas, Molepske and Pridemore; cosponsored by Senators Grothman, Stepp, Roessler, Lassa, Darling and Olsen.

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

Assembly Bill 206

Relating to: creating an income and franchise tax credit for research conducted in this state by a corporation.

By Representatives Lamb, Davis, Gronemus, Nischke, Montgomery, LeMahieu, Pettis, Bies, Musser, Gunderson, Hines, Rhoades, Kleefisch, Vos, Van Roy, McCormick, M. Williams, J. Fitzgerald, Strachota, Vrakas, Ott, Kestell and Owens; cosponsored by Senators Harsdorf, Kanavas, Roessler, Darling and Stepp.

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

Assembly Bill 208

Relating to: creating rural enterprise development zones and providing tax incentives to qualified businesses in the zones, creating refundable individual income tax credits for income and capital gains derived from the zones, making appropriations, and providing a penalty.

By Representatives Suder, M. Williams, Pettis, Moulton, Wood, Lamb, Nerison, Ott, Gronemus, Kestell, Davis, Mursau, Owens, Freese, Van Roy, Musser, Kreibich, McCormick,

Hines, Hahn, Vruwink, Vos, F. Lasee, Petrowski, Ballweg and Gunderson; cosponsored by Senators Zien, Harsdorf, Roessler, Brown and Darling.

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

Assembly Bill 209

Relating to: designating and marking a portion of USH 14 as the Ronald Reagan Highway.

By Representatives Lothian, Suder, Gard, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Gielow, Gunderson, Hahn, Hines, Jensen, Kerkman, Kleefisch, Krawczyk, Kreibich, Lamb, F. Lasee, Nass, Owens, Pridemore, Stone, Townsend, Vos, Vukmir, Wieckert and M. Williams; cosponsored by Senators Harsdorf, Reynolds, A. Lasee, Zien, Cowles, Stepp, Kapanke, Darling and Lazich.

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

Assembly Bill 241

Relating to: transfer of the business employees' skills training grant program to the Technical College System Board, granting rule-making authority, and making an appropriation.

By Representatives Davis, Wieckert, Montgomery, Moulton, Kleefisch, Kerkman, Owens, Vos, Suder, Honadel, Towns, Gronemus, Freese, J. Fitzgerald, Vrakas, Van Roy, Nischke, Gunderson, Albers, Hundertmark, Lamb, Musser, Hines and Hahn; cosponsored by Senators Leibham, Kanavas, Zien, Stepp and Darling.

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

Assembly Bill 246

Relating to: admission standards for, and the curricula of, health occupation programs offered by technical colleges.

By Representatives Wieckert, Nischke, Jeskewitz, Gronemus, Pettis, Ainsworth, Ott, Gunderson, Petrowski, Vos and Huebsch; cosponsored by Senator Reynolds.

Read first time and referred to committee on **Higher Education and Tourism**.

Assembly Bill 277

Relating to: general air pollution control permits, the term of registration air pollution control permits, the effect of a challenge to an emission limitation in an air pollution operation permit, and a report on regulatory barriers affecting manufacturing.

By Representatives Hundertmark, Gard, Gunderson, Suder, Jeskewitz, Wieckert, Huebsch, Nischke, Vrakas, Loeffelholz, Wood, Kaufert, Hines, LeMahieu, Hahn, Vos, Strachota, Owens, Moulton, Towns, Mursau, Nerison, McCormick, Honadel, Montgomery, Krawczyk, Kleefisch, Davis, Van Roy, Petrowski, Albers, Pridemore, Meyer, Kreibich, Gielow, J. Fitzgerald and Ott; cosponsored by Senators Stepp, Schultz, Darling, Leibham, Olsen, Grothman, S. Fitzgerald, Zien and A. Lasee.

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

Assembly Bill 278

Relating to: liens, public nuisances, witnesses, and liability of shareholders.

By Representatives Hundertmark, Gard, Suder, Jeskewitz, Gunderson, Wieckert, Huebsch, Nischke, Vrakas, Loeffelholz, Wood, Kaufert, Hines, Vos, LeMahieu, Hahn, Strachota, Owens, Moulton, Towns, Mursau, Nerison, McCormick, Honadel, Montgomery, Kleefisch, Davis, Van Roy, Petrowski, Ballweg, Albers, Pridemore, Meyer, Kreibich, Gielow, J.

Fitzgerald and Ott; cosponsored by Senators Leibham, Schultz, Zien, Darling, Grothman, Olsen and S. Fitzgerald.

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

CONSIDERATION OF MOTIONS AND RESOLUTIONS

Senate Resolution 6

Relating to: recognizing and supporting national Minority Cancer Awareness Week.

Read.

Adopted.

Senator Cowles, with unanimous consent, asked to be added as a coauthor of **Senate Resolution 6**.

Senator Roessler, with unanimous consent, asked to be added as a coauthor of **Senate Resolution 6**.

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senate Bill 42

Relating to: requiring certain identification in order to vote at a polling place or obtain an absentee ballot, verification of the addresses of electors, and the fee for an identification card issued by the Department of Transportation.

Read a second time.

Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 42** offered by Senators Robson, Risser, Breske, Carpenter, Taylor, Miller and Erpenbach.

Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 42** offered by Senators Robson, Risser, Breske, Carpenter, Taylor and Erpenbach.

Senate amendment 3 to Senate substitute amendment 1 to **Senate Bill 42** offered by Senator Carpenter.

Senate amendment 4 to Senate substitute amendment 1 to **Senate Bill 42** offered by Senator Carpenter.

Senate amendment 5 to Senate substitute amendment 1 to **Senate Bill 42** offered by Senator Carpenter.

Senate amendment 6 to Senate substitute amendment 1 to **Senate Bill 42** offered by Senator Carpenter.

Senate amendment 7 to Senate substitute amendment 1 to **Senate Bill 42** offered by Senator Carpenter.

Senate amendment 8 to Senate substitute amendment 1 to **Senate Bill 42** offered by Senator Plale.

Senator Schultz, with unanimous consent, asked that **Senate Bill 42** be placed after **Senate Bill 51** on the calendar of April 13, 2005.

Senate Bill 51

Relating to: the cutoff time for receipt of documents for filing and recording with a register of deeds, federal tax lien forms, and maintenance of county highway registers.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 51**?

Adopted.

Ordered to a third reading.

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

Senate Bill 51

Read a third time and passed.

Senator Schultz, with unanimous consent, asked that **Senate Bill 42** be placed at the foot of the 11th order of business on the calendar of April 13, 2005.

Senate Bill 93

Relating to: providing rules for allocations between principal and income for trusts and estates and authorizing the conversion of a trust to a unitrust.

Read a second time.

Senator Stepp, with unanimous consent, asked that **Assembly Bill 140** be withdrawn from the committee on **Judiciary, Corrections and Privacy** and taken up.

Assembly Bill 140

Relating to: providing rules for allocations between principal and income for trusts and estates and authorizing the conversion of a trust to a unitrust.

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.

Assembly Bill 140

Read a third time and concurred in.

Senator Stepp, with unanimous consent, asked that **Senate Bill 93** be laid on the table.

Tabled.

Senate Bill 105

Relating to: rule making with respect to use of certain funds for political purposes.

Read a second time.

Senator Schultz, with unanimous consent, asked that **Senate Bill 105** be referred to committee on **Campaign Finance Reform and Ethics**.

Referred.

Senate Bill 124

Relating to: authorizing a town that has entered into a cooperative boundary agreement to use tax incremental financing.

Read a second time.

The Chair, with unanimous consent, asked that the Senate stand informal.

12:48 P.M.

STOOD INFORMAL

12:52 P.M.

The Senate Reconvened.

The question was: Adoption of Senate amendment 1 to **Senate Bill 124**?

Adopted.

Ordered to a third reading.

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

Senate Bill 124

Read a third time and passed.

Senator Roessler, with unanimous consent, asked to be added as a coauthor of **Senate Bill 124**.

Senate Bill 42

Relating to: requiring certain identification in order to vote at a polling place or obtain an absentee ballot, verification of the addresses of electors, and the fee for an identification card issued by the Department of Transportation.

Senator Schultz, with unanimous consent, asked that **Senate Bill 42** be placed after **Assembly Bill 63** on the calendar of April 13, 2005.

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

Senator Roessler in the Chair.

Assembly Bill 63

Relating to: requiring certain identification in order to vote at a polling place or obtain an absentee ballot, verification of the addresses of electors, and the fee for an identification card issued by the Department of Transportation.

Read a second time.

Senate amendment 1 to **Assembly Bill 63** offered by Senators Robson, Risser, Breske, Carpenter, Taylor and Erpenbach.

Senate amendment 2 to **Assembly Bill 63** offered by Senators Robson, Risser, Breske, Carpenter, Taylor, Miller and Erpenbach.

Senator Robson, with unanimous consent, asked that Senate amendment 1 to **Assembly Bill 63** be placed after Senate amendment 2 to **Assembly Bill 63**.

Senator Leibham moved that Senate amendment 2 to **Assembly Bill 63** be laid on the table.

The question was: Shall Senate amendment 2 to **Assembly Bill 63** 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.

Senator Leibham moved that Senate amendment 1 to **Assembly Bill 63** be laid on the table.

The question was: Shall Senate amendment 1 to **Assembly Bill 63** 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 3 to **Assembly Bill 63** offered by Senator Carpenter.

Senate amendment 1 to Senate amendment 3 to **Assembly Bill 63** offered by Senator Carpenter.

The question was: Adoption of Senate amendment 1 to Senate amendment 3 to **Assembly Bill 63**?

Adopted.

Senator A. Lasee in the Chair

Senator Leibham moved that Senate amendment 3 to **Assembly Bill 63** be laid on the table.

The question was: Shall Senate amendment 3 to **Assembly Bill 63** 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.

Senator Robson moved that **Assembly Bill 63** be referred to the committee on **Labor and Election Process Reform**.

The question was: Shall **Assembly Bill 63** be referred to the committee on **Labor and Election Process Reform**?

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

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

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

Absent or not voting – None.

Referral Refused.

Senate amendment 4 to **Assembly Bill 63** offered by Senators Carpenter and Taylor.

The question was: Adoption of Senate amendment 4 to **Assembly Bill 63**?

Senator Leibham moved rejection of Senate amendment 4 to **Assembly Bill 63**.

The question was: Rejection of Senate amendment 4 to **Assembly Bill 63**?

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.

Rejected.

Senate amendment 5 to **Assembly Bill 63** offered by Senators Carpenter and Taylor.

Senator Leibham moved that Senate amendment 5 to **Assembly Bill 63** be laid on the table.

The question was: Shall Senate Amendment 5 to **Assembly Bill 63** be laid on the table?

Tabled.

Senate amendment 6 to **Assembly Bill 63** offered by Senator Carpenter.

Senator Leibham moved that Senate amendment 6 to **Assembly Bill 63** be laid on the table.

The question was: Shall Senate amendment 6 to **Assembly Bill 63** 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 7 to **Assembly Bill 63** offered by Senator Carpenter.

Senate amendment 1 to Senate amendment 7 to **Assembly Bill 63** offered by Senator Carpenter.

The question was: Adoption of Senate amendment 1 to Senate amendment 7 to **Assembly Bill 63**?

Adopted.

Senator Leibham moved that Senate amendment 7 to **Assembly Bill 63** be laid on the table.

The question was: Shall Senate amendment 7 to **Assembly Bill 63** 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 8 to **Assembly Bill 63** offered by Senators Plale and Taylor.

Senator Leibham moved that Senate amendment 8 to **Assembly Bill 63** be laid on the table.

The question was: Shall Senate amendment 8 to **Assembly Bill 63** be laid on the table?

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

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

Noes – Senators Breske, Carpenter, Coggs, Darling, Decker, Erpenbach, Hansen, Jauch, Lassa, Miller, Plale, Risser, Robson, Taylor and Wirch – 15.

Absent or not voting – None.

Tabled.

Ordered to a third reading.

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

Assembly Bill 63

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes – Senators Brown, Carpenter, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Plale, Reynolds, Roessler, Schultz, Stepp and Zien – 21.

Noes – Senators Breske, Coggs, Decker, Erpenbach, Hansen, Jauch, Lassa, Miller, Risser, Robson, Taylor and Wirch – 12.

Absent or not voting – None.

Concurred in.

Senator Zien in the Chair.

Senator Schultz moved that **Senate Bill 42** be laid on the table.

Tabled.

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

Messaged.

Assembly Bill 92

Relating to: evidence of being under the influence of an intoxicant.

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.

Assembly Bill 92

Read a third time and concurred in.

Senator Kedzie, with unanimous consent, asked that the Senate stand in recess.

4:05 P.M.

RECESS

4:35 P.M.

The Senate reconvened.

Senator A. Lasee in the chair.

Senate Bill 147

Relating to: preemption of city, village, town, or county living wage ordinances.

Senate Bill 147

Read a third time.

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.

Passed.

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

Messaged.

**ANNOUNCEMENTS, ADJOURNMENT
HONORS, AND REMARKS UNDER
SPECIAL PRIVILEGE**

Senator Erpenbach, with unanimous consent, asked that when the Senate adjourn, it do so in honor of his daughter, Amy Erpenbach, who turns 10 on May 1, 2005.

Senator Wirch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Karcher Middle School principal Mark Sheldon, who was named administrator of the year by a student council association.

Senator Plale, with unanimous consent, asked that when the Senate adjourn, it do so in honor of his son Joey Plale, who will celebrate his 10th birthday on May 2, 2005.

Senator Kedzie, with unanimous consent, asked that when the Senate adjourn, it do so in honor of three of the hardest working and most effective Conservation Wardens employed by the State of Wisconsin. These conservation professionals enforce the conservation laws in a large part of South Central Wisconsin. In the past six months they have investigated and solved some of the largest game violation cases seen in our state in recent years. In one case, Conservation Wardens John Buss, Michael Nice, and Michael Green investigated and charged 4 individuals from Sauk County. Sixteen whole deer, a large nine point buck rack, four wild turkeys, two spot lights, and a .22 magnum rifle with a home made silencer were seized. These individuals were charged with multiple criminal counts which carry a maximum of \$2,109.00 in fines and three years revocation on hunting licenses. In a more recent case investigated by Wardens Buss, Nice, and Green, thirteen individuals were charged with widespread turkey and deer poaching in Sauk, Richland, Vernon, Juneau, and Taylor Counties. 106 citations were issued to 13 men for \$36,416.00 in fines and a possible 41 years of license revocation. Individual fines range from \$437.00 to \$7,000.00. Nine large buck heads were seized during the investigation. Wisconsin is truly fortunate to have such dedicated professionals protecting its resources.

Senator Schultz, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Eric Stanchfield, head of health-care purchasing at the Wisconsin Department of Employee Trust Funds. Eric Stanchfield has been a leader for Wisconsin. He was recognized in a recent article on The Economist.com. The article pointed out that roughly 15% of state budgets in the country go toward paying for Medicaid. State governments also cover their own employees and are looking to get a grip on their health-care bills. Pharmaceuticals are the easiest target, and while many states struggle with this

issue, the article singled out Wisconsin as one of a handful of states that have been successful. In this state 240,000 public workers, retirees and their dependents are covered. Under Mr. Stanchfield's leadership, the Wisconsin Department of Employee Trust Funds reduced its drug bill by 23% last year, while maintaining the same level of prescriptions. In fact, the program has been so successful that the governor plans to expand it to cover the uninsured and General Motors has also been taking a look. Because of Eric Stanchfield's work, Wisconsin is being seen as a leader in tackling tough issues in the health-care field.

ADJOURNMENT

Senator Schultz, with unanimous consent, asked that the Senate adjourn until Tuesday, May 3, 2005, pursuant to Senate Joint Resolution 1.

Adjourned.

4:42 P.M.

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 103** offered by Senator Kanavas.