



# STATE OF WISCONSIN

# Senate Journal

## Ninety–Seventh Regular Session

10:00 A.M.

TUESDAY, May 31, 2005

The Senate met.

The Senate was called to order by Chief Clerk Marchant pursuant to Senate Rule 5 (4)(b).

The Chair, with unanimous consent, asked that the proper entries be made in the Journal.

### CHIEF CLERK'S ENTRIES

The Chief Clerk makes the following entries dated Thursday, May 26, 2005.

Read first time and referred:

#### Senate Bill 219

Relating to: applications for certificates of public convenience and necessity for certain electric generating facilities.

By Senators Cowles and Plale; cosponsored by Representatives Montgomery and Honadel.

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

The Chief Clerk makes the following entries dated Friday, May 27, 2005.

Read first time and referred:

#### Senate Bill 220

Relating to: the determination of prevailing wage rates and prevailing fringe benefit rates for workers employed on state or local projects of public works and granting rule-making authority.

By joint committee for review of Administrative Rules.

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

#### Senate Bill 221

Relating to: the provision of information regarding shaken baby syndrome and impacted babies to the parents of newborn infants, training regarding shaken baby syndrome and impacted babies for day care providers, and instruction regarding shaken baby syndrome and impacted babies for middle school and high school pupils; and granting rule-making authority.

By Senators Lassa, Olsen, Roessler, Plale, Breske, Erpenbach, Kanavas, Brown, Robson, Coggs, Hansen, Darling, Wirch and Miller; cosponsored by Representatives Kerkman, Berceau, Sheridan, Jensen, Sinicki, Hines, Lehman, Turner, Petrowski, Hahn, Bies, Seidel, Shilling, Albers, Grigsby,

Krusick, Ott, Fields, Cullen, McCormick, M. Williams and Davis.

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

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

#### Senate Bill 201

Relating to: prohibiting the Department of Health and Family Services from promulgating a rule under which fees for copies of patient health care records and X-rays equal certain amounts.

No recommendation pursuant to s. 227.19 (6)(b), Wisconsin Statutes.

CAROL ROESSLER  
Chairperson

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

KOPPLIN, CHARLES, of Milwaukee, as a member of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2009.

Confirmation.

Ayes, 5 – Senators Kanavas, Zien, Reynolds, Lassa and Decker.

Noes, 0 – None.

NEUBAUER, LISA, of Racine, as a member of the Wisconsin Professional Baseball Park District Board, for the term ending July 1, 2007.

Confirmation.

Ayes, 5 – Senators Kanavas, Zien, Reynolds, Lassa and Decker.

Noes, 0 – None.

SPANO, DAVID, of Elm Grove, as a member of the Wisconsin Professional Baseball Park District Board, for the term ending July 1, 2007.

Confirmation.

Ayes, 5 – Senators Kanavas, Zien, Reynolds, Lassa and Decker.

Noes, 0 – None.

#### Senate Bill 103

Relating to: the income and franchise tax credit for research and research facilities.

Adoption of Senate Substitute Amendment 2.

Ayes, 4 – Senators Kanavas, Zien, Reynolds and Lassa.

Noes, 1 – Senator Decker.

Passage as amended.

Ayes, 4 – Senators Kanavas, Zien, Reynolds and Lassa.

Noes, 1 – Senator Decker.

**Senate Bill 16**

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

Adoption of Senate Amendment 1.

Ayes, 3 – Senators Kanavas, Zien and Reynolds.  
Noes, 2 – Senators Lassa and Decker.

Passage as amended.

Ayes, 3 – Senators Kanavas, Zien and Reynolds.  
Noes, 2 – Senators Lassa and Decker.

**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.

Adoption of Senate Amendment 1.

Ayes, 5 – Senators Kanavas, Zien, Reynolds, Lassa and Decker.  
Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Kanavas, Zien, Reynolds, Lassa and Decker.  
Noes, 0 – None.

**Senate Bill 190**

Relating to: creating a nonrefundable individual income tax credit for certain amounts of taxable social security benefits.

Adoption of Senate Substitute Amendment 1.

Ayes, 4 – Senators Kanavas, Zien, Reynolds and Decker.  
Noes, 1 – Senator Lassa.

Passage as amended.

Ayes, 5 – Senators Kanavas, Zien, Reynolds, Lassa and Decker.  
Noes, 0 – None.

TED KANAVAS  
Chairperson

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

**Senate Bill 155**

Relating to: employment discrimination based on creed and exemption from liability and discipline for pharmacists who refuse to dispense for abortions, assisted suicides, and euthanasia.

Introduction of Senate Amendment 2.

Ayes, 5 – Senators Reynolds, Lazich, Kanavas, Hansen and Carpenter.  
Noes, 0 – None.

Passage.

Ayes, 3 – Senators Reynolds, Lazich and Kanavas.  
Noes, 2 – Senators Hansen and Carpenter.

THOMAS REYNOLDS  
Chairperson

**State of Wisconsin**

May 27, 2005

The Honorable, The Senate:

Pursuant to Senate Rule 46(2)(c), I am writing to direct that **Senate Bill 184** be withdrawn from the committee on **Job Creation, Economic Development and Consumer Affairs** and referred to the committee on **Joint Finance**. I have obtained the consent of the appropriate chairperson.

Sincerely,

ALAN LASEE  
Senate President

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

**Senate Clearinghouse Rule 04–072**

Relating to equal speed of access to toilets at facilities where the public congregates.

No action taken.

**Senate Clearinghouse Rule 05–021**

Relating to filing applications for temporary certificates and examinations.

No action taken.

CAROL ROESSLER  
Chairperson

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

**Senate Clearinghouse Rule 04–118**

Relating to the name of the principles and practice examination for land surveyors.

No action taken.

**Senate Clearinghouse Rule 04–119**

Relating to the barrier free design parts of the board's examinations for professional engineers.

No action taken.

TED KANAVAS  
Chairperson

Senate amendment 1 to **Senate Bill 175** offered by Senator Schultz.

Senate substitute amendment 1 to **Senate Bill 207** offered by Senator Kedzie.

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

Read and referred:

**Senate Joint Resolution 26**

Relating to: proclaiming June 7 as Prostate Cancer Awareness Day in Wisconsin.

By Senators A. Lasee, Roessler, Darling, Olsen, Stepp, Carpenter, Kedzie, Coggs and Breske; cosponsored by Representatives Ainsworth, Kerkman, Gronemus, Owens, Hahn, Bies, Albers, Boyle, Jeskewitz, Kreibich, Pocan, M. Williams, Ott, Berceau, Petrowski, Gunderson, Lothian,

Sheridan, Towns, Fields, Davis, Hundertmark, Grigsby,  
Vrakas, Van Roy, Turner and Lehman.

To committee on **Senate Organization**.

Read first time and referred:

**Senate Bill 222**

Relating to: expenditure of \$13,785.25 from moneys appropriated to the Department of Transportation in payment of a claim against the state made by the city of West Allis.

By Senator Reynolds.

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

**Senate Bill 223**

Relating to: expenditure of \$56,300 from moneys appropriated to the Department of Transportation in payment of a claim against the state made by the city of West Allis.

By Senator Reynolds.

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

**Senate Bill 224**

Relating to: permitting certain individuals to make written requests for medication for the purpose of ending their lives, and providing penalties.

By Senators Risser, Jauch and Carpenter; cosponsored by Representatives Boyle and Pocan.

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

**Senate Bill 225**

Relating to: legislative members of this state's delegation to the National Conference of Commissioners on Uniform State Laws.

By Senator Schultz; cosponsored by Representative Gard.

To committee on **Senate Organization**.

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**ADJOURNMENT**

The Chair, with unanimous consent, asked that the Senate adjourn until Thursday, June 2, at 10:00 A.M.

Adjourned.

10:01 A.M.

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**LEGISLATIVE REFERENCE BUREAU  
CORRECTIONS**

**CORRECTIONS IN:**

**SENATE SUBSTITUTE AMENDMENT 1,  
TO 2005 SENATE BILL 56**

Prepared by the Legislative Reference Bureau  
(May 27, 2005)

1. Page 3, line 5: delete "though" and substitute "through".

**CORRECTIONS IN:**

**SENATE SUBSTITUTE AMENDMENT 1,  
TO 2005 ASSEMBLY BILL 105**

Prepared by the Legislative Reference Bureau  
(May 27, 2005)

1. Page 3, line 5: delete "though" and substitute "through".