

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

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WEDNESDAY, August 10, 2005

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

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**CHIEF CLERK’S ENTRIES**

The Chief Clerk makes the following entries dated Monday, August 8, 2005.

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Senate amendment 2 to **Senate Bill 218** offered by Senator Roessler.

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

Read first time and referred:

**Senate Bill 280**

Relating to: prohibiting pupils who take prohibited substances or engage in certain practices from participating in interscholastic athletics.

By Senators Lassa, Wirch, Roessler and Hansen; cosponsored by Representatives Suder, Molepske, Berceau, Lehman, Kreibich, Albers, Townsend, Ott and Gundrum.

To committee on **Education**.

**Senate Bill 281**

Relating to: creating an income and franchise tax credit for work provided by community rehabilitation programs and granting rule-making authority.

By Senators Stepp, Harsdorf, Roessler, Leibham, Erpenbach, A. Lasee and Hansen; cosponsored by Representatives Vos, Pettis, Davis, Freese, Krawczyk, Van Roy, Albers, Ott, Townsend, McCormick, Lehman, Gunderson, Vrakas, Sheridan, Musser, Parisi, Strachota and Loeffelholz, by request of Careers Industries in Racine and Diversified Services, Inc. in Siren.

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

**Senate Bill 282**

Relating to: special distinguishing registration plates associated with the Wisconsin Women’s Health Foundation and making an appropriation.

By Senators Kapanke, Brown, Darling, Jauch, Lassa, Robson, Roessler and Hansen; cosponsored by Representatives Shilling, Strachota, Albers, Ballweg, Berceau, Davis, Freese, Gielow, Hines, Hundertmark, Krawczyk, Lothian, McCormick, Montgomery, Musser, Pettis, Travis, Vrakas and Wasserman.

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

**Senate Bill 283**

Relating to: limiting the reasons for which a local government may withhold approval of a permit.

By Senators Brown, S. Fitzgerald, Breske, A. Lasee and Stepp; cosponsored by Representatives Albers, Gunderson, Gronemus, Hahn, Krawczyk, Musser, Suder, Van Roy, Vos and Wood.

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

**Senate Bill 284**

Relating to: the investigation of child abuse or neglect reports in which a person who is not a caregiver of the child is suspected of the abuse or neglect of the child; defining the persons who are considered to be relatives of a child or juvenile for purposes of the Children’s Code and the Juvenile Justice Code; extending the time for which a child may be held in custody when additional time is required to determine whether the filing of a petition initiating proceedings under the Children’s Code is necessary; and the transfer of guardianship and custody of a child to a county department of human services or social services in a county other than Milwaukee County for the placement of a child for adoption in the home of the child’s foster or treatment foster parents.

By Senators Roessler, Olsen and A. Lasee; cosponsored by Representatives Kestell, Townsend, Ott, Jeskewitz and Musser.

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

**Senate Bill 285**

Relating to: granting the juvenile court child in need of protection or services jurisdiction over a child 6 years of age or over who is or should be enrolled in grades kindergarten to 5 and who is truant from school as a result of the person having control of the child not causing the child to attend school regularly.

By Senators Roessler and Olsen; cosponsored by Representatives Kestell, Townsend and Ott.

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

**Senate Bill 286**

Relating to: school district human growth and development programs.

By Senators Lazich, Grothman, Roessler, Leibham and Reynolds; cosponsored by Representatives Gundrum, Bies, Hines, Albers, Vos and Pridemore.

To committee on **Education**.

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**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin**

August 8, 2005

The Honorable, The Senate:

At the request of the author of the bill, I am asking you to send to the Governor 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 and identification card issued by the Department of Transportation.

Please present the bill to the Governor at 3:00 P.M. on Tuesday, August 9, 2005.

Sincerely,

DALE SCHULTZ

Senate Majority Leader

**State of Wisconsin  
Legislative Audit Bureau**

August 5, 2005

The Honorable, The Legislature:

As required by s. 39.15, Wis. Stats., we have completed a limited-scope review of the medical education contract between the State of Wisconsin and the Medical College of Wisconsin, Inc., for fiscal year (FY) 2001-02 through FY 2003-04. State funds paid to the Medical College for tuition aid totaled nearly \$10.2 million for this period. In addition, the Medical College received state funds of approximately \$10.1 million for the development and operation of its family practice residency program.

Overall, we found that the Medical College was in compliance with its contract with the State and with requirements set forth in ss. 39.15 and 39.155, Wis. Stats. During our review, we found the students receiving state tuition aid were certified by the Higher Educational Aids Board as Wisconsin residents and were eligible to receive this aid. In addition, we found that the Medical College expended state funds in a manner consistent with legislative intent, gave preference in admissions to Wisconsin residents, and promoted minority enrollment.

We appreciate the courtesy and cooperation extended to us by staff of the Medical College of Wisconsin during this review.

Sincerely,

JANICE MUELLER

State Auditor

**State of Wisconsin  
Legislative Audit Bureau**

August 5, 2005

The Honorable, The Legislature:

As required by s. 13.94(1)(dg), Wis. Stats., we have completed a limited-scope fiscal and compliance review of the dental clinics grant provided by the Department of Health and Family Services to the Marquette University School of Dentistry for fiscal year (FY) 2001-02 through FY 2003-04. Under this grant program, Marquette University received general purpose revenue funding of \$2.8 million in each year to provide dental services to low-income individuals at clinics in various locations throughout Wisconsin.

Overall, we found Marquette University has developed and implemented adequate procedures to ensure compliance with statutory and grant requirements. In addition, we found state funds were expended for services normally considered a part of comprehensive general dental treatments.

We note that dental clinic expenses exceeded revenues by nearly \$2.5 million in FY 2001-02, \$1.6 million in FY

2002-03, and \$1.5 million in FY 2003-04. Marquette University staff note that clinic revenue is not intended to cover all costs, and that the clinics also depend upon financial support from other sources, such as tuition. We note that the new dental school facility, which opened in August 2002, is more efficient in delivering dental services to patients.

We appreciate the courtesy and cooperation extended to us by the Marquette University staff during our review.

Sincerely,

JANICE MUELLER

State Auditor

**State of Wisconsin  
Legislative Audit Bureau**

August 5, 2005

The Honorable, The Legislature:

As required by s. 39.46, Wis. Stats., we have completed a limited-scope review of the dental education contract between the State of Wisconsin and the Marquette University School of Dentistry for fiscal year (FY) 2001-02 through FY 2003-04. In FY 2003-04, the State provided \$8,753 each to a maximum of 145 Wisconsin residents enrolled in the undergraduate dental education program, for a total of nearly \$1.3 million. The overall funding increased to \$1.4 million in FY 2004-05; however, the maximum number of students also increased, effectively keeping the per capita aid payment the same.

Overall, we found that Marquette University was in compliance with its contract with the State and with requirements set forth in s. 39.46, Wis. Stats. During our review, we found the students for whom Marquette University claimed tuition aid were certified by the Higher Educational Aids Board as Wisconsin residents and were eligible to receive this state aid. In addition, we found that Marquette University expended state funds only for the undergraduate dental school program, gave preference in admissions to Wisconsin residents, and promoted minority enrollment.

We appreciate the courtesy and cooperation extended to us by Marquette University staff during our review. Sincerely,

Sincerely,

JANICE MUELLER

State Auditor

**State of Wisconsin  
Department of Public Instruction**

August 1, 2005

The Honorable, The Senate:

Attached, pursuant to s. 227.24 (3), Stats., is a copy of emergency rules relating to prorating under the Milwaukee Parental Choice Program for your information. The department will not be submitting these rules as proposed permanent rules.

If you have any questions on these emergency rules, please contact Lisa Geraghty, Consultant, Milwaukee Parental Choice Program, (608) 266-0523, [elisabeth.geraghty@dpi.state.wi.us](mailto:elisabeth.geraghty@dpi.state.wi.us) or Lori Slauson, Administrative Rules Coordinator, Policy and Budget, (608) 267-9127, [lori.slauson@dpi.state.wi.us](mailto:lori.slauson@dpi.state.wi.us).

Sincerely,

ANTHONY S. EVERS

Deputy State Superintendent

**State of Wisconsin  
Department of Transportation**

August 4, 2005

The Honorable, The Senate:

Enclosed is the report required under 343.237(9), regarding the release of photos from the Department driver record files to

Wisconsin Law Enforcement, Federal Government Law Enforcement and all other eligible State Law Enforcement.

This report is provided annually and contains the agencies and the purpose for which copies of the photographs were provided. Please forward this report, as you feel appropriate to any interested parties.

If you have any questions regarding the release of photographs please contact Debbie Kraemer, Supervisor in the Records and Licensing Information Section, Bureau of Driver Services, by phone at (608) 264-7060.

Sincerely,

FRANK J. BUSALACCHI  
Secretary

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## ADVICE AND CONSENT OF THE SENATE

State of Wisconsin  
Office of the Governor

August 4, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HOLMQUIST, BRIAN, of Madison, as a member of the Occupational Therapists Affiliated Credentialing Board, to serve for the term ending July 1, 2009.

Sincerely,

JIM DOYLE  
Governor

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

State of Wisconsin  
Office of the Governor

August 4, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KOSHICK, JAMES, of New Berlin, as a member of the Chiropractic Examining Board, to serve for the term ending July 1, 2009.

Sincerely,

JIM DOYLE  
Governor

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

State of Wisconsin  
Office of the Governor

August 2, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint NASS, STEVEN, of Lake Mills, as a member of the Athletic Trainers Affiliated Credentialing Board, to serve for the term ending July 1, 2008.

Sincerely,

JIM DOYLE  
Governor

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

State of Wisconsin  
Office of the Governor

August 5, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SMITH, BRIAN, of Ripon, as a member of the Funeral Directors Examining Board, to serve for the term ending July 1, 2008.

Sincerely,

JIM DOYLE  
Governor

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

State of Wisconsin  
Office of the Governor

August 8, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint COOPER, DAVID, of Slinger, as a member of the Occupational Therapists Affiliated Credentialing Board, to serve for the term ending July 1, 2007.

Sincerely,

JIM DOYLE  
Governor

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

State of Wisconsin  
Office of the Governor

August 8, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GILLIS, BETH, of Shawano, as a member of the Wisconsin Health and Educational Facilities Authority, to serve for the term ending June 30, 2012.

Sincerely,

JIM DOYLE  
Governor

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

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## REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

### Senate Clearinghouse Rule 05-041

Relating to expiration of a temporary credential issued by the social worker section.

Submitted by Department of Regulation and Licensing.

Report received from Agency, August 9, 2005.

Referred to committee on **Health, Children, Families, Aging and Long Term Care**, August 10, 2005.

### Senate Clearinghouse Rule 05-042

Relating to postgraduate education and field experience for licensure as a clinical social worker.

Submitted by Department of Regulation and Licensing.

Report received from Agency, August 8, 2005.

Referred to committee on **Health, Children, Families, Aging and Long Term Care**, August 10, 2005.

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

**Senate Clearinghouse Rule 01–156**

Relating to safety responsibility and damage judgment suspension of operating privileges and vehicle registration.

No action taken.

**Senate Clearinghouse Rule 05–024**

Relating to the convenience fee for telephone vehicle registration renewal.

Modifications requested, Ayes 5, Noes 0.

Ayes, 5 – Senators Kedzie, Stepp, Kapanke, Wirch and Breske.

Noes, 0 – None.

No action taken.

NEAL KEDZIE  
Chairperson

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**AMENDMENTS OFFERED**

Senate amendment 3 to **Senate Bill 136** offered by Senator Roessler.

Senate amendment 1 to **Senate Bill 268** offered by Senator Brown.

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**CHIEF CLERK'S REPORT**

The Chief Clerk records:

**Senate Bill 42**

Presented to the Governor on August 9, 2005.