

STATE OF WISCONSIN
Senate Journal
Ninety–Seventh Regular Session

WEDNESDAY, August 17, 2005

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

CHIEF CLERK’S ENTRIES

The Chief Clerk makes the following entries dated Thursday, August 11, 2005.

The Chief Clerk records:

Senate Bill 2
Senate Bill 39
Senate Bill 55
Senate Bill 193

Presented to the Governor on August 11, 2005.

The Chief Clerk makes the following entries dated Friday, August 12, 2005.

Read and referred:

Senate Joint Resolution 32

Relating to: the life and military service of Army Captain Benjamin Donald Jansky.

By Senator Roessler; cosponsored by Representative Underheim.

To committee on **Senate Organization**.

State of Wisconsin
Office of the Governor

August 9, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint FOLEY, LINDA, of Lake Mills, as a member of the Optometry 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 9, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HOGAN, JOHN, of Hazelhurst, as a member of the Public Defender Board, to serve for the term ending May 1, 2008.

Sincerely,
JIM DOYLE
Governor

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

State of Wisconsin
Office of the Governor

August 12, 2005

To The Honorable Members of The Senate:

I am vetoing **Senate Bill 42** in its entirety. Like AB 63, which I vetoed earlier this year, this bill would require voters and persons registering at the polls on Election Day to show state issued or military photo identification before being allowed to vote or register on Election Day. This bill would also repeal the current law that allows individuals to register by having their residence corroborated by another elector.

I am vetoing SB 42 for the same reasons that I vetoed AB 63: it unfairly restricts the right to vote at the expense of far too many of Wisconsin’s law-abiding, elderly citizens. Two months ago, the University of Wisconsin–Milwaukee released a study showing that over 177,000 elderly persons in Wisconsin aged 65 and older do not possess a driver’s license or state photo identification. Thus, under this proposal, nearly one-quarter of Wisconsin’s elderly population could be disenfranchised. I cannot allow that to happen.

As I pointed out in my message vetoing AB 63, Wisconsin has a proud tradition of ensuring maximum access to the right to vote. In the 2004 election, Wisconsin was third in the nation in voter turnout, while South Carolina – the only state to have such a restrictive photo ID law – ranked near the bottom. When it comes to voting rights, South Carolina should be following Wisconsin’s example, not the other way around.

I agree that Wisconsin’s election system needs reform. Earlier this year, I introduced a comprehensive package of election reforms drawing on the best ideas of Republicans and Democrats. It provides commonsense solutions on everything from mandatory training for poll workers to preventing ineligible felons from voting to reducing lines at the polls. The proposal also includes provisions designed to clean up voter registration drives by prohibiting compensation based on

per-voter formulas. My proposed reforms will help elections run more smoothly and protect the integrity of the election process, while still guaranteeing access at the ballot box for eligible voters. The package has been introduced in both houses of the Legislature, but for purely political reasons, the Republican leadership has never scheduled it for a vote.

While SB 42 does include provisions aimed at preventing ineligible felons from voting – an issue I agree that needs addressing – the Legislature cynically attached those provisions to a photo ID bill that I knew I would veto because it disenfranchises 177,000 seniors. Moreover, the election reform bill that I have introduced more completely addresses the felon voting issue. Like SB 42, my proposal will equip poll workers with poll lists that include notations next to the names of felons who are ineligible to vote. But unlike SB 42, my proposal also will require all voters to specifically affirm that they are not felons ineligible to vote – a key provision that helps district attorneys prove intent when prosecuting ineligible felons. My proposal will also require a post-election audit to double-check whether any ineligible felons were allowed to vote. If it turns out that an ineligible felon did in fact vote, my proposal would require municipalities to notify their district attorneys. SB 42 contains no similar provision.

I am willing to work with Republicans on a voter ID bill that won't disenfranchise seniors, but Republicans have been totally unwilling to work with me. I still believe a reasonable compromise is possible, but if Republicans keep sending me a bill over and over that disenfranchises 177,000 seniors, my only choice is to veto it. Hopefully, they will realize that if they actually want to get something done, they will have to work together in a bipartisan way.

Respectfully submitted,
JIM DOYLE
 Governor

**State of Wisconsin
 Office of the Governor**

August 12, 2005

To The Honorable Members of The Senate:

I am vetoing **Senate Bill 55** in its entirety. This bill expands the current number of enterprise development zones that the Department of Commerce can designate from 79 to 84 without prior approval from the Joint Committee on Finance.

Expanding the enterprise development zone program has been a priority of my administration. With the signing of the 2005–07 biennial budget bill, **2005 Wisconsin Act 25**, I have expanded the number of enterprise development zones that can be designated from 79 to 98 zones. According to the Revisor of Statutes, the published number of enterprise development zones will be the number in the last bill signed. If signed, Senate Bill 55 would supersede the larger increase provided in the 2005–07 biennial budget. My signing of the 2005–07 biennial budget makes this bill unnecessary and obsolete; therefore, I cannot support this bill.

Respectfully submitted,
JIM DOYLE
 Governor

Senate Clearinghouse Rule 05–029

Relating to the return or exchange of health items.
 Submitted by Department of Regulation and Licensing.
 Report received from Agency, August 10, 2005.

Referred to committee on **Health, Children, Families, Aging and Long Term Care**, August 12, 2005.

Senate Clearinghouse Rule 05–063

Relating to use value assessment of agricultural land.
 Submitted by Department of Revenue.
 Report received from Agency, August 11, 2005.
 Referred to committee on **Agriculture and Insurance**, August 12, 2005.

Senate Clearinghouse Rule 05–065

Relating to prohibited bases for discriminating in the extension of consumer credit.
 Submitted by Department of Financial Institutions.
 Report received from Agency, August 11, 2005.
 Referred to committee on **Housing and Financial Institutions**, August 12, 2005.

Senate substitute amendment 1 to **Senate Bill 132** offered by Senator Kanavas.

INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Read first time and referred:

Senate Bill 287

Relating to: time limits for bringing an action for sexual exploitation by a member of the clergy.
 By Senators Carpenter and Lassa; cosponsored by Representatives Cullen and Berceau.
 To committee on **Judiciary, Corrections and Privacy**.

Senate Bill 288

Relating to: coverage of certain health care costs in cancer clinical trials.
 By Senators Stepp, Roessler, Brown, Darling, Erpenbach, Hansen, Kanavas, A. Lasee, Lassa, Olsen, Rissler, Wirch and Zien; cosponsored by Representatives Gunderson, Davis, Wasserman, Albers, Ballweg, Benedict, Berceau, Bies, Boyle, Fields, Gronemus, Hahn, Hines, Kaufert, Krawczyk, Kreibich, Kreuser, Lehman, Lothian, Molepske, Montgomery, Musser, Nelson, Ott, Pettis, Sheridan, Steinbrink, Townsend, Turner, Van Akkeren, Van Roy, Vos and Vruwink.
 To committee on **Health, Children, Families, Aging and Long Term Care**.

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
 Office of the Governor**

August 15, 2005

To the Honorable, the Senate:

The following bill(s), originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Senate Bill 2	Act 33	August 15, 2005

Sincerely,
JIM DOYLE
 Governor

**State of Wisconsin
Office of the Governor**

August 17, 2005

To the Honorable, the Senate:

The following bill(s), originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Senate Bill 193	Act 37	August 17, 2005
Senate Bill 39	Act 43	August 17, 2005

Sincerely,
JIM DOYLE
Governor

**State of Wisconsin
Department of Public Instruction**

August 9, 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. Emergency rules were promulgated by the department effective August 1 and amended by the attached emergency rule on August 9, 2005. The emergency rules (and modified emergency rules) do not apply after December 29, 2005, unless an extension is granted under 227.24 (2), Stats. The statement of emergency is included in the rule.

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 or Lori Slauson, Administrative Rules Coordinator, Policy and Budget, (608) 267-9127, lori.slauson@dpi.state.wi.us.

Sincerely,
ANTHONY S. EVERS
Deputy State Superintendent

**State of Wisconsin
Ethics Board**

August 16, 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>.

Christianson, Peter C	Teachers Insurance & Annuity Association of America
Hoven, Timothy	Wisconsin Brewers Guild
Kilgore, Kathleen	National Motorists Association
Kussow, Michelle	Voting Technologies International
Scholz, Brandon	Voting Technologies International
Schwartz, Daniel	Green Bay Area Chamber of Commerce
Swandby, Janet R	National Motorists Association
Welsh, Michael	Wisconsin Brewers Guild

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

Pursuant to Senate Rule 17 (5), Representative Strachota added as a cosponsor of **Senate Joint Resolution 21**.

ADVICE AND CONSENT OF THE SENATE

**State of Wisconsin
Office of the Governor**

August 11, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PIERCE, DENNIS, of Kenosha, as a member of the Real Estate Board, to serve for the term ending July 1, 2009.

Sincerely,
JIM DOYLE
Governor

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

**State of Wisconsin
Office of the Governor**

August 11, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint WOOD, MARGARET, of La Crosse, as a member of the Board of Nursing, 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 11, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ZELLMER, PETER, of Appleton, as a member of the Hearing and Speech 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**.

The committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform** reports and recommends:

FREEDMAN, MARVIN, of Middleton, as a member of the Board of Veterans Affairs, to serve for the term ending May 1, 2009.

Confirmation.

Ayes, 4 – Senators Brown, Zien, Breske and Wirch.

Noes, 1 – Senator Kanavas.

RONALD BROWN
Chairperson

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

Senate Clearinghouse Rule 05–043

Relating to recordkeeping by marriage and family therapists, professional counselors and social workers.

Submitted by Department of Regulation and Licensing.

Report received from Agency, August 16, 2005.

Referred to committee on **Health, Children, Families, Aging and Long Term Care**, August 17, 2005.

Senate Clearinghouse Rule 05–070

Relating to the joint effort marketing program.

Submitted by Department of Tourism.

Report received from Agency, August 16, 2005.

Referred to committee on **Higher Education and Tourism**, August 17, 2005.

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

Senate Clearinghouse Rule 04–137

Relating to the gypsy moth suppression program.

No action taken.

Senate Clearinghouse Rule 05–004

Relating to the payment program for damage caused by endangered and threatened species of wildlife and gray wolves to hunting dogs and pets.

Modifications requested.

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

Noes, 0 – None.

No action taken.

Senate Clearinghouse Rule 05–031

Relating to pertaining to permitting and applications, hunting, trapping, captive wildlife, agricultural damage, and nuisance wildlife.

No action taken.

NEAL KEDZIE
Chairperson