

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

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WEDNESDAY, November 16, 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 Thursday, November 10, 2005.

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Read first time and referred:

**Senate Bill 429**

Relating to: the regulation of optometrists, providing an exemption from emergency rule procedures, and granting rule-making authority.

By Senators Brown, Roessler, Darling, Olsen, Robson, Jauch, Erpenbach and Decker; cosponsored by Representatives Hundertmark, Underheim, Kestell, Musser, Davis, Krawczyk, Kerkman, Strachota, Pope–Roberts, Towns, Hahn, Wasserman, Ott, Gielow, Nischke, Hebl, Vos, Ainsworth, Hines, Seidel, Nelson, Kreibich and Albers.

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

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The committee on **Higher Education and Tourism** reports and recommends:

**Senate Bill 76**

Relating to: eligibility for academic excellence higher education scholarships.

Passage.

Ayes, 5 – Senators Harsdorf, Kapanke, Breske, Plale and Leibham.

Noes, 0 – None.

**Senate Bill 96**

Relating to: independent charter schools established by University of Wisconsin institutions.

Passage.

Ayes, 4 – Senators Harsdorf, Kapanke, Plale and Leibham.  
Noes, 1 – Senator Breske.

SHEILA HARSDORF  
Chairperson

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Pursuant to Senate Rule 17 (5), Senator Breske added as a coauthor of **Senate Bill 416**.

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**State of Wisconsin  
Office of the Governor**

November 8, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BERG, MELANIE, of Hudson, as a member of the Podiatrists 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**

November 8, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HANSON, MARTIN, of Eau Claire, 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.

Sincerely,  
JIM DOYLE  
Governor

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

**State of Wisconsin  
Office of the Governor**

November 7, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PARR, JANET, of Richland Center, as a member of the Medical 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**.

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

**Senate Clearinghouse Rule 05-045**

Relating to debt cancellation contracts and debt suspension agreements.

No action taken.

**Senate Clearinghouse Rule 05-046**

Relating to incidental powers activity authority parity with federal credit unions.

No action taken.

CATHY STEPP  
Chairperson

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has concurred in:

- Senate amendment 1 to **Assembly Bill 178**
- Senate amendment 1 to **Assembly Bill 385**
- Senate amendment 1 to **Assembly Bill 787**
- Senate Bill 41**
- Senate Bill 167**
- Senate Bill 294**

Senate substitute amendment 1 to **Senate Bill 312** offered by Senator Roessler.

The Chief Clerk records:

- Senate Joint Resolution 49**
- Senate Bill 58**
- Senate Bill 70**
- Senate Bill 138**
- Senate Bill 290**

Report correctly enrolled on November 10, 2005.

**CORRECTIONS IN:**

**TO 2005 SENATE BILL 325**

Prepared by the Legislative Reference Bureau  
(November 8, 2005)

1. Page 8, line 10: delete "101.129" and substitute "101.29".
2. Page 10, line 5: on lines 5, 8, 16 and 19, delete "101.129" and substitute "101.29".
2. Page 11, line 2: on lines 2, 3 and 18, delete "101.129" and substitute "101.29".

The Chief Clerk makes the following entries dated Friday, November 11, 2005.

Read first time and referred:

**Senate Bill 430**

Relating to: prohibiting smoking in places of employment, restaurants, taverns, and other indoor areas.

By Senators Risser, Roessler, Coggs and Miller; cosponsored by Representatives Parisi, Boyle, Lehman, Benedict, Berceau, Wasserman, Ott and Schneider.

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

**Senate Bill 431**

Relating to: distributing the school levy and lottery and gaming property tax credits.

By Senators Jauch and A. Lasee; cosponsored by Representatives Sherman, Vos, Albers, Seidel, Berceau, Lothian and Zepnick.

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

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

**Senate Clearinghouse Rule 05-062**

Relating to allowing the operation of double bottoms and certain other vehicles on certain specified highways.

No action taken.

NEAL KEDZIE  
Chairperson

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 85**
- Assembly Bill 129**
- Assembly Bill 131**
- Assembly Bill 146**
- Assembly Bill 152**
- Assembly Bill 251**
- Assembly Bill 254**
- Assembly Bill 298**
- Assembly Bill 400**
- Assembly Bill 448**
- Assembly Bill 454**
- Assembly Bill 456**
- Assembly Bill 486**
- Assembly Bill 496**
- Assembly Bill 544**
- Assembly Bill 556**
- Assembly Bill 566**
- Assembly Bill 591**
- Assembly Bill 593**
- Assembly Bill 627**
- Assembly Bill 698**
- Assembly Bill 717**
- Assembly Bill 730**
- Assembly Bill 778**
- Assembly Bill 788**

Adopted and asks concurrence in:

**Assembly Joint Resolution 66**

Concurred in:

**Senate Bill 121**  
**Senate Bill 174**  
**Senate Joint Resolution 47**  
**Senate Joint Resolution 48**

**Assembly Bill 85**

Relating to: prohibiting the Wisconsin Housing and Economic Development Authority from making, buying, or assuming a home mortgage loan for an individual who does not have a social security number.

By Representatives Kestell, Suder, Gottlieb, Gunderson, Hahn, Hines, Jeskewitz, F. Lasee, LeMahieu, McCormick, Meyer, Nass, Ott, Owens, Pridemore, Petrowski, Towns, Van Roy, Vos, Vrakas, Vukmir and Ziegelbauer; cosponsored by Senators Grothman, Cowles, Ellis, Kanavas, A. Lasee, Lazich, Leibham and Roessler.

Read first time and referred to committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.**

**Assembly Bill 129**

Relating to: late payments of property tax installments and providing penalties.

By Representatives Ziegelbauer, Kaufert, Ainsworth, Black, Boyle, Gielow, Kreibich, Lehman, LeMahieu, Musser, Nass, Pettis, Pridemore, Towns and Zepnick; cosponsored by Senators Leibham and Reynolds.

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

**Assembly Bill 131**

Relating to: trapping licenses and permits issued to certain nonresidents.

By Representatives Gunderson, Moulton, Pettis, Ainsworth, Gronemus, Hahn, Hines, Jeskewitz, Lothian, Ott, Petrowski, Towns and Townsend; cosponsored by Senators Olsen, Cowles and Grothman.

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

**Assembly Bill 146**

Relating to: changing the amount at which a public construction contract let by a city, village, town, technical college district board, town sanitary district commission, or federated public library system must be let to the lowest responsible bidder.

By Representatives Gottlieb, Loeffelholz, Gielow, Gunderson, Hahn, Hines, Honadel, Hundertmark, Jensen, Jeskewitz, Lothian, Montgomery, Musser, Nass, Petrowski, Staskunas, Strachota, Towns, Townsend, Vrakas and Davis; cosponsored by Senators Grothman, A. Lasee, Roessler, Olsen and Erpenbach.

Read first time and referred to committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.**

**Assembly Bill 152**

Relating to: collection of fines and forfeitures by counties.

By Representatives LeMahieu, Vruwink, Hahn, Bies, Gunderson, Nass, Lehman, Jeskewitz, Staskunas, Vos, Strachota, Townsend, Ott, Ballweg, Gottlieb, Van Roy,

Gronemus, Moulton, Albers, Hundertmark and Kreibich; cosponsored by Senators Grothman, Brown and Roessler.

Read first time and referred to committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.**

**Assembly Bill 251**

Relating to: registered sex offenders and photographing persons under the age of 17.

By Representatives J. Fitzgerald, Lamb, Kleefisch, Bies, Davis, Gunderson, Gundrum, Hahn, Hines, Jeskewitz, Krawczyk, Mursau, Nischke, Ott, Pridemore, Stone, Vos, Vrakas, Ward and Gronemus; cosponsored by Senators S. Fitzgerald, Darling, Kanavas, Olsen, Roessler, A. Lasee, Lassa and Lazich.

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

**Assembly Bill 254**

Relating to: managing state forest lands, harvesting of timber from state forest lands, emergencies on state forest lands, actions against forestry operations, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority.

By Representatives Friske, Gard, Ainsworth, Meyer, Mursau, M. Williams, Gronemus, Kaufert, Gunderson, Wieckert, Bies, Freese, Gundrum, Hahn, Kestell, Krawczyk, McCormick, Montgomery, Musser, Ott, Owens, Petrowski, Suder, Townsend, Underheim, Van Roy and Schneider; cosponsored by Senators Kanavas, Breske and Zien.

Read first time and referred to committee on **Agriculture and Insurance.**

**Assembly Bill 298**

Relating to: tourism promotion and development under room tax law.

By Representatives Pettis, Kestell, Ballweg, Boyle, Gronemus, Gunderson, Hines, Krawczyk, Kreibich, Lehman, LeMahieu, Lothian, Moulton, Musser, Nass, Nerison, Petrowski, Pridemore, Shilling, Van Roy, Vos, M. Williams, Suder and Rhoades; cosponsored by Senators Darling, Zien, Breske, Kanavas and Stepp.

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

**Assembly Bill 400**

Relating to: moving with a child.

By Representatives Kestell, Vos, LeMahieu, Towns, Hahn, Pettis, F. Lasee, Musser, Strachota, Krawczyk, Ott, Nass, Gunderson, Hines, Davis and J. Fitzgerald; cosponsored by Senator Plale.

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

**Assembly Bill 448**

Relating to: allowing school buses to tow trailers.

By Representatives Pettis, Musser, Boyle, Townsend, F. Lasee, Ballweg, Mursau, Kreibich, Albers, Pridemore and Ott; cosponsored by Senators A. Lasee, Grothman and Brown.

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

**Assembly Bill 454**

Relating to: excepting potluck events from the public health regulation of restaurants.

By Representatives Gronemus, Pettis, Sherman, Vos, Nass, Suder, Sheridan, Musser, Van Roy, Kerkman, A. Williams, Travis, Kreibich, Hahn, J. Fitzgerald, Shilling, Loeffelholz,

Lehman, Ainsworth, Wood, Seidel, Gielow, Albers, Ballweg, Sinicki, Petrowski, Townsend, Nerison, Gunderson, Pridemore, Molepske, Moulton, Jeskewitz, Zepnick and Owens; cosponsored by Senators Ellis, Breske, Schultz, A. Lasee, Lassa, Brown, Grothman, Plale, Kapanke and Harsdorf.

Read first time and referred to committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.**

**Assembly Bill 456**

Relating to: prepayment penalties on variable rate residential mortgage loans.

By Representatives Hundertmark, Montgomery, Lamb, Hahn, Hines, Owens, Petrowski, Kreibich, Vrakas, Pridemore, Van Roy, Ballweg, Lothian and Albers; cosponsored by Senators Stepp, Plale, Brown and Harsdorf.

Read first time and referred to committee on **Housing and Financial Institutions.**

**Assembly Bill 486**

Relating to: the management of double-crested cormorants and granting rule-making authority.

By Representatives Van Roy, Krawczyk, Bies, Gard, Gunderson, M. Williams, Ott, Pettis, Petrowski, McCormick, Gronemus, Hahn, Lothian, Pridemore and F. Lasee; cosponsored by Senators A. Lasee, Cowles, Grothman and Hansen.

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

**Assembly Bill 496**

Relating to: defaults in consumer credit transactions involving motor vehicle consumer leases or credit sales of motor vehicles.

By Representatives Freese, Lamb, Hines, Hahn, Ziegelbauer, Lothian, Albers, Ballweg, Townsend, Suder, Vrakas, Ott, Vos, Krawczyk, Kreibich and Moulton; cosponsored by Senators Olsen, Lassa, A. Lasee, Roessler, Carpenter, Breske, Brown and Leibham.

Read first time and referred to committee on **Housing and Financial Institutions.**

**Assembly Bill 544**

Relating to: automatic fire sprinkler systems in certain residence halls and other student residential facilities and granting rule-making authority.

By Representatives Kreibich, Krawczyk, Hines, Ott, McCormick, Molepske, Lamb, Vruwink, Cullen and Shilling; cosponsored by Senators Brown, Olsen, Risser, Lassa and Plale.

Read first time and referred to committee on **Agriculture and Insurance.**

**Assembly Bill 556**

Relating to: trailers or semitrailers used to transport livestock.

By Representatives Hahn, Nerison, Freese, Towns, Ballweg, Owens, Ott, Kestell, Gronemus, Musser, Pridemore, Albers, Mursau, Loeffelholz, Petrowski and Vruwink; cosponsored by Senators Grothman, Reynolds, A. Lasee and Olsen.

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

**Assembly Bill 566**

Relating to: noise level requirements for snowmobiles.

By Representatives Pettis, Gunderson, Musser, Vos, Ott, Petrowski, Lothian, LeMahieu, Kaufert, Albers and Hahn; cosponsored by Senators Stepp and Breske.

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

**Assembly Bill 591**

Relating to: global positioning system tracking for certain sex offenders while on probation, extended supervision, parole, supervised release, or conditional release and providing a penalty.

By Representatives Suder, Kleefisch, Gronemus, Gard, Stone, Kaufert, Vrakas, M. Williams, Pettis, Gundrum, Davis, Musser, Kessler, Strachota, Krawczyk, Lothian, Ott, LeMahieu, Owens, Kreibich, Wood, Albers, Vos, Nass, McCormick, F. Lasee, Gunderson, Vruwink and Hundertmark; cosponsored by Senators Darling, Lassa, A. Lasee, Brown, Olsen and Roessler.

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

**Assembly Bill 593**

Relating to: various modifications to housing loan programs and loan guarantee programs, increasing the bonding authority of the Wisconsin Housing and Economic Development Authority (WHEDA), and removing limitations on WHEDA's authority to acquire property.

By Representatives Wieckert, Strachota, Townsend, Ballweg, Ott, McCormick and Hines; cosponsored by Senators Kanavas, Taylor, Olsen, Roessler and Brown.

Read first time and referred to committee on **Housing and Financial Institutions.**

**Assembly Bill 627**

Relating to: electronic voting system standards.

By Representatives Pocan, Freese, Ainsworth, Berceau, Black, Grigsby, Gunderson, Kessler, Lehman, Lothian, Molepske, Musser, Nelson, Parisi, Pope-Roberts, Richards, Seidel, Sheridan, Sherman, Shilling, Sinicki, Townsend, Travis and Wood; cosponsored by Senators Plale, Carpenter, Erpenbach, Grothman, Hansen, A. Lasee, Olsen, Reynolds and Risser.

Read first time and referred to committee on **Labor and Election Process Reform.**

**Assembly Bill 698**

Relating to: the enrollment of the charter school established by the University of Wisconsin-Parkside.

By Representatives Vos, Vukmir, Jensen, Kerkman, Gunderson, Albers, Jeskewitz, Kleefisch, Krawczyk, Kreibich, F. Lasee, McCormick, Nass, Owens, Pridemore, Strachota, Towns and Underheim; cosponsored by Senators Stepp, Darling, Grothman, Kanavas, A. Lasee and Reynolds.

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

**Assembly Bill 717**

Relating to: felony murder and amending cross-references to felony murder for the purpose of correcting errors and providing a penalty.

By Representatives Nerison, Gundrum, Ainsworth, Hahn, Hines, Musser and Sheridan; cosponsored by Senators Kapanke, Zien, Darling, Grothman, A. Lasee and Leibham.

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

**Assembly Bill 730**

Relating to: independent charter schools established by University of Wisconsin institutions.

By Representatives Vukmir, Nass, Ziegelbauer, Towns, Jensen, Van Roy, F. Lasee, Vos, Townsend, McCormick, Gunderson, Wood, Stone, Kreibich, Nischke and Wieckert; cosponsored by Senators Darling, Roessler, Stepp, Grothman, Kanavas and Lazich.

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

**Assembly Bill 778**

Relating to: actions against manufacturers, distributors, sellers, and promoters of products.

By Representatives Wieckert, Honadel, Nischke, Huebsch, Jeskewitz, Albers, Gunderson, Ott, Musser, Lothian, Stone, Hahn, Nass, LeMahieu and Ainsworth; cosponsored by Senators Kanavas, Schultz, Reynolds, Darling, Stepp, Olsen, Grothman, S. Fitzgerald, A. Lasee and Harsdorf.

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

**Assembly Bill 788**

Relating to: posting of information relating to certain pending state contracts and orders on the Internet.

By Representatives Gard, Huebsch, J. Fitzgerald, Freese, Gottlieb, Ward, Stone, Jensen, Meyer, Rhoades, Van Roy and Kaufert; cosponsored by Senators Stepp and Kanavas.

Read first time and referred to committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform**.

**Assembly Joint Resolution 66**

Relating to: recognizing Robert Lang on his service to Big Brother Big Sisters.

By Representatives Kaufert and Gard.

Read and referred to committee on **Senate Organization**.

**CORRECTIONS IN:**

**SENATE SUBSTITUTE AMENDMENT 1,  
TO 2005 SENATE BILL 403**

Prepared by the Legislative Reference Bureau  
(November 10, 2005)

1. Page 3, line 1: after “(d)” insert a comma.
2. Page 4, line 21: delete that line.
3. Page 4, line 22: delete “29.091 (2)”.
4. Page 51, line 17: delete “out-of-of state” and substitute “out-of-state”.

The Chief Clerk records:

**Senate Joint Resolution 32**

Deposited in the office of the Secretary of State on November 7, 2005.

The Chief Clerk makes the following entries dated Monday, November 14, 2005.

**State of Wisconsin  
Office of the Secretary of State**

To the Honorable, the Senate:

<u>Joint Resolution</u>	<u>Enrolled Number</u>	<u>Publication Date</u>
<b>SJR 32</b>	<b>17</b>	Not Published

Sincerely,  
DOUGLAS LA FOLLETTE  
Secretary of State

Pursuant to Senate Rule 17 (5), Senator Leibham added as a coauthor of **Senate Bill 392**.

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

**Senate Clearinghouse Rule 05–051**

Relating to supervised clinical practice and temporary licenses issued by the marriage and family therapist section.

No action taken.

CAROL ROESSLER  
Chairperson

The Chief Clerk makes the following entries dated Tuesday, November 15, 2005.

Read and referred:

**Senate Joint Resolution 52**

Relating to: supporting the creation of a compact with the states of Iowa, Illinois, Michigan, and Minnesota for the purpose of pooling resources to attract biotechnology research.

By Senators Kanavas, A. Lasee, Cowles and Roessler; cosponsored by Representatives Davis, Vos, Towns, Nischke and Berceau.

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

Read first time and referred:

**Senate Bill 432**

Relating to: authorization for counties to provide length-of-service awards for emergency medical technicians who perform services for the county.

By Senators Jauch, Grothman, Erpenbach and Darling; cosponsored by Representatives Sherman, Townsend, Boyle, Hahn, Petrowski, Lehman, Sheridan, Seidel, Molepske and Ott.

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

**Senate Bill 433**

Relating to: grants to certain state agencies for information technology development projects, creation of an enterprise development fund, authorization to transfer certain moneys from state agency appropriation accounts, imposition of fees for state venter notifications, and making appropriations.

By Senators Kanavas, Darling, Cowles, Zien, Plale and Roessler; cosponsored by Representatives Jensen, Nischke, Krawczyk, Hahn, Townsend and McCormick.

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

**Senate Bill 434**

Relating to: administering anesthesia in an office-based setting and requiring the exercise of rule-making authority.

By Senators Darling and Kanavas; cosponsored by Representatives Gielow, Suder, Ainsworth, Berceau, Davis,

Gunderson, Gundrum, Hahn, Lehman, Loeffelholz, Meyer, Nass, Nerison, Ott, Sheridan, Towns, Vos and Wood.

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

**Senate Bill 435**

Relating to: creating an income and franchise tax credit for the sales and use taxes paid for tangible personal property that is used in research or manufacturing by a biotechnology business, an institution of higher education, or a governmental unit.

By Senators Kanavas, Plale, Harsdorf, Stepp and Roessler; cosponsored by Representatives Nischke, Hahn, Sheridan, Berceau, Fields, Gunderson, Hines, Travis and Pope–Roberts.

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

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The committee on **Judiciary, Corrections and Privacy** reports and recommends:

**Assembly Bill 48**

Relating to: use of, and possession with intent to use, certain drug paraphernalia and providing a penalty.

Concurrence.

Ayes, 3 – Senators Zien, Roessler and Grothman.

Noes, 2 – Senators Taylor and Risser.

**Senate Bill 403**

Relating to: carrying a concealed weapon, possessing or transporting a firearm under certain circumstances, background checks for handgun purchases, photographic identification cards for retired law enforcement officers, requiring the exercise of rule–making authority, providing an exemption from rule–making authority, and providing penalties.

Adoption of Senate Substitute Amendment 1.

Ayes, 3 – Senators Zien, Roessler and Grothman.

Noes, 2 – Senators Taylor and Risser.

Passage as amended.

Ayes, 3 – Senators Zien, Roessler and Grothman.

Noes, 2 – Senators Taylor and Risser.

DAVID ZIEN  
Chairperson

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Pursuant to Senate Rule 17 (5), Representative Van Roy added as a coauthor of **Assembly Bill 591.**

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

Read first time and referred:

**Senate Bill 436**

Relating to: college reenrollment and registration priority of persons called into active military service.

By Senators Lazich, Zien, Darling, S. Fitzgerald, Grothman, A. Lasee, Lassa, Leibham and Roessler; cosponsored by Representatives Loeffelholz, Musser, Bies, Sherman, Turner, Freese, Gard, Gunderson, Hahn, Hebl, Hines, Krawczyk, F. Lasee, Lothian, McCormick, Mursau, Petrowski and Sheridan.

To committee on **Higher Education and Tourism.**

**Senate Bill 437**

Relating to: prohibiting the condemnation of property for any purpose not expressly authorized.

By Senators Jauch, Hansen, Decker, Erpenbach and Wirch; cosponsored by Representatives Sherman, Ainsworth, Bies, Sheridan, Freese, Lehman, Staskunas, Owens, Turner, Pope–Roberts, Pocan, Travis, Boyle, Molepske, Ziegelbauer, Vruwink, Hubler, Nelson and Sinicki.

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

**Senate Bill 438**

Relating to: calculating creditable service for purposes of early retirement under the Wisconsin Retirement System.

By Senators Jauch and Lassa; cosponsored by Representatives Sherman, Boyle, Lehman, Sinicki, Black, Bies, Albers, Pocan, Zepnick, Berceau, Toles and Sheridan.

To joint survey committee on **Retirement Systems.**

**Senate Bill 439**

Relating to: changing the procedures for filling vacant civil service positions in the city of Milwaukee.

By Senators Taylor, Coggs and Plale; cosponsored by Representatives Sinicki, Lothian, Colon, Cullen, Fields, Grigsby, Richards, Toles, Turner, Young and Zepnick.

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

**Senate Bill 440**

Relating to: an assessment on large employers that do not provide subsidized health care coverage, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, requiring the exercise of rule–making authority, and providing a penalty.

By Senators Hansen, Robson, Taylor and Miller; cosponsored by Representatives Berceau, Nelson, Lehman, Black, Pope–Roberts, Sinicki, Zepnick and Molepske.

To committee on **Agriculture and Insurance.**

**Senate Bill 441**

Relating to: anatomical gifts and the powers and duties of coroners and medical examiners.

By Senators A. Lasee, Breske, Olsen, Risser, Leibham, Hansen, Darling, Erpenbach, Lassa, Cowles and Kedzie; cosponsored by Representatives Wieckert, Vruwink, Musser, Gronemus, Bies, Schneider, Hahn, Jeskewitz, Vos, Townsend, McCormick, Shilling, Albers, Lehman, Gunderson, Kreibich, Gielow, Wasserman, Underheim, Krawczyk, Owens, Zepnick, Boyle, Kestell, Van Roy, Ainsworth, Nelson, Strachota, Ott, Nass and Ballweg.

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

**Senate Bill 442**

Relating to: placing, possessing, or transporting a firearm, bow, or crossbow in or on a vehicle.

By Senators Decker, Breske, Grothman, A. Lasee, Zien and Hansen; cosponsored by Representatives Musser, Van Roy and Suder.

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

**Senate Bill 443**

Relating to: adding a circuit court branch in Calumet County.

By Senators Leibham and A. Lasee; cosponsored by Representatives Ott, Ziegelbauer and Kestell.

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

## REPORT OF COMMITTEES

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

### Senate Bill 283

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

Passage.

Ayes, 5 – Senators Brown, Zien, Kanavas, Breske and Wirch.

Noes, 0 – None.

RONALD BROWN  
Chairperson

## PETITIONS AND COMMUNICATIONS

### State of Wisconsin

November 16, 2005

The Honorable, The Senate:

Pursuant to Senate Rule [46\(2\)\(c\)](#), I am writing to direct that **Senate Bill 76, Senate Bill 276, Senate Bill 403, and Assembly Bill 769** 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 Legislative Audit Bureau

November 11, 2005

The Honorable, The Legislature:

At the request of the departments of Commerce and Administration, and in accordance with [s. 13.94\(1s\)](#), Wis. Stats., we have completed a financial audit of the State of Wisconsin Petroleum Inspection Fee Revenue Obligations Program for the fiscal years ending June 30, 2005, and June 30, 2004. We express our unqualified audit opinion on the Statement of Changes in Program Assets and related notes.

Under the Petroleum Inspection Fee Revenue Obligations Program, the State issues revenue obligations, such as bonds and commercial paper, to provide financing for payment of claims under the Petroleum Environmental Cleanup Fund Award (PECFA) program. The obligations are not general obligation debt of the State. Instead, the revenue obligations are to be repaid primarily from the fee charged to suppliers for petroleum products sold in Wisconsin and collected by the Department of Revenue. This fee, which is established in [s. 168.12\(1\)](#), Wis. Stats., has been \$0.03 per gallon since before the revenue obligations program was established in January 2000, and it will remain in effect through April 30, 2006.

As provided for in [2005 Wisconsin Act 25](#), the petroleum inspection fee will be reduced to \$0.02 per gallon effective May 1, 2006, which will result in a decline in the petroleum inspection fee revenues available to fund debt service for the revenue obligations. While the ratings for the petroleum inspection fee revenue bonds remain unchanged, one bond rating agency recently revised its long-term rating outlook from stable to negative. Nevertheless, the Department of Administration expects that future petroleum inspection fee revenues will be sufficient to fully meet debt service requirements.

We appreciate the courtesy and cooperation extended to us during the audit by staff of the departments of Commerce, Administration, and Revenue.

Sincerely,

JANICE MUELLER  
State Auditor

### State of Wisconsin Ethics Board

November 15, 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>

Coleman, Bruce

Heat & Frost Insulators #19

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 Natural Resources

November 7, 2005

The Honorable, The Legislature:

In fulfillment of the requirements under [s. 299.80 \(16\)](#), Wisconsin State Statutes, I am submitting to you a copy of the Environmental Cooperation Pilot Program 2005 Progress Report. Please distribute as appropriate. I am also providing a copy of the Report to the Governor and to the Honorable Chief Clerk of the Assembly.

For more information on the Environmental Cooperation Pilot Program or additional copies of this report, please contact Mark McDermid at (608) 267-3125, or visit our web site at <http://www.dnr.state.wi.us/org/caer/cea/ecpp/index.htm>

Thank You.

Sincerely,

SCOTT HASSETT  
Secretary

Referred to the committee on **Natural Resources and Transportation**.

### State of Wisconsin Department of Administration

November 4, 2005

The Honorable, The Legislature:

In compliance with compliance with Wisconsin statute [16.548](#), please find the Wisconsin Office of Federal/State Relations quarterly report to be submitted to the Legislature of the third quarter of 2005. This report provides information on the activities of the office and the status of federal legislation of concern to the state of Wisconsin.

Please contact me if you have any questions about this material.

Sincerely,

STEPHEN E. BABLITCH  
Secretary

**University of Wisconsin  
Parkside**

November 15, 2005

The Honorable, The Legislature:

Attached please find the report pursuant to Chapter 118.40(2r)(f). This report has been prepared by the Charter School Office on behalf of Chancellor Keating and is submitted to your office pursuant to S.13.172(2).

Should you have questions or need additional information you can contact me at UW-Parkside at 414-595-2491 or you can email me at [paulh@uwm.edu](mailto:paulh@uwm.edu) Note that I am only part-time and email works best for contacting me.

Individuals wishing more information about the school directly can feel free to contact the following individual:

Ms. Michelle Clarke, Exec. Director  
21st Century Preparatory School  
1220 Mound Avenue  
Racine, WI 53404

Sincerely,

PAUL A. HAUBRICH  
Charter School Office

**Gathering Waters Conservancy**

November 10, 2005

The Honorable, The Senate:

It is my pleasure to share with you a report on Gathering Waters Conservancy's activities and accomplishments for Fiscal Year 2005. This report is being submitted in accordance with the statutory requirements of s.23.0955(2)(b)5. Gathering Waters Conservancy has had an extremely successful year, thanks to the ongoing support of the state legislature and the Department of Natural Resources.

There are now over 55 land trusts in the state. Together these organizations have permanently protected over 140,000 acres in communities across Wisconsin. Land trusts in Wisconsin have a combined membership of close to 50,000 individuals and thousands of local volunteers; they have raised millions of dollars to protect critical lands that benefit the public; and they work with private landowners every day to promote stewardship and protection of our natural resources.

We look forward to continuing to work with the Department and the state legislature to achieve our mutual conservation goals. Please do not hesitate to contact me for additional information. I have also enclosed Gathering Waters Conservancy's financial reports for FY 2005 for your review.

Sincerely,

VICKI ELKIN  
Executive Director

Pursuant to Senate Rule 17 (5), Senator Brown added as a coauthor of **Senate Bill 432**.

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**LEGISLATIVE REFERENCE BUREAU  
CORRECTIONS**

**CORRECTIONS IN:**

**SENATE SUBSTITUTE AMENDMENT 1,  
TO 2005 SENATE BILL 312**

Prepared by the Legislative Reference Bureau  
(November 15, 2005)

1. Page 2, line 12: delete "immanent" and substitute "imminent".
2. Page 3, line 7: on lines 7 and 10, delete "immanent" and substitute "imminent".