



STATE OF WISCONSIN

Senate Journal

Ninety–Seventh Regular Session

11:15 A.M.

THURSDAY, January 26, 2006

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 the prayer which was offered by Pastor Mark Elliott of New Life Community Church in Oshkosh.

The Senate remained standing and Senator Ellis led the Senate in the pledge of allegiance to the flag of the United States of America.

CHIEF CLERK'S ENTRIES

The Chief Clerk makes the following entries dated Wednesday, January 25, 2006.

Read first time and referred:

Senate Bill 522

Relating to: making counties eligible for and requiring the selection of Clark County for participation in the State Main Street Program.

By Senators Zien and Brown; cosponsored by Representatives Suder, Musser, Krawczyk, Owens, Hahn, Davis, Hines, Pettis and Petrowski.

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

Senate Bill 523

Relating to: pheasant carcass tags, bird dog training license fees, and hunting fee restrictions.

By Senators Stepp and Wirch; cosponsored by Representatives Vos, Hahn, Pettis, Hundertmark, Albers, Lehman, Bies and Towns, by request of Southeast Wisconsin German Shorthair Pointer Club of Racine and Greater Milwaukee Brittany Club.

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

Senate Bill 524

Relating to: creating a building inspector review board.

By Senators Stepp, A. Lasee, Olsen, Cowles and Reynolds; cosponsored by Representatives Pettis, Hundertmark,

Petrowski, Zepnick, Bies, Jeskewitz, Musser, Albers and McCormick.

To committee on **Housing and Financial Institutions**.

Senate Bill 525

Relating to: disrupting a funeral or memorial service or a funeral procession and providing penalties.

By Senators Brown, Decker, Schultz, A. Lasee, Zien, Harsdorf, Lazich, Cowles, Olsen, Carpenter and Plale; cosponsored by Representatives Musser, Turner, Loeffelholz, J. Fitzgerald, Lothian, Pettis, Davis, Ott, Rhoades, Montgomery, Gronemus, Nelson, Kreuser, Kerkman, Hines, Lehman, LeMahieu, Zepnick, M. Williams, Krawczyk, Bies, Van Roy, Gunderson, Albers, Kreibich and Petrowski.

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

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

Senate Bill 275

Relating to: the sharing of collection costs by cities, villages, towns, and counties.

Passage.

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

Noes, 0 – None.

Senate Bill 392

Relating to: the sale of gift certificates, gift cards, and other gift obligations and providing penalties.

Passage.

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

Noes, 0 – None.

Senate Bill 399

Relating to: creating a new license issued by municipalities authorizing the retail sale of wine in unopened original containers for consumption off the premises where sold.

Passage.

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

Noes, 1 – Senator Breske.

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.

Adoption of Senate Amendment 1.

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

Noes, 0 – None.

Adoption of Senate Amendment 2.

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

Noes, 0 – None.

Passage as amended.

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

Noes, 0 – None.

Senate Bill 436

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

Passage.

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

Noes, 0 – None.

Senate Bill 470

Relating to: open burning of solid waste, illegal storage or disposal of waste tires, and providing a penalty.

Passage.

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

Noes, 1 – Senator Kanavas.

Senate Bill 473

Relating to: terms of office of and vacancies in the office of county highway commissioner.

Passage.

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

Noes, 0 – None.

RONALD BROWN
Chairperson

State of Wisconsin

January 23, 2006

The Honorable, the Senate:

Pursuant to the statutes governing, I have made the following appointment to committee:

The Council on Highway Safety: Senator Kedzie

Sincerely,

DALE SCHULTZ

Senate Majority Leader

State of Wisconsin

January 25, 2006

The Honorable, The Senate:

Thank you for your understanding and accommodation of my absence from Senate Session on January 24, 2006 due to a death in the family. Below, please find a summary of how I would have voted had I been able to be present for session:

- **Senate Bill 299**–Aye
- **Senate Bill 375**–Aye
 - Amendment 1 to **SB 375**–Aye
- **Senate Bill 409**–Aye
- **Senate Bill 411**–Aye
- **Senate Bill 464**–Aye
- **Senate Bill 485**–Aye
- **Assembly Bill 116**–Aye

- **Assembly Bill 133**–Aye
- **Assembly Bill 144**–Aye
- **Assembly Bill 240**–Aye
- **Assembly Bill 345**–Aye
- **Assembly Bill 728**–Aye

Again, I appreciate your accommodation. Please contact me or the 9th Senate District office at 266-2056 if you have any additional questions with regard to this issue.

Sincerely,

JOE LEIBHAM

State Senator

Pursuant to Senate Rule 17 (5), Representative Molepske added as a cosponsor of **Senate Bill 525**.

**State of Wisconsin
Office of the Governor**

January 24, 2006

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MACARENO, AMELIA, of Milwaukee, as a member of the Banking Review Board, to serve for the term ending May 1, 2008.

Sincerely,

JIM DOYLE

Governor

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

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 98**
- Assembly Bill 273**
- Assembly Bill 297**
- Assembly Bill 338**
- Assembly Bill 659**
- Assembly Bill 830**
- Assembly Bill 843**
- Assembly Bill 855**
- Assembly Bill 881**

Adopted and asks concurrence in:

Assembly Joint Resolution 74

Concurred in:

- Senate Bill 45**
- Senate Bill 244**
- Senate Bill 282**

Assembly Bill 98

Relating to: requiring headlights and other required lamps on vehicles to be lighted when visibility is limited by inclement weather and providing a penalty.

By Representatives Ainsworth, Albers, Bies, Freese, Gunderson, Hines, Ott, Owens, Sheridan, Shilling, Townsend and Van Roy; cosponsored by Senator A. Lasee.

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

Assembly Bill 273

Relating to: chaperoning pupils on school–sponsored trips.

By Representatives Berceau, Gunderson, Jensen, Albers, Jeskewitz, Lehman, Gronemus, Cullen, Sheridan, Musser, Black, Molepske, Travis and Seidel.

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

Assembly Bill 297

Relating to: an education tax credit for businesses.

By Representatives Jensen, Rhoades, LeMahieu, Ballweg, Lamb, Vos, F. Lasee, Nass, Moulton, Petrowski, Shilling, Gard, Vrakas, Strachota, J. Fitzgerald, Hines, Nerison, Kleefisch, Nischke, Ward, Jeskewitz, Townsend, Pettis, Bies, Hahn, Ainsworth, Musser, Davis, Suder, Kreibich, Mursau and Pridemore; cosponsored by Senators Darling, Olsen, Harsdorf, Leibham, Stepp, Brown and Kanavas.

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

Assembly Bill 338

Relating to: civil liability exemption for claims resulting from weight gain and obesity.

By Representatives Vrakas, Krawczyk, Kerkman, Vukmir, Montgomery, Suder, Jeskewitz, Moulton, LeMahieu, Ainsworth, Van Roy, Vos, Kestell, Gard, Jensen, Hines, Wood, Strachota, Mursau, Honadel, F. Lasee, J. Fitzgerald, Nass, Hahn, Ballweg, Musser, Albers, Ott, Petrowski, Gunderson, McCormick, Kreibich, Hundertmark, Nerison, Lothian, M. Williams, Kleefisch, Gronemus, Pettis and Ziegelbauer; cosponsored by Senators Reynolds, Harsdorf, Leibham, Roessler, Olsen, Kedzie, Kanavas, Breske, Lazich, S. Fitzgerald, Darling and Grothman, by request of Wisconsin Restaurant Association.

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

Assembly Bill 659

Relating to: consent for the recovery, processing, or distribution of certain anatomical gifts.

By Representatives Ott, Gielow, Wieckert, Wasserman, Strachota, Staskunas, Townsend, Kerkman, Van Roy, Hahn, Albers, Sheridan, Bies, Kestell, Gunderson, Hines, Lothian and Moulton; cosponsored by Senators A. Lasee, Roessler, Brown, Darling, Miller and Lassa.

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

Assembly Bill 830

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

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; cosponsored by Senators A. Lasee, Breske, Olsen, Risser, Leibham, Hansen, Darling, Erpenbach, Lassa, Cowles and Kedzie.

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

Assembly Bill 843

Relating to: punitive damage awards.

By Representatives Gundrum, Huebsch, Albers, Nischke, Krawczyk, Musser, Hahn, Owens, F. Lasee, Nass, Vos, Bies and Kestell; cosponsored by Senators Grothman, Schultz, Roessler and Lazich.

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

Assembly Bill 855

Relating to: damages for frivolous claims.

By Representatives Gundrum, Travis, Gard, Kestell, Hahn, LeMahieu, Van Roy, Hundertmark, Musser, Jensen, Pettis, Nischke, Gottlieb, Vos, Gunderson, Ballweg, Krawczyk, Owens, Bies and McCormick; cosponsored by Senators Grothman, Stepp, Roessler, Darling, Reynolds and Lazich.

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

Assembly Bill 881

Relating to: public health planning, services, and functions; reporting of communicable diseases; public health agreements; required vaccinations, isolation, or quarantine; contracts between municipalities and federally recognized American Indian tribes or bands; and requiring the exercise of rule–making authority.

By Representatives Hines, Freese, Grigsby, Gunderson, Hubler, Lehman, Ott, McCormick, Shilling and Underheim; cosponsored by Senators Roessler, Risser and Lassa.

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

Assembly Joint Resolution 74

Relating to: the life and public service of Edward G. Jackamonis.

By Representative Schneider; cosponsored by Senators Risser and Ellis.

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

Senate substitute amendment 1 to **Senate Bill 448** offered by Senator Olsen.

INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Read first time and referred:

Senate Bill 526

Relating to: sexual intercourse or sexual contact with a person who is under the influence of alcohol beverages and providing a penalty.

By Senators Stepp, Zien, Lassa, S. Fitzgerald, Roessler, Kedzie, Miller, Brown, Olsen, Kanavas, Lazich, Darling and Risser; cosponsored by Representatives Strachota, Berceau, Kaufert, Turner, McCormick, Nischke, Seidel, Montgomery, Jeskewitz, Ainsworth, Sherman, Loeffelholz, Wasserman, Ballweg, Van Roy, Lothian, Lamb, Parisi, Kreibich, Zepnick, Albers, Petrowski, Owens, Molepske, Ott, Lehman, Bies, Gunderson, Kleefisch and Hubler.

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

Senate Bill 527

Relating to: transferring the functions of the office of retirement research director to the Legislative Council Staff and eliminating the Retirement Research Committee.

By Senator Grothman; cosponsored by Representative Jeskewitz.

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

REPORT OF COMMITTEES

The joint committee on **Finance** reports and recommends:

Senate Bill 136

Relating to: creating income and franchise tax credits for businesses located in an airport development zone and a loan

program for certain construction projects in an airport development zone.

Introduction and adoption of Senate Substitute Amendment 1.

Ayes, 12 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham and Olsen. Representatives Kaufert, Ward, Jensen, Stone, Rhoades and Meyer.

Noes, 4 – Senators Decker and Taylor. Representatives Pocan and Colon.

Passage.

Ayes, 11 – Senators S. Fitzgerald, Lazich, Darling, Leibham and Olsen. Representatives Kaufert, Ward, Jensen, Stone, Rhoades and Meyer.

Noes, 5 – Senators Cowles, Decker and Taylor. Representatives Pocan and Colon.

Senate Bill 276

Relating to: expanding reimbursements to cities and villages for fire calls on certain highways.

Passage.

Ayes, 15 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor. Representatives Kaufert, Jensen, Stone, Rhoades, Meyer, Pocan and Colon.

Noes, 0 – None.

Senate Bill 325

Relating to: indoor environmental quality in schools and granting rule-making authority.

Introduction and adoption of Senate Amendment 2.

Ayes, 15 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor. Representatives Kaufert, Jensen, Stone, Rhoades, Meyer, Pocan and Colon.

Noes, 0 – None.

Passage as amended.

Ayes, 14 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Olsen, Decker and Taylor. Representatives Kaufert, Jensen, Stone, Rhoades, Meyer, Pocan and Colon.

Noes, 1 – Senator Leibham.

Senate Bill 446

Relating to: interfund transfers in state government.

Passage.

Ayes, 12 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham and Olsen. Representatives Kaufert, Ward, Jensen, Stone, Rhoades and Meyer.

Noes, 4 – Senators Decker and Taylor. Representatives Pocan and Colon.

Senate Bill 477

Relating to: licensing midwives, granting rule-making authority, and providing a penalty.

Adoption of Senate Amendment 1.

Ayes, 15 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen and Taylor. Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer, Pocan and Colon.

Noes, 1 – Senator Decker.

Adoption of Senate Amendment 2.

Ayes, 15 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen and Taylor. Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer, Pocan and Colon.

Noes, 1 – Senator Decker.

Adoption of Senate Amendment 3.

Ayes, 15 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen and Taylor. Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer, Pocan and Colon.

Noes, 1 – Senator Decker.

Introduction and adoption of Senate Amendment 4.

Ayes, 15 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen and Taylor. Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer, Pocan and Colon.

Noes, 1 – Senator Decker.

Passage as amended.

Ayes, 15 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen and Taylor. Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer, Pocan and Colon.

Noes, 1 – Senator Decker.

Assembly Bill 308

Relating to: establishing a clearinghouse for information about special education transition services and vocational opportunities that are available in each county.

Concurrence.

Ayes, 16 – Senators S. Fitzgerald, Lazich, Darling, Cowles, Leibham, Olsen, Decker and Taylor. Representatives Kaufert, Ward, Jensen, Stone, Rhoades, Meyer, Pocan and Colon.

Noes, 0 – None.

SCOTT FITZGERALD
Senate Chairperson

PETITIONS AND COMMUNICATIONS

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.

The question was: Shall **Senate Bill 403** pass notwithstanding the objections of the governor?

The ayes and noes were required and the vote was: ayes, 23; noes, 10; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Cowles, Darling, Decker, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Plale, Reynolds, Roessler, Schultz, Stepp, Wirch and Zien – 23.

Noes – Senators Carpenter, Coggs, Erpenbach, Hansen, Jauch, Miller, Olsen, Risser, Robson and Taylor – 10.

Absent or not voting – None.

Passed not withstanding objections of the governor.

Messaged

State of Wisconsin

Department of Health and Family Services

January 23, 2006

The Honorable, The Senate:

In **1997 Act 27**, the 97–99 Biennial Budget, the Legislature established requirements in state law intended to strengthen protections for children and vulnerable adults in organized care settings. The provisions require, among other things, that designated caregivers conduct background checks on all new and existing staff and bar them from employing anyone who has committed certain crimes or acts. DHFS and (for certain child care providers) counties and local school boards must perform checks on a provider before issuing a license or other credential. Individuals who have committed prohibited crimes or acts may apply to the Department, counties, or school boards for a waiver of the employment or licensing bans upon evidence of rehabilitation.

Sections **48.685(5g)** and **50.065(5g)** of the Wisconsin Statutes direct the Department to submit an annual report to the

legislature that specifies the number of persons who have sought waivers of employment or licensing bans by requesting to demonstrate that they have been rehabilitated. The report must also specify the number of requests that were approved and the reasons for the success or failure of the requests. Attached is the report for 2005.

Questions about this report should be referred to Diane Welsh, Chief Legal Counsel, at 608-266-1404.

Sincerely,

HELENE NELSON
Secretary

Pursuant to Senate Rule 17 (5), Senator Roessler added as a coauthor of **Senate Bill 525**.

Pursuant to Senate Rule 17 (5), Representative Albers added as a coauthor of **Assembly Joint Resolution 73**.

Pursuant to Senate Rule 17 (5), Senator Lassa added as a coauthor of **Senate Bill 481**.

Pursuant to Senate Rule 17 (5), Senator Lassa added as a cosponsor of **Assembly Bill 636**.

ADVICE AND CONSENT OF THE SENATE

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

SEVERSON, JEANNE, of Cottage Grove, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 2009.

VIDAILLET, DR. HUMBERTO, of Marshfield, as a member of the UW Hospitals and Clinics Authority and UW Hospitals and Clinics Board, to serve for the term ending July 1, 2007.

WEBER, GREGORY, of Brown Deer, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 2006.

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, Wirch and Zien – 33.

Noes – None.

Absent or not voting – None.

Confirmed.

MESSAGES FROM THE ASSEMBLY

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has adopted and asks concurrence in:

Assembly Joint Resolution 73

MESSAGES FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 73

Relating to: celebrating March 1, 2006, as St. David's Day.

By Representatives Owens, Ballweg, Gronemus, Hines, Jeskewitz, Kerkman, Krawczyk, Lehman, Petrowski and Townsend; cosponsored by Senators Roessler, Coggs, Grothman and Wirch.

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

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senate Joint Resolution 59

Relating to: recognizing January as Cervical Cancer Awareness Month.

Read.

Adopted.

Senator Taylor, with unanimous consent, asked that all members of the Senate be made coauthors of **Senate Joint Resolution 59**.

Senate Bill 297

Relating to: the powers of tribal law enforcement officers under state law.

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.

Senate Bill 297

Read a third time and passed.

Senate Bill 319

Relating to: recovery of costs in nonearnings garnishments.

Read a second time.

Ordered to a third reading.

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

Senate Bill 319

Read a third time and passed.

Senate Bill 370

Relating to: eligibility of a student enrolled in a 2-year, full-time vocational diploma program at a technical college for an academic excellence higher education scholarship.

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.

Senate Bill 370

Read a third time and passed.

Senate Bill 395

Relating to: consent for the recovery, processing, or distribution of certain anatomical gifts.

Read a second time.

Senator Schultz, with unanimous consent, asked that **Assembly Bill 659** be withdrawn from the committee on **Senate Organization** and taken up.

Assembly Bill 659

Relating to: consent for the recovery, processing, or distribution of certain anatomical gifts.

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 659

Read a third time and concurred in.

Senator Kedzie, with unanimous consent, asked that **Senate Bill 395** be laid on the table.

Senate Bill 399

Relating to: creating a new license issued by municipalities authorizing the retail sale of wine in unopened original containers for consumption off the premises where sold.

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.

Senate Bill 399

Read a third time and passed.

Senate Bill 436

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

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.

Senate Bill 436

Read a third time and passed.

Senate Bill 441

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

Read a second time.

Senator Schultz, with unanimous consent, asked that **Assembly Bill 830** be withdrawn from the committee on **Senate Organization** and taken up.

Assembly Bill 830

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

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 830

Read a third time and concurred in.

Senator Schultz, with unanimous consent, asked that **Senate Bill 441** be laid on the table.

Senate Bill 480

Relating to: transporting buildings on the highways and providing penalties.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 480**?

Adopted.

The question was: Adoption of Senate amendment 2 to **Senate Bill 480**?

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 480

Read a third time and passed.

Senate Bill 481

Relating to: the maximum amount of a Wisconsin higher education grant.

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.

Senate Bill 481

Read a third time and passed.

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

Assembly Bill 26

Relating to: entering into the wildlife violator compact.

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 26

Read a third time.

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, Wirch and Zien – 33.

Noes – None.

Absent or not voting – None.

Concurred in.

Assembly Bill 117

Relating to: the color of clothing worn during a firearm deer hunting season.

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 117

Read a third time and concurred in.

Assembly Bill 230

Relating to: the licensing of motor vehicle salvage dealers.

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 230

Read a third time and concurred in.

Assembly Bill 248

Relating to: operation of motorboats by persons who are at least 16 years of age and born after a certain date.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 248

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 31; noes, 2; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 31.

Noes – Senators Grothman and Reynolds – 2.

Absent or not voting – None.

Concurred in.

Assembly Bill 586

Relating to: hunting and firearm possession by persons who are under 16 years of age.

Read a second time.

Senate amendment 2 to **Assembly Bill 586** offered by Senator Lazich.

Senator S. Fitzgerald, with unanimous consent, asked that **Assembly Bill 586** be referred to the Joint Committee on **Finance**.

Assembly Bill 589

Relating to: providing information about meningococcal disease to parents of pupils in grades 6 to 12.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 589

Read a third time and concurred in.

Assembly Bill 636

Relating to: harassment restraining orders.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 636

Read a third time and concurred in.

Assembly Bill 657

Relating to: prohibiting the condemnation of property under certain circumstances.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Assembly Bill 657?**

Adopted.

The question was: Adoption of Senate amendment 2 to **Assembly Bill 657?**

Adopted.

Ordered to a third reading.

Senator Risser moved that **Assembly Bill 657** be referred to the committee on **Judiciary, Corrections and Privacy**.

The question was: Shall **Assembly Bill 657** be referred to the committee on **Judiciary, Corrections and Privacy?**

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.

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

Assembly Bill 657

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 4; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Carpenter, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Olsen, Plale, Reynolds, Robson, Roessler, Schultz, Stepp, Wirch and Zien – 29.

Noes – Senators Coggs, Miller, Risser and Taylor – 4.

Absent or not voting – None.

Concurred in as amended.

Assembly Bill 698

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

Read a second time.

Ordered to a third reading.

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

Assembly Bill 698

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 20; noes, 13; 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, Plale, Reynolds, Roessler, Schultz, Stepp and Zien – 20.

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Lassa, Miller, Risser, Robson, Taylor and Wirch – 13.

Absent or not voting – None.

Concurred in.

Assembly Bill 730

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

Read a second time.

Ordered to a third reading.

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

Assembly Bill 730

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 20; noes, 12; absent or not voting, 1; as follows:

Ayes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie,

A. Lasee, Lazich, Leibham, Olsen, Plale, Reynolds, Roessler, Schultz, Stepp and Zien – 20.

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

Absent or not voting – Senator Taylor – 1.

Concurred in.

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

Messaged.

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

Senator Schultz, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Senator from 11th who will hit the half century mark tomorrow. But his birthday itself isn't so much to celebrate as it is the fact that he simply got here at all. While we all have come to know and appreciate the Senator from the 11th as a mild mannered, well liked, and statesman like individual, he was quite a rebel back in the day. Recent investigations have uncovered some interesting facts. For instance: The Senator from the 11th is a rocker. The Senator from the 11th has in his possession, not one, not just a few, but every single album the Beatles ever released. He's a known John Lennon fan, but it gets worse. Now he's passing the influence down to his son. Oh sure, he tries to cover it up and pass it off as "hunting and fishing trips", but the truth is, on the way there and back, he's known to tune the radio to rock and listen at full volume. He's known as one of the best mustachioed Senators in the Capitol today – dignified even. But it all began in rebellion. He grew a mustache in high school, but his mother would have none of it. She made him shave it before his first date with what would turn out to be his devoted wife. His obsession with rock didn't end in high school. He went on to enter radio broadcasting in college. Incidentally, it was while in college that he moved to Walworth County, fell in love with the area, and ended up staying. The truth is, while we like to tease, the Senator from the 11th is one of the classiest people in the building, a devoted family man, a great outdoorsman, and an outstanding Senator and Assistant Majority Leader, and he deserves all the best on his 50th Birthday.

Senator Wirch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Salonia Grimes and the group she founded, Ethnic Elders. Salonia founded Ethnic Elders to help mentor young people 20 years ago after she retired. Saturday Ethnic Elders received this year's Dr. Martin Luther King Jr. and Dr. Thelma G. Orr Traveling Freedom Bell award from the Urban League of Racine and Kenosha.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Brittney Dolgner of Waupun. Brittney has been named Prep Volleyball.com's 2005 National Player of the Year. The best prep player in Wisconsin history, Dolgner's all around excellence makes her a clear choice for 2005 National Player of the Year. Brittney's coach, Keith Milkowski said of her, "If there is ever another kid in the state with the combination of attitude, talent, and game like Brittney, I hope I'm around to coach her." Dolgner finishes her career as Wisconsin's all time kill leader and tips the school's records in career aces and blocks as well. She is universally regarded as the finest prep player in Wisconsin history.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Dr. Mark Elliott who

gave the opening prayer for the Senate today. Pastor Elliott was born and raised in Indiana. He entered the full-time pastoral ministry in 1982. He moved to Oshkosh, Wisconsin in August of 2003 where he is currently the Lead Pastor of New Life Community Church. He completed his Doctor of Ministry degree in 2005. Pastor Elliott will celebrate his 25th wedding anniversary in May and is the father of four children ages 8, 12, 16, and 19.

Senator Leibham, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the life and service of Norman R. Schneider.

Senator Schultz, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Ralph Goldsmith. Ralph was the former editor and publisher of the Boscobel Dial Newspaper. Ralph died in December at the age of 91. He was in the newspaper business more than 70 years. Goldsmith bought the Boscobel Dial in 1956, operated it with his wife

Lois, and his children. He sold the Dial in 1992 but continued to write his popular weekly column "Under the Bridge," through 2000. Ralph was a leader in the Wisconsin newspaper industry, and made the Boscobel Dial a highly regarded regional newspaper. In 2002, the Wisconsin Newspaper Hall of Fame inducted Ralph. He is survived by his wife and four children. It is fitting that the Wisconsin Senate join those in the Boscobel area and beyond who celebrate the life of Ralph Goldsmith as a family man and entrepreneur, and give thanks for his decades of service and leadership to the community.

ADJOURNMENT

Senator Schultz, with unanimous consent, asked that the Senate adjourn until Tuesday, January 31.

Adjourned.

1:20 P.M.