



# STATE OF WISCONSIN

# Senate Journal

## Ninety–Seventh Regular Session

11:00 A.M.

TUESDAY, January 31, 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 a moment of silent meditation.

The Senate remained standing and Senator Hansen 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 Friday, January 27, 2006.

Read and referred:

#### Senate Joint Resolution 60

Relating to: recognizing February 2006 as American Heart Month and February 3, 2006, as Wear Red For Women Day.

By Senators Darling, Zien, Schultz, Taylor, Olsen, Miller, Roessler, Robson, Cowles, Wirch, Lassa, Grothman, Plale, Erpenbach, Coggs and Harsdorf; cosponsored by Representatives Strachota, Grigsby, Hahn, Fields, Vruwink, F. Lasee, Loeffelholz, Lehman, Lamb, Nischke, McCormick, Berceau, Jeskewitz, Sheridan, Hebl, Kerkman, Boyle, Petrowski, Ballweg, Bies, Krawczyk, Hundertmark, Wasserman, Hines, Gunderson, Ott, Toles and Van Roy.

To committee on **Senate Organization**.

Read first time and referred:

#### Senate Bill 528

Relating to: authorization to operate motorcycles, stops required of vehicles at traffic control signals, vehicle failure-to-yield violations, driver education instruction, highway project planning by the Department of Transportation, and providing a penalty.

By Senators Zien, Reynolds, Lazich, Brown, S. Fitzgerald, Schultz and Breske; cosponsored by Representatives Pridemore, Honadel, Schneider, Hahn, Krawczyk, McCormick, Turner, Kleefisch, Ott, Bies, Pettis, Hundertmark,

Hines, Strachota, Gunderson, Musser, F. Lasee, Kreibich, Albers, Sherman, Wood, Petrowski, Suder and Friske.

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

#### Senate Bill 529

Relating to: special education programs for children with disabilities.

By Senators Olsen, Zien, Harsdorf, Darling, Grothman, Roessler, Brown, Schultz, Kapanke, A. Lasee, Stepp, Kedzie, Plale, Leibham and Cowles; cosponsored by Representatives Towns, Kestell, Hines, Newcomer, Hundertmark, Nischke, Pettis, Ott, Mursau, Ballweg, Kerkman, Lamb, Gronemus, Strachota, Lothian, Hahn, Bies, Musser, Petrowski, Ainsworth, Freese, Rhoades, Moulton, Wood, Suder, LeMahieu, Honadel and McCormick.

To committee on **Education**.

#### Senate Bill 530

Relating to: drunken driving and creating a penalty.

By Senator Roessler; cosponsored by Representatives Kaufert, Owens, Albers, Berceau, Gunderson, Jeskewitz, Kreibich and Ott.

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

Pursuant to Senate Rule **17 (5)**, Representative Kerkman added as a cosponsor of **Senate Bill 524**.

### 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 56</b>	<b>29</b>	Not Published

Sincerely,  
DOUGLAS LA FOLLETTE  
Secretary of State

#### Senate Clearinghouse Rule 05–107

Relating to training program grants.

Submitted by Technical College System Board.

Report received from Agency, January 27, 2006.

Referred to committee on **Higher Education and Tourism**, January 27, 2006.

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 409**

**Assembly Bill 715**  
**Assembly Bill 719**  
**Assembly Bill 792**  
**Assembly Bill 864**  
**Assembly Bill 912**

Amended and concurred in as amended:

**Senate Bill 34 (Assembly amendment 1 adopted)**

Concurred in:

**Senate Bill 158**  
**Senate Bill 253**  
**Senate Bill 341**  
**Senate Bill 361**  
**Senate Bill 375**  
**Senate Bill 386**  
**Senate Bill 429**  
**Senate Bill 481**

Senate amendment 1 to **Assembly Bill 202**

**Assembly Bill 409**

Relating to: the authority of the Department of Natural Resources to enforce certain violations of the trespass law; revocation, suspension, and denial of certain approvals and privileges relating to wild animals and plants for certain violations of the trespass law; the imposition of a surcharge on a forfeiture for certain violations of the trespass law; service outside the state of forfeiture citations issued for violations of certain natural resources laws; title to wild animals; operation of snowmobiles and all-terrain vehicles on land without permission; and providing a penalty.

By Representatives Pettis, Gunderson, Musser, Ainsworth, Albers, Hahn, Hines, Kestell, Kreibich, Pridemore, Townsend, Bies, Lothian and Shilling; cosponsored by Senators Stepp and Grothman.

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

**Assembly Bill 715**

Relating to: special identification cards and special registration plates issued by the Department of Transportation providing parking privileges for persons with physical disabilities, requiring the exercise of rule-making authority, and providing a penalty.

By Representatives Krusick, Ainsworth, Benedict, Berceau, Davis, Freese, Hines, Jensen, Kestell, Kreibich, Lehman, LeMahieu, McCormick, Molepske, Musser, Nelson, Ott, Parisi, Petrowski, Pocan, Seidel, Sheridan, Sinicki, Staskunas, Stone, Townsend, Turner, Ward, M. Williams, Wood and Ziegelbauer; cosponsored by Senators Darling, Brown, Coggs, Erpenbach, Hansen, Olsen and Roessler, by request of ABC for Health, Inc., Access to Independence, American Association on Mental Retardation, Wisconsin Chapter, Arc Dane County, ARC Milwaukee, Arc-Wisconsin Disability Association, Autism Society of Southeastern WI, Autism Society of Wisconsin, Brain Injury Association of Wisconsin, City of Milwaukee, Coalition of Wisconsin Aging Groups, Community Alliance Providers of WI (CAPOW), Community Living Alliance, Creative Community Living Services, Inc., Dane County Developmental Disabilities Coalition, Epilepsy Foundation, South Central Wisconsin, Family Voices, Grassroots Empowerment Project, Hearthstone, Independence First, Independent Living Resources, Kindcare, Inc., Learning Disabilities Association of

Dane County, Lutheran Social Services of WI and Upper Michigan, Medical Support Services, Inc., Midstate Independent Living Consultants, Milwaukee Police Association, Milwaukee Police Department, NAMI Wisconsin, Inc., National Multiple Sclerosis Society Wisconsin Chapter, Options for Independent Living, People First Wisconsin, Inc., Rehabilitation for Wisconsin, Inc., Residential Services Association of Wisconsin, Respite Care Association of Wisconsin, Service Employees International Union Local 150, Society's Assets, Wisc., State Independent Living Council, The Steinhauer Group, Team Rehab, Inc., Waisman Center, Wisconsin ADAPT, Wisconsin Alliance of Cities, Wisconsin Coalition for Advocacy, Wisconsin Coalition for Independent Living Centers, Wisconsin Council on Children and Families, Wisconsin Council on Developmental Disabilities, Wisconsin Facets, Wisconsin Family Ties, Wisconsin Occupational Therapy Association, Wisconsin Personal Services Association.

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

**Assembly Bill 719**

Relating to: hunting in school forests.

By Representatives Friske, Nerison, Sherman, Gunderson, Musser, Hahn, Albers, Petrowski, McCormick and Pettis; cosponsored by Senators Zien, Decker and Jauch.

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

**Assembly Bill 792**

Relating to: requiring a home care placement agency that places a home care worker in the residence of a home care consumer to provide notice to the consumer concerning the rights, duties, responsibilities, and liabilities of the consumer with respect to the worker and notice to the worker concerning the worker's employment status and granting rule-making authority.

By Representatives Van Roy, Musser, Owens, Krawczyk, Hahn, Bies, Hines, Strachota, Ott and Montgomery; cosponsored by Senators Roessler, Grothman, Breske, Darling and Erpenbach.

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

**Assembly Bill 864**

Relating to: authorizing a person to transport an unencased firearm in a motor vehicle under certain circumstances.

By Representatives Gunderson, Suder, Gronemus, Hahn, Hines, Jensen, Krawczyk, F. Lasee, Lothian, Mursau, Musser, Boyle, Nass, Pettis, Petrowski, Van Roy and M. Williams; cosponsored by Senators Brown, A. Lasee, Breske, Decker, Grothman and Reynolds.

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

**Assembly Bill 912**

Relating to: allowing individuals to restrict release of credit reports and granting rule-making authority.

By Representatives J. Fitzgerald, Davis, M. Williams, Nerison, Moulton, Lothian, Kerkman, Hahn, Van Roy, Musser, Ainsworth, Freese, LeMahieu, Hines, Vos, Wood, Ott, McCormick, Krawczyk, Gottlieb and Albers; cosponsored by Senators Olsen, S. Fitzgerald, Harsdorf, Lazich and Erpenbach.

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

The Chief Clerk records:

**Senate Bill 45**  
**Senate Bill 244**

Report correctly enrolled on January 27, 2006.

The Chief Clerk makes the following entries dated Monday, January 30, 2006.

Pursuant to Senate Rule 17 (5), Senator Brown added as a coauthor of **Senate Joint Resolution 60**.

Pursuant to Senate Rule 17 (5), Representative J. Fitzgerald added as a cosponsor of **Senate Bill 528**.

Senate substitute amendment 1 to **Assembly Bill 15** offered by Senators Kedzie, Reynolds, Grothman, Kanavas and Stepp.

Senate substitute amendment 1 to **Senate Bill 377** offered by Senator Darling.

## INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS

Read first time and referred:

### **Senate Bill 531**

Relating to: establishing a levy limit for technical college districts.

By Senators A. Lasee and Reynolds; cosponsored by Representatives Bies, Suder, F. Lasee, Musser, Lothian and Pettis.

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

### **Senate Bill 532**

Relating to: increasing the Medical Assistance reimbursement rate for nursing homes, supplementing the Medical Assistance reimbursement for nursing homes, and making appropriations.

By Senators Brown, Stepp, Kapanke, Leibham, Jauch, Roessler, Harsdorf, Zien, Hansen, Miller, Risser, Robson, Erpenbach, Lazich, Taylor, Carpenter, Breske, Lassa, Wirch, Cogg and Darling; cosponsored by Representatives Pettis, Davis, Freese, J. Fitzgerald, Suder, Hines, Lehman, Nelson, Musser, Hubler, Ainsworth, Benedict, Boyle, Kreibich, Lamb, Parisi, Sheridan, Sinicki, Towns, Turner, Young, Moulton, Gronemus, Molepske, Hebl, LeMahieu, Mursau, Seidel, Berceau, Gielow, Ballweg, Ziegelbauer, M. Williams, Loeffelholz, Vruwink, Kessler, Sherman and Van Roy.

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

### **Senate Bill 533**

Relating to: allowing a city, town, or village to allow persons to operate a neighborhood electric vehicle on local highways.

By Senator Schultz; cosponsored by Representatives Albers, Gottlieb, Krawczyk, Berceau, Townsend, Petrowski, McCormick, Ballweg and Gunderson.

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

### **Senate Bill 534**

Relating to: creating an individual and corporate income tax exemption for interest on bonds or notes issued by the

Wisconsin Health and Educational Facilities Authority for purposes related to the purchase of information technology equipment by health facilities.

By Senators Roessler, Darling and Kanavas; cosponsored by Representatives Underheim and Davis.

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

### **Senate Bill 535**

Relating to: decreasing Medical Assistance reimbursement and transferring moneys from the general fund to the Medical Assistance trust fund.

By Senators S. Fitzgerald, Olsen, Darling, Grothman, Harsdorf, A. Lasee, Lazich, Leibham, Stepp, Taylor, Zien and Brown; cosponsored by Representatives Kaufert, Rhoades, Montgomery, Nischke, LeMahieu, Loeffelholz, Hines, J. Fitzgerald, Musser, Ott, Meyer, Huebsch, Strachota, Kerkman, Owens, Jeskewitz, Albers, Gielow, Ward, Stone, Hundertmark, Moulton, Vos, F. Lasee, Kreibich and Towns.

To joint committee on **Finance**.

### **Senate Bill 536**

Relating to: eliminate transitional halfway house building authority.

By Senators Lazich, Darling and Plale; cosponsored by Representatives Stone, Gundrum, Nass, Strachota, Suder and Honadel.

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

### **Senate Bill 537**

Relating to: placement of persons on supervised release.

By Senators Lazich and Darling; cosponsored by Representatives Stone, Albers, Strachota, Suder and Honadel.

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

### **Senate Bill 538**

Relating to: campaign financing, lobbying regulation, designations for the Wisconsin election campaign fund by individuals filing state income tax returns, nonrefundable income tax credits for certain donations to the Wisconsin election campaign fund, candidate time on public broadcasting television stations and public access channels, statewide voter registration, staffing of the Elections Board, providing exemptions from emergency rule procedures, granting rule-making authority, making appropriations, and providing penalties.

By Senators Erpenbach, Carpenter, Hansen, Lassa, Miller and Cogg; cosponsored by Representatives Black, Pope-Roberts, Travis, Parisi, Turner, Molepske, Berceau, Lehman, Seidel, Boyle, Hebl, Sheridan and Van Akkeren.

To committee on **Campaign Finance Reform and Ethics**.

### **Senate Bill 539**

Relating to: repealing, consolidating, renumbering, amending, and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, eliminating defects, anachronisms, conflicts, ambiguities, and obsolete provisions, reconciling conflicts, and repelling unintended repeals (Revisor's Correction Bill).

By Law Revision Committee.

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

### **Senate Bill 540**

Relating to: repealing, consolidating, renumbering, amending, and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, eliminating defects, anachronisms, conflicts, ambiguities, and obsolete provisions, reconciling

conflicts, and repelling unintended repeals (Revisor's Correction Bill).

By Law Revision Committee.

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

**Senate Bill 541**

Relating to: maintenance and removal of vegetation obstructing the view of outdoor advertising signs along highways under the jurisdiction of the Department of Transportation and an audit of a program of the Department of Transportation.

By Senators Kanavas, Erpenbach, Breske, Brown, Grothman, Hansen, Kapanke, Olsen and Reynolds; cosponsored by Representatives Honadel, Ainsworth, Albers, Ballweg, Friske, Gielow, Gronemus, Gunderson, Hahn, Krawczyk, Lehman, Moulton, Musser, Nerison, Ott, Petrowski, Richards, Sheridan, Shilling, Staskunas, Stone, Strachota, Towns, Van Roy, Ward, Wood and Zepnick.

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

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**REPORT OF COMMITTEES**

The committee on **Agriculture and Insurance** reports and recommends:

**Assembly Bill 15**

Relating to: ethanol requirements in automotive gasoline, providing an exemption from emergency rule procedures, granting rule-making authority, and providing a penalty.

Introduction of Senate Amendment 1.

Ayes, 5 – Senators Kapanke, Brown, Erpenbach, Hansen and Miller.

Noes, 1 – Senator Kedzie.

Adoption of Senate Amendment 1.

Ayes, 5 – Senators Kapanke, Brown, Erpenbach, Hansen and Miller.

Noes, 1 – Senator Kedzie.

Concurrence as amended.

Ayes, 4 – Senators Kapanke, Brown, Erpenbach and Miller.

Noes, 2 – Senators Kedzie and Hansen.

**Assembly Bill 21**

Relating to: computing expense deductions and amortization and depreciation on property used in farming for income and franchise tax purposes.

Concurrence.

Ayes, 5 – Senators Kapanke, Kedzie, Brown, Olsen and Erpenbach.

Noes, 2 – Senators Hansen and Miller.

**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.

Concurrence.

Ayes, 7 – Senators Kapanke, Kedzie, Brown, Olsen, Erpenbach, Hansen and Miller.

Noes, 0 – None.

DAN KAPANKE  
Chairperson

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

ARMSTRONG, PERRY, of Mount Horeb, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 2010.

Confirmation.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.

Noes, 0 – None.

HURTADO, GEOFF, of Cedarburg, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 2010.

Confirmation.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.

Noes, 0 – None.

SENTY, PAUL, of Verona, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 2007.

Confirmation.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.

Noes, 0 – None.

STEWART, LINDA, of Milwaukee, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 2008.

Confirmation.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.

Noes, 0 – None.

TIMMERMAN, DOUGLAS, of Madison, as a member of the Savings Institutions Review Board, to serve for the term ending May 1, 2007.

Confirmation.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.

Noes, 0 – None.

**Senate Bill 463**

Relating to: investment of funds by the City of Milwaukee Employees' Retirement System.

Passage.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.

Noes, 0 – None.

**Senate Bill 465**

Relating to: postdated checks and checks given for past consideration.

Adoption of Senate Substitute Amendment 1.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.

Noes, 0 – None.

Passage as amended.

Ayes, 4 – Senators Stepp, Harsdorf, Brown and Reynolds.

Noes, 3 – Senators Plale, Lassa and Coggs.

**Senate Bill 484**

Relating to: certified public accountants.

Adoption of Senate Amendment 1.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.

Noes, 0 – None.

Passage as amended.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.  
Noes, 0 – None.

**Senate Bill 495**

Relating to: out-of-state branch offices of credit unions (suggested as remedial legislation by the Department of Financial Institutions).

Passage.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.  
Noes, 0 – None.

**Senate Bill 496**

Relating to: administratively dissolved limited liability companies (suggested as remedial legislation by the Department of Financial Institutions).

Passage.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.  
Noes, 0 – None.

**Senate Bill 497**

Relating to: insurance requirements for motor vehicle retail installment contracts (suggested as remedial legislation by the Department of Financial Institutions).

Passage.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.  
Noes, 0 – None.

**Senate Bill 505**

Relating to: construction of one- and 2-family dwellings by dwelling owners who are members of bona fide religious denominations.

Adoption of Senate Amendment 1.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.  
Noes, 0 – None.

Passage as amended.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.  
Noes, 0 – None.

**Senate Bill 511**

Relating to: eliminating the Wisconsin credit union savings insurance corporation (suggested as remedial legislation by the Department of Financial Institutions).

Passage.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.  
Noes, 0 – None.

**Senate Bill 512**

Relating to: various changes regarding the Department of Financial Institutions and persons regulated by the Department of Financial Institutions and granting rule-making authority (suggested as remedial legislation by the Department of Financial Institutions).

Passage.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.  
Noes, 0 – None.

**Senate Bill 516**

Relating to: continuing education and certification requirements for building contractors and certification of building inspectors.

Passage.

Ayes, 6 – Senators Stepp, Harsdorf, Brown, Plale, Lassa and Coggs.

Noes, 1 – Senator Reynolds.

**Assembly Bill 597**

Relating to: remedies in certain actions concerning building code or zoning ordinance violations.

Concurrence.

Ayes, 6 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale and Lassa.

Noes, 1 – Senator Coggs.

CATHY STEPP  
Chairperson

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**PETITIONS AND COMMUNICATIONS**

**Senate Bill 58**

Relating to: product liability of manufacturers, distributors, and sellers.

Senator Schultz, with unanimous consent, asked that **Senate Bill 58** and **Senate Bill 402** be referred to the committee on **Senate Organization**.

Referred.

Pursuant to Senate Rule 17 (5), Senator Darling added as a coauthor of **Senate Bill 447**.

Pursuant to Senate Rule 17 (5), Senator Lassa added as a cosponsor of **Assembly Bill 444**.

Pursuant to Senate Rule 17 (5), Senator Lassa added as a cosponsor of **Assembly Bill 702**.

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

**Senate Bill 275**

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

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 275**

Read a third time and passed.

**Senate Bill 447**

Relating to: punitive damage awards.

Read a second time.

Senate amendment 1 to **Senate Bill 447** offered by Senator Grothman.

The question was: Adoption of Senate amendment 1 to **Senate Bill 447**?

Adopted.

Senate amendment 2 to **Senate Bill 447** offered by Senator Grothman.

The question was: Adoption of Senate amendment 2 to **Senate Bill 447**?

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 447**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 19; noes, 14; 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, Reynolds, Roessler, Schultz, Stepp and Zien – 19.

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Lassa, Miller, Plale, Risser, Robson, Taylor and Wirch – 14.

Absent or not voting – None.

Passed.

**Senate Bill 473**

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

Read a second time.

Senator Schultz, with unanimous consent, asked that **Senate Bill 473** be placed at the foot of the eleventh order of business.

**Senate Bill 477**

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

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 477**?

Adopted.

The question was: Adoption of Senate amendment 2 to **Senate Bill 477**?

Adopted.

The question was: Adoption of Senate amendment 3 to **Senate Bill 477**?

Adopted.

The question was: Adoption of Senate amendment 4 to **Senate Bill 477**?

Adopted.

Senate amendment 5 to **Senate Bill 477** offered by Senators Robson and Carpenter.

Senator Grothman moved rejection of Senate amendment 5 to **Senate Bill 477**.

The question was: Rejection of Senate amendment 5 to **Senate Bill 477**?

Rejected.

Senate amendment 6 to **Senate Bill 477** offered by Senators Robson, Carpenter and Miller.

Senator Roessler moved rejection of Senate amendment 6 to **Senate Bill 477**.

The question was: Rejection of Senate amendment 6 to **Senate Bill 477**?

The ayes and noes were demanded and the vote was: ayes, 26; noes, 7; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Coggs, Cowles, Darling, Ellis, Erpenbach, S. Fitzgerald, Grothman, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Olsen, Plale, Reynolds, Roessler, Schultz, Stepp, Wirch and Zien – 26.

Noes – Senators Carpenter, Decker, Hansen, Miller, Risser, Robson and Taylor – 7.

Absent or not voting – None.

Rejected.

Ordered to a third reading.

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

**Senate Bill 477**

Read a third time.

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

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

Noes – Senators Carpenter, Jauch, Kanavas and Robson – 4.

Absent or not voting – None.

Passed.

**Senate Bill 501**

Relating to: damages for frivolous claims.

Read a second time.

Senator Schultz, with unanimous consent, asked that **Assembly Bill 855** be withdrawn from the committee on **Judiciary, Corrections and Privacy** and taken up.

**Assembly Bill 855**

Relating to: damages for frivolous claims.

Read a second time.

Senator Grothman, with unanimous consent, asked that **Assembly Bill 855** and **Senate Bill 501** be placed at the foot of the twelfth order of business.

**Senate Bill 473**

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

Senator Schultz, with unanimous consent, asked that **Senate Bill 473** be placed at the foot of the twelfth order of business.

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

**Assembly Joint Resolution 74**

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

Concurred in by unanimous rising vote.

Senator Kedzie, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 74**.

**Assembly Bill 213**

Relating to: termination of parental rights on the grounds of manufacturing methamphetamine with a child of the person whose parental rights are sought to be terminated present.

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 213**

Read a third time and concurred in.

**Assembly Bill 278**

Relating to: liens, public nuisances, witnesses, and liability of shareholders.

Read a second time.

Senator Kedzie, with unanimous consent, asked that **Assembly Bill 278** be referred to committee on **Senate Organization**.

Referred.

**Assembly Bill 383**

Relating to: requiring criminal history background investigations of applicants for certain state government positions.

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 383**

Read a third time and concurred in.

**Assembly Bill 444**

Relating to: the definition of sexual contact and providing penalties.

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 444**

Read a third time and concurred in.

**Assembly Bill 521**

Relating to: termination of parental rights and adoption, granting rule-making authority, and providing a penalty.

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 521**

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, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Stepp, Wirch and Zien – 29.

Noes – Senators Coggs, Grothman, Reynolds and Taylor – 4.

Absent or not voting – None.

Concurred in.

**Assembly Bill 702**

Relating to: sexual contact or sexual intercourse involving a 16- or 17-year-old and a person who works or interacts with him or her through the person's occupation or a volunteer position and providing a penalty.

Read a second time.

Senator Lazich, with unanimous consent, asked that **Assembly Bill 702** be laid on the table.

Tabled.

**Assembly Bill 855**

Relating to: damages for frivolous claims.

Senator Grothman, with unanimous consent, asked that **Assembly Bill 855** be referred to committee on **Judiciary, Corrections and Privacy**.

Referred.

**Senate Bill 501**

Relating to: damages for frivolous claims.

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 501**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; 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, Reynolds, Roessler, Schultz, Stepp and Zien – 19.

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

Absent or not voting – Senator Taylor – 1.

Passed.

**Senate Bill 473**

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

Read a second time.

Senate amendment 1 to **Senate Bill 473** offered by Senator Brown.

The question was: Adoption of Senate amendment 1 to **Senate Bill 473**?

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 473**

Read a third time and passed.

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**MOTIONS MAY BE OFFERED**

Senator Schultz, with unanimous consent, asked that **Senate Joint Resolution 60** be withdrawn from the committee on **Senate Organization** and taken up.

**Senate Joint Resolution 60**

Relating to: recognizing February 2006 as American Heart Month and February 3, 2006, as Wear Red For Women Day.

Read.

Adopted.

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

Messaged.

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

Senator Wirch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the 60th wedding

anniversary of Albert W. “Al” and Hazel N. Basten. The Bastens, 83 year residents of Kenosha, have two children, five grandchildren, and eight great-grandchildren. The attribute their lasting relationship to a strong faith in god, trust in each other, and a loving family.

Senator Coggs, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the life of Coretta Scott King. The Rev. Dr. Martin Luther King was a booming voice for civil rights. But as they say, behind every good man is a good woman. There was a good woman who was right beside Martin Luther King, Coretta Scott King, who passed away yesterday. Dr. King was the voice, but she was the foundation. When he died, she took over and she raised that family. In the black community, the Kings were considered royalty. Coretta Scott King, the matriarch of the King family has died. Senator Coggs asks that everyone take the dream that Martin Luther King gave his life for, that Coretta Scott King lived her life for, and work that it may continue.

Senator Miller, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Stoughton High School, winners of the Economics Wisconsin’s Fall 2005 Stock Market Simulation.

Senator Robson, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the birthday of her staff member, Nadine Gratz.

Senator Schultz, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Assistant Chief Clerk of the Senate, Jeff Renk who is celebrating a birthday today. Many know Jeff is a fan of William Shatner who played Captain Kirk on TV and in movies and who now stars as Denny Crane in the hit TV show “Boston Legal.” In fact when the Chief Clerk’s office moved into the building late last year, Jeff started referring to Chief Clerk Marchant’s office as “the captain’s quarters” and the Senate floor as “the bridge.” But, it didn’t take. Jeff in fact once dreamed of serving as a Security Officer on the U.S.S. Enterprise which led him to learn Karate. Jeff recently topped out at a red stripe belt, the 9<sup>th</sup> level, before his body gave out. However Jeff continues to live vicariously through his 11 year-old son, Matt, who is a black belt. Bipartisanship. The final frontier. These are the duties of the Assistant Chief Clerk. His ongoing mission, to seek out new life and civilization among illogical Senators. To boldly go into his 46<sup>th</sup> year and have a Happy Birthday where no man, no one, has gone before.

Senator Taylor, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the late Coretta Scott King. Coretta Scott King was a civil rights activist before she met her husband, the great Dr. Martin Luther King Jr., and together they organized and participated in some of the hallmark moments of the civil rights movement. Mrs. King stood as a pillar of strength in a family that endured discrimination, beatings, a bombing, and ultimately the assassination of her husband in 1968. After her husband’s death, Coretta Scott King carried the torch of the civil rights movement into the twenty-first century. She ran the King Center in Atlanta until turning it over to her son in 1994. Through Mrs. King’s work, the Center became known as a world leader in advocating for human rights and equality; and opposing gun violence in our streets and in our media. Coretta Scott King was a devoted wife and mother, yet her life transcended these roles as she became a symbol of strength and perseverance for the non-violent civil rights struggle across the world. Coretta Scott King passed away last night in Atlanta at the age of seventy-eight.

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**ADJOURNMENT**

Senator Schultz, with unanimous consent, asked that the Senate adjourn until Thursday, February 2.

Adjourned.

12:55 P.M.

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**AMENDMENTS OFFERED**

Senate amendment 1 to **Assembly Bill 84** offered by Senator Olsen.

Senate substitute amendment 1 to **Senate Bill 525** offered by Senator Brown.