



STATE OF WISCONSIN

Senate Journal

Ninety–Seventh Regular Session

10:15 A.M.

THURSDAY, February 2, 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 Robson 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, February 1, 2006.

Read first time and referred:

Senate Bill 542

Relating to: single trip permits for oversize vehicles transporting certain buildings on the highways.

By Senators A. Lasee, Lassa, Grothman, Hansen, Olsen and Roessler; cosponsored by Representatives Petrowski, Vruwink, Ainsworth, Ballweg, Bies, Gunderson, Krawczyk, Kreibich, F. Lasee, Molepske, Montgomery, Musser, Nass, Nerison, Seidel, Shilling, Suder, Wood and Young.

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

Senate Bill 543

Relating to: expanding the purposes for which a town may create a tax incremental financing district.

By Senator Schultz; cosponsored by Representatives Loeffelholz, Ott and Nerison.

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

Senate Bill 544

Relating to: expanding types of volunteer health care providers to include pharmacists and pharmacy technicians.

By Senators Robson, Roessler, Brown, Coggs, Miller, Risser, Taylor and Wirch; cosponsored by Representatives

Seidel, Benedict, Berceau, Fields, Gunderson, Hahn, Lehman, McCormick, Sheridan and Young.

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

Senate Bill 545

Relating to: inspection of the payroll records of contractors, subcontractors, and agents performing work on projects that are subject to the prevailing wage law.

By Senators Hansen, Erpenbach and A. Lasee; cosponsored by Representatives Van Akkeren, Sheridan, Zepnick and Pope–Roberts.

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

Senate Bill 546

Relating to: identification and cleanup of properties that are environmentally contaminated; properties with residual contamination; modifying the environmental remediation tax incremental financing program; exempting local governmental units from solid waste management standards with respect to certain properties; the liability of certain persons for environmental contamination on property on which a cleanup has been conducted; and granting rule–making authority.

By Senators Roessler, Kedzie, Cowles, Schultz, Darling, Grothman, Harsdorf and Wirch; cosponsored by Representatives Gunderson, Freese, Staskunas, Albers, Fields, Hines, Jeskewitz, Musser, Nischke, Ott, Owens, Petrowski, Townsend, Vos and Zepnick.

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

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

Senate Bill 162

Relating to: creating a Council on Transportation Infrastructure in the Department of Transportation.

Introduction and adoption of Senate Amendment 1.

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

Noes, 0 – None.

Passage as amended.

Ayes, 4 – Senators Kedzie, Stepp, Kapanke and Wirch.

Noes, 1 – Senator Breske.

Senate Bill 208

Relating to: designating and marking USH 45 as the Wisconsin Labor Highway.

Passage.

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

Noes, 0 – None.

Senate Bill 306

Relating to: designation of state aviation facilities at the Dane County Regional Airport as the Fritz E. Wolf Aviation Center.

Passage.

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

Noes, 0 – None.

Assembly Bill 20

Relating to: displaying attractions on highway specific information signs.

Concurrence.

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

Noes, 0 – None.

Assembly Bill 229

Relating to: assignment of a landowner’s eligibility to apply for a turkey hunting license.

Concurrence.

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

Noes, 0 – None.

Assembly Bill 235

Relating to: designating and marking STH 173 as the 173rd Airborne Brigade Highway.

Concurrence.

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

Noes, 0 – None.

Assembly Bill 509

Relating to: liability of cities, villages, towns, and counties for damages caused by an insufficiency or want of repair of a highway.

Concurrence.

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

Noes, 0 – None.

Assembly Bill 534

Relating to: sale, by the Department of Transportation, of surplus real property.

Introduction and adoption of Senate Substitute Amendment 1.

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

Noes, 0 – None.

Concurrence as amended.

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

Noes, 0 – None.

Assembly Bill 823

Relating to: motor vehicle dealers.

Concurrence.

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

Noes, 0 – None.

NEAL KEDZIE
Chairperson

The committee on **Senate Organization** reports:

Senate Bill 392

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

Rereferred to joint committee on Finance, pursuant to Senate Rule 41 (1)(e), by committee on Senate Organization.

Ayes, 5 – Senators Schultz, Lasee, Kedzie, Robson and Hansen.

Noes, 0 – None.

Withdrawn from joint committee on Finance and placed on the calendar of 1–19–2006 by committee on Senate Organization, pursuant to Senate Rule 41 (1)(e).

Ayes, 5 – Senators Schultz, Lasee, Kedzie, Robson and Hansen.

Noes, 0 – None.

Dale Schultz
Chairperson

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

Senate Bill 525

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

Adoption of Senate Substitute Amendment 1.

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.

RONALD BROWN
Chairperson

Pursuant to Senate Rule 17 (5), Representative Petrowski added as a cosponsor of **Senate Bill 532**.

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

Senate Clearinghouse Rule 05–093

Relating to the training and certification of election inspectors.

Submitted by Elections Board.

Report received from Agency, February 1, 2006.

Referred to committee on **Labor and Election Process Reform**, February 1, 2006.

**State of Wisconsin
Revisor of Statutes Bureau**

February 1, 2006

To the Honorable, the Senate:

The following rules have been published:

<u>Clearinghouse Rules</u>	<u>Effective Date(s)</u>
05–020	2–1–2006
05–036	2–1–2006
05–046	2–1–2006
05–050	2–1–2006
05–062	2–1–2006
05–066	2–1–2006
05–078	2–1–2006

05-091	2-1-2006
05-096	2-1-2006
05-097	2-1-2006
05-073	2-1-2006 (part)
05-073	3-1-2006 (part)
05-045	4-1-2006

Sincerely,
 GARY L. POULSON
 Deputy Revisor

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 450**
- Assembly Bill 678**
- Assembly Bill 683**
- Assembly Bill 722**
- Assembly Bill 734**
- Assembly Bill 800**
- Assembly Bill 810**
- Assembly Bill 871**
- Assembly Bill 907**
- Assembly Bill 926**

Concurred in:

- Senate Bill 157**
- Senate Bill 283**
- Senate Bill 349**
- Senate Bill 477**
- Senate Joint Resolution 59**

Refused to pass notwithstanding the objections of the Governor:

- Senate Bill 403**

Assembly Bill 450

Relating to: absolute sobriety for operators of motor vehicles who have not attained the legal drinking age and providing a penalty.

By Representatives Gundrum, Kerkman, Hahn, LeMahieu, Mursau, Jeskewitz, Hines, Vos, Lothian, Montgomery and Zepnick; cosponsored by Senators Roessler, Grothman and Leibham.

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

Assembly Bill 678

Relating to: annual or consecutive month permits for certain overweight vehicles or vehicle combinations, creating an overweight vehicle surcharge, requiring certain motor carriers to maintain weight records, and providing a penalty.

By Representatives Friske, Sherman, Gard, Gronemus, Ainsworth, Petrowski, Mursau, Hahn, Musser, Albers, LeMahieu, M. Williams, Wood, Suder, Gunderson and Pettis; cosponsored by Senators Zien, Brown, Schultz, Kanavas, Leibham, Grothman and Jauch.

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

Assembly Bill 683

Relating to: authorizing medically related actions by advanced practice nurse prescribers and physician assistants.

By Representatives Vukmir, Richards, Underheim, Albers, Hundertmark, Krawczyk, Nerison, LeMahieu, Gunderson, Sheridan, Seidel, Strachota, Wood, Lothian, Nelson,

Townsend, Owens, Ott, Petrowski, Lehman, Kessler, Cullen and Kreibich; cosponsored by Senators Cowles, Robson, Olsen, A. Lasee, Darling, Erpenbach, Grothman and Reynolds.

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

Assembly Bill 722

Relating to: the licensure of pharmacies located outside the state and providing a penalty.

By Representatives Montgomery, Hines, Lamb, Hahn, Krawczyk, Gunderson, Townsend and Ott; cosponsored by Senator A. Lasee.

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

Assembly Bill 734

Relating to: limiting rules regarding the placement of riprap.

By Representatives Albers, Lothian, F. Lasee, Musser, Gunderson, Petrowski, Hahn, Hines, Boyle, LeMahieu and M. Williams.

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

Assembly Bill 800

Relating to: exceptions to requirements for issuance of a certificate of accomplishment for successful completion of certain hunter education programs.

By Representatives Van Roy, Gunderson, Pettis, Krawczyk, Ott, Musser, Lothian, Ainsworth, Townsend, Bies, Petrowski, Strachota, McCormick, Hines, Gronemus, M. Williams and Hubler.

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

Assembly Bill 810

Relating to: Council on Forestry membership.

By Representatives Hubler and Friske; cosponsored by Senators Decker and Breske.

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

Assembly Bill 871

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

By Representatives Towns, Kerkman, Vos, Gronemus, Nass, Musser, Jeskewitz, Lothian, Hahn, Gunderson, Van Roy and Ballweg; cosponsored by Senators Kedzie, Olsen and Roessler.

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

Assembly Bill 907

Relating to: requiring a contract with a data organization for the collection, analysis, and dissemination of health care claims information; eliminating the Board on Health Care Information, the Interagency Coordinating Council, and the Independent Review Board; and making appropriations.

By Representatives Underheim, Vos, Petrowski, Owens, Nelson and Hines; cosponsored by Senators Darling, Roessler, Robson and Olsen.

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

Assembly Bill 926

Relating to: group health care plans offered by health benefit purchasing cooperatives.

By Representatives Gielow, Davis, Ott, Nelson, Ainsworth, Albers, Freese, Friske, Gronemus, Gunderson, Hahn, Hines, Hubler, Hundertmark, Jeskewitz, Kaufert,

Krawczyk, Kreibich, Loeffelholz, Montgomery, Musser, Nischke, Pettis, Staskunas, Suder, Van Roy, Vos, Vruwink and Gard; cosponsored by Senators Harsdorf, Cowles, Darling, Decker, Erpenbach, Hansen, Leibham, Miller, Risser and Roessler.

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

Broydrick, William
Driessen, Anthony
Fonfara, Thomas
Hubbard, Gregory

Kenosha Greyhound Racing Association
DirectBuy, Inc.
DirectBuy, Inc.
Kenosha Greyhound Racing Association
Dawes Rigging & Crane Rental, Inc.
Forward Wisconsin, Inc.
AT&T Wisconsin (formerly SBC)
Dawes Rigging & Crane Rental, Inc.
MedImmune Inc

Nash, Randall

Randolph, Eugene R.
Schoenfeldt, Jeffrey

Slawinski, Steven

Wollersheim, Michelle

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
Sentencing Commission**

January 30, 2006

The Honorable, The Legislature:

Please accept the enclosed annual report from the Wisconsin Sentencing Commission. The document details the Commission's activities for 2005 as well as its membership and functions. The report is also online at <http://wsc.wi.gov> for additional reference. If you have any questions or concerns, please contact us at your earliest convenience. We will be glad to supply more hard copies if needed.

Thank you very much for your time and attention to this material.

Sincerely,

MICHAEL CONNELLY
Executive Director

Pursuant to Senate Rule 17 (5), Senator Taylor added as a coauthor of **Senate Bill 255**.

Pursuant to Senate Rule 17 (5), Senator Hansen added as a cosponsor of **Assembly Joint Resolution 73**.

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

Pursuant to Senate Rule 17 (5), Senator Lassa added as a cosponsor of **Assembly Bill 262**.

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

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

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

Pursuant to Senate Rule 17 (5), Senator Harsdorf added as a cosponsor of **Assembly Bill 510**.

Pursuant to Senate Rule 17 (5), Senator Cowles added as a cosponsor of **Assembly Bill 485**.

Pursuant to Senate Rule 17 (5), Senator Kapanke added as a cosponsor of **Assembly Bill 510**.

Pursuant to Senate Rule 17 (5), Senator Harsdorf added as a cosponsor of **Assembly Joint Resolution 68**.

CORRECTIONS IN:

**ASSEMBLY AMENDMENT 1,
TO 2005 ASSEMBLY BILL 864**

Prepared by the Legislative Reference Bureau
(January 27, 2006)

1. Page 2, line 6: delete "provisions." and substitute "provisions."

2. Page 2, line 7: delete that line.

3. Page 2, line 8: delete "(1)" and substitute "(1)".

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

Read first time and referred:

Senate Bill 547

Relating to: requiring the Department of Health and Family Services to treat 4 counties as one labor region for purposes of Medical Assistance nursing home reimbursement.

By Senator Schultz; cosponsored by Representatives Freese and Albers.

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

Senate Bill 548

Relating to: multiple or variable messages on off-premises outdoor advertising signs along interstate and federal-aid primary highways and granting rule-making authority.

By Senators Stepp, Grothman, Plale, Leibham, Olsen and Reynolds; cosponsored by Representatives Gottlieb, Ballweg, Friske, Jensen, LeMahieu, Mursau, Musser, Ott, Richards, Schneider, Sheridan and M. Williams.

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

Senate Bill 549

Relating to: the enrollment of the University of Wisconsin Medical School.

By Senator Grothman; cosponsored by Representative Suder.

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

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Ethics Board**

January 31, 2006

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>

Baiocchi, Donna

Apple Computer, Inc.

ADVICE AND CONSENT OF THE SENATE

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

GASS, ERIC, of Milwaukee, as a member of the Rural Health Development Council, to serve for the term ending July 1, 2006.

GREENFIELD, ED, of Green Bay, as a member of the Cemetery Board, to serve for the term ending July 1, 2006.

KRUGER, DAVID, of Verona, as a member of the State of Wisconsin Investment Board, to serve for the term ending May 1, 2011.

WALSH, ROGER E., of Wauwatosa, as a member of the Wisconsin Waterways Commission, to serve for the term ending March 1, 2008.

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.

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senate Bill 150

Relating to: making technical and minor substantive changes in the administrative rule-making process.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 150**?

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 150

Read a third time and passed.

Senate Bill 392

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

Read a second time.

Senate amendment 1 to **Senate Bill 392** offered by Senator Carpenter.

Senator Lazich moved rejection of Senate amendment 1 to **Senate Bill 392**.

The question was: Rejection of Senate amendment 1 to **Senate Bill 392**?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

Ayes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, Lazich, Leibham, Olsen, Reynolds, Schultz, Stepp and Zien – 17.

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, A. Lasee, Lassa, Miller, Plale, Risser, Robson, Roessler, Taylor and Wirch – 16.

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 392

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.

Passed.

Senate Bill 423

Relating to: prohibiting a person responsible for a child's welfare while the child is being transported in a child care vehicle from leaving the child unattended and providing penalties.

Read a second time.

Senator Schultz, with unanimous consent, asked that **Assembly Bill 826** be withdrawn from the committee on **Senate Organization** and taken up.

Assembly Bill 826

Relating to: prohibiting a person responsible for a child's welfare while the child is being transported in a child care vehicle from leaving the child unattended and providing penalties.

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 826

Read a third time and concurred in.

Senator Kedzie, with unanimous consent, asked that **Senate Bill 423** be laid on the table.

Senate Bill 425

Relating to: the authority of the Department of Justice and public nuisance actions.

Read a second time.

Ordered to a third reading.

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

Senator Robson objected.

Senate Bill 495

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

Senate Bill 495

Read a third time and passed.

Senate Bill 496

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

Senate Bill 496

Read a third time and passed.

Senate Bill 497

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

Senate Bill 497

Read a third time and passed.

Senate Bill 511

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

Senate Bill 511

Read a third time and passed.

Senate Bill 525

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

Read a second time.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 525**?

Adopted.

Ordered to a third reading.

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

Read a third time.

Senator Erpenbach asked unanimous consent that the record be expunged to return to the amendable stage.

Senator Brown objected.

Senator Brown, with unanimous consent, asked that **Senate Bill 525** be placed at the foot of the twelfth order of business.

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

Assembly Joint Resolution 61

Relating to: the life and service of Colonel Herbert M. Smith.

The question was: Shall **Assembly Joint Resolution 61** be concurred in?

Concurred in.

Assembly Joint Resolution 73

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

The question was: Shall **Assembly Joint Resolution 73** be concurred in?

Concurred in.

Assembly Bill 229

Relating to: assignment of a landowner's eligibility to apply for a turkey hunting license.

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 229

Read a third time and concurred in.

Assembly Bill 262

Relating to: a nonstock, nonprofit corporation organized by the Child Abuse and Neglect Prevention Board, the membership of that board, the grant programs administered by that board, and making appropriations.

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 262

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 291

Relating to: termination of a tenancy if notice given regarding drug or criminal gang activity.

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 291

Read a third time and concurred in.

Assembly Bill 307

Relating to: municipal ordinances regarding drug paraphernalia.

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 307

Read a third time and concurred in.

Assembly Bill 315

Relating to: allowing the operation of certain 2-vehicle combinations on certain highways without a permit, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures and from rule-making procedures, and granting rule-making authority.

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 315

Read a third time and concurred in.

Assembly Bill 485

Relating to: regulating funeral directors and funeral establishments, regulating cremation and funeral advertising, 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 485

Read a third time and concurred in.

Assembly Bill 510

Relating to: special or seasonal weight limitations for certain vehicles transporting agricultural crops.

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 510

Read a third time and concurred in.

Assembly Bill 618

Relating to: child safety restraint systems, safety belt use requirements in motor vehicles, 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.

Read a third time.

Senator Leibham moved that **Assembly Bill 618** be referred to the committee on **Natural Resources and Transportation**.

The question was: Shall **Assembly Bill 618** be referred to the committee on **Natural Resources and Transportation**?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 21; absent or not voting, 0; as follows:

Ayes – Senators Breske, Decker, Grothman, Hansen, Harsdorf, Kanavas, Kedzie, A. Lasee, Lazich, Leibham, Reynolds and Stepp – 12.

Noes – Senators Brown, Carpenter, Coggs, Cowles, Darling, Ellis, Erpenbach, S. Fitzgerald, Jauch, Kapanke, Lassa, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Taylor, Wirch and Zien – 21.

Absent or not voting – None.

Referral Refused.

The question was: Shall **Assembly Bill 618** be concurred in?

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, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Hansen,

Jauch, Kapanke, Lassa, Miller, Olsen, Plale, Risser, Robson, Roessler, Taylor, Wirch and Zien – 23.

Noes – Senators Grothman, Harsdorf, Kanavas, Kedzie, A. Lasee, Lazich, Leibham, Reynolds, Schultz and Stepp – 10.

Absent or not voting – None.

Concurred in.

Senate Bill 525

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

The question was: Shall **Senate Bill 525** pass?

The ayes and noes were demanded 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.

Passed.

MOTIONS MAY BE OFFERED

Senator Decker moved that **Senate Bill 376** be withdrawn from the committee on **Job Creation, Economic Development and Consumer Affairs** and referred to the committee on **Senate Organization**.

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 all action be immediately messaged to the Assembly.

Messaged.

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 retiring Kenosha shoe store manager Peter Dorff. Peter has sold shoes at the same location for 46 years. The generations of families Peter has served in the Kenosha area will miss his enthusiasm for the job and his focus on customer service.

Senator Coggs, with unanimous consent, asked that when the Senate adjourn, it do so in honor of African-American History Month and Grant Gordon, the first African American superintendent of Milwaukee Public Schools.

Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Jim and Susan Swenson of Superior, who are truly generous supporters of their communities. Jim and Susan both attended UWS and are responsible for helping current UWS students pay for tuition, fees, and books by establishing four year Swenson scholarships for students studying biology, biochemistry, chemistry, computer science, or mathematics. They are a tremendous asset to the community of Superior and to the UWS students who so greatly benefit from their generosity.

Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Tina Scheer, a Hayward native who will be appearing on this season's edition of the television show "Survivor." Tina, nicknamed "Lumberjill" for her reknowned skills in Lumberjack competitions, was originally slated to be on last season's show, but two weeks before she was to leave, her son was tragically killed in a car accident. Tina was asked to participate this year, and northern Wisconsin will be watching, supporting her, and cheering her on.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Dale Jorgenson and his grandson Dylan. Dylan was injured in an automobile accident in 2001 that left him paralyzed from the waist down. Senator Roessler would like to applaud their efforts in raising awareness of the need for better child restraint system usage.

ADJOURNMENT

Senator Schultz, with unanimous consent, asked that the Senate adjourn pursuant to Senate Joint Resolution 1.

Adjourned.

1:08 P.M.

AMENDMENTS OFFERED

Senate amendment 1 to **Assembly Bill 298** offered by Senator Harsdorf.

Senate amendment 3 to **Senate Bill 433** offered by Senator Kanavas.

Motions Under Senate Rule 98 and Joint Rule 7 for the Month of January 2006

A certificate of commendation by the Wisconsin Senate on the motion of Senator Erpenbach, for Brian Acker, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Lazich, for Affordable Autobody/CARSTAR, on the occasion of being the Southeastern Chamber United in Business Mega Division 2005 Pride in Premises Award Winner.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Olsen, for Architectural Design Consultants, Inc., on the occasion of being selected as the 2005 Sauk County Small Business of the Year.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Erpenbach, for David Anderson, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Jauch, for Bart Nelson Bailey, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Lazich, for Black Beer Bottling Group, on the occasion of being the Southeastern Chamber United in Business 2005 Business of the Year.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Harsdorf, for Mr. Jerry DeWolfe, on the occasion of his retirement after years of dedicated service to the citizens of Pierce County.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Harsdorf, for Peter Faulhaber, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Harsdorf, for Gartner Studios, on the occasion of being named the 2005 Business of the Year by the St. Croix County Economic Development Corporation.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Taylor, in memory of Chris Griffin, on the occasion of his love and dedication to his family, job and indeed the entire city of Milwaukee.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Cowles, for Zachary Haines, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Cowles, for Nick Haydon, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Tess Hochrein, on the occasion of her 23-1/2 years of extraordinary commitment to the City of Fond du Lac.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Coggs, for Mr. Frederick Lee Hood, on the occasion of expressing extreme sorrow at his passing.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Erpenbach, for Jeffrey Karls, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Lazich, for Dorothy Klemmer, owner of Klemmer's Banquets, on the occasion of being named the 2006 Outstanding Restaurateur of the Year by the Milwaukee Chapter of the Wisconsin Restaurant Association.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Lasee, for Hank Kruszynski, on the occasion of his retirement after 52 years of service as owner and operator of Video Electronic Service Center in Green Bay.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Cowles, for Michael Arnold Lardinois, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Taylor, in memory of Hazel B. Jonston

Maxwell, on the occasion of her dedication to family, faith and community.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Julie McIntyre, on the occasion of being chosen as the Waukesha Freeman's 2005 Citizen of the Year.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Fitzgerald, for McKinstry's Home Furnishings, on the occasion of being chosen as Beaver Dam Chamber Business of the Year 2006.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Reynolds, for Logan Metz, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Erpenbach, for the city of Middleton, on the occasion of celebrating 150 years as a great city for all inhabitants.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Lazich, for Milwaukee Area Technical College South Campus, on the occasion of being the Southeastern Chamber United in Business Grand Division 2005 Pride in Premises Award Winner.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Taylor, for The Milwaukee Bucks, on the occasion of sponsoring the 16th Annual Christmas Family Fest.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Hansen, for Dan Nerad, on the occasion of being named the 2006 Wisconsin Superintendent of the Year by the Wisconsin Association of School Board Administrators.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for John V. Nichols, on the occasion of his 23 years of outstanding services to the Oshkosh Public Library and Winnefox Library System.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Lazich, for Northwestern Mutual Insurance, on the occasion of being the Southeastern Chamber United in Business Masterpiece Award 2005 Pride in Premises Award Winner.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Lazich, for Parkway Christian Academy, on the occasion of being the Mega Division 2005 Pride in Premises Award Winner.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Schultz, for the students, faculty, staff, administration, and parents of the Platteville School District on the occasion of their hard work and academic achievement.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Harsdorf, for Press Enter!, on the occasion of being named the 2005 Small Business of the Year by the St. Croix County Economic Development Corporation.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Fitzgerald, for John Ralston, on the occasion of being chosen as Beaver Dam Chamber Member of the Year.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Cowles, for David Reeb, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Schultz, for the Reedsburg Youth Hockey Association, on the occasion of celebrating 35 years of dedicated service to the youth, families and community.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Lazich, for Ryan Road Self Storage, on the occasion of being the Southeastern Chamber United in Business Mega Division 2005 Pride in Premise Award Winner.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Taylor, for The Salvation Army, on the occasion of sponsoring the 16th Annual Christmas Family Fest.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Cowles, for Eric Michael Shulze, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Coggs, for Principal Johnell Sharp, on the occasion of his retirement with special recognition of his dedication to the education and future of Milwaukee's children.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Taylor, for Mr. Johnell Sharp, on the occasion of his retirement after 31 years of leadership and education in the Milwaukee Public School District.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Schultz, for Skinner Transfer Corporation, on the occasion of being selected as the 2005 Sauk County Large Business of the Year.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Katherine Smith, on the occasion of her achievements and profound impact on education in Ozaukee County Board.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Harsdorf, for SOS Manufacturing, on the occasion of being named the 2005 Emerging Business of the Year by the St. Croix County Economic Development Corporation.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Cowles, for Brandon William Stascak, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Lazich, for Target of Oak Creek, on the occasion of being the Southeastern Chamber United in Business Grand Division 2005 Pride in Premises Award Winner.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Kanavas, for Matthew Thompson, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Michael Treter, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Taylor, for A. J. Ugent, on the occasion of sponsoring the 16th Annual Christmas Family Fest.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Cowles, for Chris Van Den Elzen, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Ms. Peg Wandschneider, on the occasion of her commitment and enthusiasm to her students as a 5th grade teacher at South Grade School in Hartland.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Grothman, for Alexander Scott Waranius, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Brown, for Eric Weiner, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Ann Wells, on the occasion of being awarded the James J. Murphy Person of the Year Award by the Pewaukee Chamber of Commerce.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Cowles, for Brian Wereley, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Taylor, for WMCS 1290, on the occasion of sponsoring the 16th Annual Christmas Family Fest.