



STATE OF WISCONSIN

Senate Journal

Ninety–Seventh Regular Session

11:00 A.M.

THURSDAY, February 23, 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 Leibham 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 Tuesday, February 21, 2006.

By Patrick E. Fuller, chief clerk.

Mr. President:

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

Senate Joint Resolution 58
Senate Joint Resolution 62
Senate Joint Resolution 65
Senate Joint Resolution 66
Senate Joint Resolution 67

The Chief Clerk makes the following entries dated Wednesday, February 22, 2006.

Read and referred:

Senate Joint Resolution 68

Relating to: the life and service of Captain Stephen Hahn.

By Senators Brown and Zien; cosponsored by Representatives Kreibich and Moulton.

To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 619

Relating to: mergers, conversions, and other business combinations; merger and conversion reports for real estate transfer fee purposes; the authority of the boards of directors of business corporations and corporate committees; corporate shareholder notices and meetings; the transfer of corporate

property to certain affiliates; naming limited partnerships; and providing penalties.

By Senators Kanavas, Grothman and Leibham; cosponsored by Representatives Lamb, McCormick, Hahn, Hundertmark, Albers, Townsend and Strachota.

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

Senate Bill 620

Relating to: creating an income and franchise tax credit for motor vehicles that use gasoline and ethanol mixtures as fuel and for fuel efficient hybrid motor vehicles.

By Senators Harsdorf, A. Lasee, Hansen, S. Fitzgerald and Risser; cosponsored by Representatives Sheridan, Davis, Gronemus, Wood, Jensen, Hebl, Kessler, Musser, Seidel, Staskunas and Berceau.

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

Senate Bill 621

Relating to: solicitations for the renewal of a subscription to a periodical.

By Senators Miller, Roessler, Risser, Breske and Lassa; cosponsored by Representatives Jeskewitz, Berceau, Sheridan, Musser, Seidel, Lehman, Townsend, Parisi, Ott and Albers.

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

Senate Bill 622

Relating to: creating a window replacement loan program and fund, granting rule-making authority, and making an appropriation.

By Senators Coggs, Plale, Carpenter, Erpenbach, Taylor, Roessler, Hansen and Miller; cosponsored by Representatives Wieckert, F. Lasee, Turner, Young, Grigsby, Fields, Ott, Molepske, Owens, Sheridan, Kreibich, Vos, Toles, Lehman and Sinicki.

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

Senate Bill 623

Relating to: damages to rental vehicles, and granting rule-making authority.

By Senators Darling and A. Lasee; cosponsored by Representatives Stone, Hahn, Krawczyk, Albers, Petrowski, Townsend, Montgomery and McCormick.

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

Senate Bill 624

Relating to: federalizing the individual income tax capital loss limit for taxpayers age 65 or older.

By Senators Hansen and Risser; cosponsored by Representatives Nelson, Sheridan, Sinicki, Jeskewitz, Seidel, Berceau, Albers and F. Lasee.

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

Senate Bill 625

Relating to: miscellaneous remedial modifications to the Wisconsin Probate Code.

By Senators Kanavas and Risser; cosponsored by Representatives Hundertmark, Richards, J. Fitzgerald and Cullen.

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

The committee on **Senate Organization** reports:

Senate Bill 584

Relating to: regulation of bank branches, mergers and acquisitions of banks, providing an exemption from rule-making procedures, and granting rule-making authority.

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

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

Noes, 0 – None.

Withdrawn from joint committee on Finance and placed on the calendar of 2–23–2006 by committee on Senate Organization, pursuant to Senate Rule 41 (1)(e).

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

Noes, 0 – None.

Senate Bill 602

Relating to: creating a development zone credit for the license fees paid by certain insurers.

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

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

Noes, 0 – None.

Withdrawn from joint committee on Finance and placed on the calendar of 2–23–2006 by committee on Senate Organization, pursuant to Senate Rule 41 (1)(e).

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

Noes, 0 – None.

DALE SCHULTZ
Chairperson

State of Wisconsin

February 22, 2006

The Honorable, The Senate:

Pursuant to Senate Rule 46(2)(c), I am writing to direct that **Senate Bill 534** be withdrawn from the committee on **Senate Organization** and rereferred to the committee on **Joint Finance**. I have obtained the consent of the appropriate chairperson.

Sincerely,

ALAN LASEE
Senate President

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

To the Honorable, the Senate:

<u>Bill Number</u>	<u>Act Number</u>	<u>Publication Date</u>
Senate Bill 525	Act 114	March 6, 2006

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

Senate Clearinghouse Rule 06–003

Relating to motor carrier safety regulations, and motor carrier safety requirements for transportation of hazardous materials.

Submitted by Department of Transportation.

Report received from Agency, February 21, 2006.

Referred to committee on **Natural Resources and Transportation**, February 22, 2006.

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

Senate Clearinghouse Rule 04–095

Relating to the requirements for administering the office facilities and equipment for safe and effective administration and the applicable standards of care, and to provide for reporting of adverse occurrences related to anesthesia administration.

Report objection recommended, Ayes 5, Noes 0.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

CAROL ROESSLER
Chairperson

By Patrick E. Fuller, chief clerk.

Mr. President:

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

Senate Bill 412 (Assembly amendment 1 adopted)

Concurred in:

- Senate Bill 322**
- Senate Bill 323**
- Senate Bill 324**
- Senate Bill 382**
- Senate Bill 384**
- Senate Bill 411**
- Senate Joint Resolution 13**
- Senate Joint Resolution 34**
- Senate Joint Resolution 64**

Senate substitute amendment 1 to **Senate Bill 176** offered by Senator Robson.

Senate amendment 1 to **Senate Bill 553** offered by Senator Brown.

Senate amendment 2 to **Senate Bill 553** offered by Senator Brown.

Senate amendment 1 to Senate amendment 1 to **Senate Bill 571** offered by Senator Stepp.

Senate amendment 1 to **Senate Bill 580** offered by Senator Darling.

Senate amendment 2 to **Senate Bill 580** offered by Senator Darling.

REPORT OF COMMITTEES

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

Senate Bill 618

Relating to: the Milwaukee Parental Choice Program and the Student Achievement Guarantee in Education Program.

Passage.

Ayes, 4 – Senators Olsen, Darling, Harsdorf and Grothman.
Noes, 3 – Senators Jauch, Erpenbach and Hansen.

LUTHER OLSEN
Chairperson

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

Assembly Bill 722

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

Concurrence.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

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.

Concurrence.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

Senate Bill 394

Relating to: electromyography.

Introduction and adoption of Senate Amendment 2.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

Passage as amended.

Ayes, 3 – Senators Roessler, Erpenbach and Carpenter.

Noes, 2 – Senators Darling and Brown.

Senate Bill 457

Relating to: confidentiality of certain information and documents and privilege and immunity from civil liability for certain persons under the statewide trauma care system.

Introduction and adoption of Senate Amendment 1.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

Senate Bill 544

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

Passage.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

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.

Passage.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

Senate Bill 579

Relating to: caregiver background information and providing a penalty.

Adoption of Senate Amendment 1.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

Senate Bill 591

Relating to: podiatric medicine.

Introduction and adoption of Senate Amendment 1.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

CAROL ROESSLER
Chairperson

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

Assembly Bill 131

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

Concurrence.

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

Noes, 0 – None.

Assembly Bill 609

Relating to: agreements to indemnify persons who process or dispose of carcasses with chronic wasting disease; access to tissue or disease data from wild animals; the regulation of the transportation, possession, control, storage, or disposal of the carcass of a cervid from a chronic wasting disease control zone or a state with confirmed chronic wasting disease; hunting deer in a chronic wasting disease control zone without a deer hunting license; granting rule-making authority; and making an appropriation.

Concurrence.

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

Noes, 0 – None.

Senate Bill 555

Relating to: the deadline for applying for the Safe Drinking Water Loan Program (suggested as remedial legislation by the Department of Natural Resources).

Passage.

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

Noes, 0 – None.

Senate Bill 556

Relating to: a system of classifying invasive species (suggested as remedial legislation by the Department of Natural Resources).

Passage.

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

Noes, 0 – None.

Senate Bill 557

Relating to: boats and associated tackle and equipment that are public nuisances under the fish and game laws (suggested as remedial legislation by the Department of Natural Resources).

Passage.

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

Noes, 0 – None.

Senate Bill 558

Relating to: hunting of cougars (suggested as remedial legislation by the Department of Natural Resources).

Passage.

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

Noes, 0 – None.

Senate Bill 559

Relating to: removal of aquatic plants (suggested as remedial legislation by the Department of Natural Resources).

Passage.

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

Noes, 0 – None.

Senate Bill 560

Relating to: the authority of a warden to kill certain dogs that injure wildlife (suggested as remedial legislation by the Department of Natural Resources).

Passage.

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

Noes, 0 – None.

Senate Bill 561

Relating to: the definition of waterfowl that applies to hunting blinds that are used for hunting waterfowl (suggested as remedial legislation by the Department of Natural Resources).

Passage.

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

Noes, 0 – None.

Senate Bill 562

Relating to: possession of firearms by juveniles while hunting (suggested as remedial legislation by the Department of Natural Resources).

Passage.

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

Noes, 0 – None.

NEAL KEDZIE

Chairperson

The committee on **Senate Organization** reports:

Senate Bill 474

Relating to: making various changes in the worker's compensation law, requiring the exercise of rule-making authority, and making appropriations.

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

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

Noes, 0 – None.

Withdrawn from joint committee on Finance and placed on the calendar of 2–23–2006 by committee on Senate Organization, pursuant to Senate Rule 41 (1)(e).

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

Noes, 0 – None.

Senate Bill 516

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

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

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

Noes, 0 – None.

Withdrawn from joint committee on Finance and placed on the calendar of 2–23–2006 by committee on Senate Organization, pursuant to Senate Rule 41 (1)(e).

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

Noes, 0 – None.

Assembly Bill 683

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

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

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

Noes, 0 – None.

Withdrawn from joint committee on Finance and placed on the calendar of 2–23–2006 by committee on Senate Organization, pursuant to Senate Rule 41 (1)(e).

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

Noes, 0 – None.

DALE SCHULTZ

Chairperson

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Senator Breske added as a coauthor of **Senate Bill 548**.

Pursuant to Senate Rule 17 (5), Senator Taylor added as a coauthor of **Senate Bill 181**.

Pursuant to Senate Rule 17 (5), Senator Taylor added as a coauthor of **Senate Bill 369**.

Pursuant to Senate Rule 17 (5), Senator Taylor added as a coauthor of **Senate Bill 391**.

Pursuant to Senate Rule 17 (5), Senator Taylor added as a coauthor of **Senate Bill 529**.

Pursuant to Senate Rule 17 (5), Senator Cowles added as a coauthor of **Senate Bill 448**.

Pursuant to Senate Rule 17 (5), Senator Carpenter added as a coauthor of Senate amendment 3 to **Assembly Bill 69**.

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.

ANDERSON, THEODORE, of New Berlin, as a member of the Cemetery Board, to serve for the term ending July 1, 2007.

BLAIR, KARLA, of Kaukauna, as a member of the Accounting Examining Board, to serve for the term ending July 1, 2008.

BOHON, FRANCES, of Marshfield, as a member of the Professional Standards Council for Teachers, to serve for the term ending June 30, 2007.

CANTU, KATHLEEN, of Madison, as a member of the Cemetery Board, to serve for the term ending July 1, 2008.

CHAMPEAU, RYAN, of Waukesha, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 2006.

CORBEILLE, STEVE, of Crivitz, as a member of the Accounting Examining Board, to serve for the term ending July 1, 2009.

GOSS, GLORIA, of Brookfield, as a member of the Professional Standards Council for Teachers, to serve for the term ending June 30, 2008.

HELFF, LINDA, of Manitowoc, as a member of the Professional Standards Council for Teachers, to serve for the term ending June 30, 2008.

OPPERMAN, DIANE, of Iola, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 2006.

PYATSKOWIT, AL, of Keshena, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 2008.

STAFF, KATHERINE, of Milwaukee, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 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.

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 82

Amended and concurred in as amended:

Senate Bill 164 (Assembly substitute amendment 1 as amended by Assembly amendment 1 adopted)

Concurred in:

Senate Bill 463

MESSAGES FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 82

Relating to: honoring the life and service of William J. Rogers.

By Representative Nelson.

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

Senate Bill 34

Relating to: the method of filling vacancies in certain county, city, village, and town elective offices.

The question was: Shall Assembly amendment 1 to **Senate Bill 34** be concurred in?

Concurred in.

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senate Joint Resolution 68

Relating to: the life and service of Captain Stephen Hahn.

Read.

Adopted.

Senator Brown, with unanimous consent, asked that all members of the Senate be made coauthors of **Senate Joint Resolution 68**.

Senator Kedzie, with unanimous consent, asked that **Assembly Joint Resolution 82** be withdrawn from the committee on **Senate Organization** and taken up.

Assembly Joint Resolution 82

Relating to: honoring the life and service of William J. Rogers.

Read.

The question was: Shall **Assembly Joint Resolution 82** be concurred in?

Concurred in.

Senator Roessler, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 82**.

Senate Bill 181

Relating to: harassment of, causing injury to, or theft of a service dog and providing penalties.

Read a second time.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 181**?

Adopted.

Ordered to a third reading.

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

Senate Bill 181

Read a third time and passed.

Senate Bill 222

Relating to: expenditure of \$13,785.25 from moneys appropriated to the Department of Transportation in payment of a claim against the state made by the city of West Allis.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 222**?

Adopted.

Ordered to a third reading.

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

Senate Bill 222

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 223

Relating to: expenditure of \$56,300 from moneys appropriated to the Department of Transportation in payment of a claim against the state made by the city of West Allis.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 223**?

Adopted.

Ordered to a third reading.

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

Senate Bill 223

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 369

Relating to: requiring a court to establish a father's obligation for birth expenses.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 369**?

Adopted.

Ordered to a third reading.

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

Senate Bill 369

Read a third time.

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.

Senate Bill 391

Relating to: guardianships, conservatorships, and wards; involuntary administration of psychotropic medication; protective placements and protective services; powers of attorney for health care; durable powers of attorney; venue, residence, and county of responsibility; requiring the exercise of rule-making authority; and providing a penalty.

Read a second time.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 391**?

Adopted.

The question was: Adoption of Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 391**?

Adopted.

Senate amendment 3 to Senate substitute amendment 1 to **Senate Bill 391** offered by Senator Carpenter.

Senator Olsen moved that Senate amendment 3 to Senate substitute amendment 1 to **Senate Bill 391** be laid on the table.

The question was: Shall Senate amendment 3 to Senate substitute amendment 1 to **Senate Bill 391** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 24; noes, 9; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Miller, Olsen, Plale, Roessler, Schultz, Stepp, Wirch and Zien – 24.

Noes – Senators Carpenter, Coggs, Decker, Erpenbach, Lassa, Reynolds, Risser, Robson and Taylor – 9.

Absent or not voting – None.

Tabled.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 391**?

Adopted.

Ordered to a third reading.

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

Senate Bill 391

Read a third time and passed.

Senate Bill 448

Relating to: contractor's notices, claims against certain contractors and suppliers of dwellings, and providing a penalty.

Read a second time.

The question was: Adoption of Senate substitute amendment 3 to **Senate Bill 448**?

Adopted.

Ordered to a third reading.

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

Senate Bill 448

Read a third time and passed.

Senate Bill 482

Relating to: the calculation of a school district's special adjustment aid and revenue limit when territory is detached from one or more school districts to create a new school district.

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 482

Read a third time and passed.

Senate Bill 486

Relating to: income continuation insurance errors (suggested as remedial legislation by the Department of Employee Trust Funds).

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 486

Read a third time and passed.

Senate Bill 520

Relating to: reporting the number of hours of pupil instruction provided in public schools.

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 520

Read a third time and passed.

Senate Bill 529

Relating to: special education programs for children with disabilities.

Read a second time.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 529**?

Adopted.

Ordered to a third reading.

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

Senate Bill 529

Read a third time.

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.

Senate Bill 536

Relating to: eliminate transitional halfway house building 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.

Senate Bill 536

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.

Passed.

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

Messaged.

Senate Bill 537

Relating to: placement of persons on supervised release.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 537**?

Adopted.

Senate amendment 2 to **Senate Bill 537** offered by Senator Lazich.

The question was: Adoption of Senate amendment 2 to **Senate Bill 537**?

Adopted.

Senate amendment 3 to **Senate Bill 537** offered by Senator Carpenter.

Senator Lazich, with unanimous consent, asked that **Senate Bill 537** be placed at the foot of the eleventh order of business.

Senate Bill 567

Relating to: limiting eligibility for public assistance programs to U.S. citizens and qualifying aliens, requiring documentary proof of citizenship or satisfactory immigration status, granting rule-making authority, and providing a penalty.

Read a second time.

Ordered to a third reading.

Senator Zien in the chair.

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

Senate Bill 567

Read a third time.

Senator Robson asked unanimous consent that **Senate Bill 567** be referred to the committee on **Health, Children, Families, Aging, and Long Term Care**.

Senator Reynolds objected.

Senator Carpenter moved that **Senate Bill 567** be referred to the committee on **Health, Children, Families, Aging and Long Term Care**.

Senator Risser raised a point of order that **Senate Bill 567** requires a fiscal estimate.

The Chair ruled the point of order not well taken.

Senator Risser appealed the ruling of the Chair.

The question was: Shall the decision of the chair stand as the judgement of the Senate?

The ayes and noes were required 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.

The decision of the Chair stands as the judgement of the Senate.

The question was: Shall **Senate Bill 567** be referred to the committee on **Health, Children, Families, Aging and Long Term Care**?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 18; absent or not voting, 1; 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, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Reynolds, Roessler, Schultz, Stepp and Zien – 18.

Absent or not voting – Senator Harsdorf – 1.

Referral Refused.

The question was: Shall **Senate Bill 567** be passed?

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.

Senator Schultz, with unanimous consent asked that **Senate Bill 567** be messaged to the Assembly.

Messaged.

Senate Bill 571

Relating to: offenses against financial institutions, community currency exchanges, and providing penalties.

Read a second time.

The question was: Adoption of Senate amendment 1 to Senate amendment 1 to **Senate Bill 571**?

Adopted.

The question was: Adoption of Senate amendment 1 to **Senate Bill 571**?

Adopted.

Ordered to a third reading.

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

Senate Bill 571

Read a third time and passed.

Senate Bill 584

Relating to: regulation of bank branches, mergers and acquisitions of banks, providing an exemption from rule-making procedures, and granting rule-making authority.

Read a second time.

Ordered to a third reading.

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

Senate Bill 584

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 588

Relating to: retaliatory conduct by public officers and employees, administration and enforcement of codes of ethics, information for applicants for approvals issued by the Department of Natural Resources, and information for applicants for permits issued by a city, village, town, or county.

Read a second time.

Ordered to a third reading.

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

Senate Bill 588

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 602

Relating to: creating a development zone credit for the license fees paid by certain insurers.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 602**?

Adopted.

Ordered to a third reading.

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

Senate Bill 602

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 5; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Carpenter, Coggs, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Olsen, Plale, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 28.

Noes – Senators Cowles, Grothman, Miller, Reynolds and Risser – 5.

Absent or not voting – None.

Passed.

Senate Bill 537

Relating to: placement of persons on supervised release.

Senate substitute amendment 1 to **Senate Bill 537** offered by Senators Plale, Carpenter, Taylor and Coggs.

Senator Lasee in the chair.

Senator Lazich raised a point of order that Senate substitute amendment 1 was not germane.

The Chair ruled the point of order well taken.

Senator Plale appealed the ruling of the Chair.

The question was: Shall the decision of the Chair stand as the judgement of the Senate?

The ayes and noes were required 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.

The decision of the Chair stands as the judgement of the Senate.

Senator Lazich moved rejection of Senate amendment 3 to **Senate Bill 537**.

The question was: Rejection of Senate amendment 3 to **Senate Bill 537**?

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.

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 537

Read a third time and passed.

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

Messaged.

SECOND READING AND AMENDMENTS OF ASSEMBLY JOINT RESOLUTIONS AND ASSEMBLY BILLS

Assembly Bill 69

Relating to: driver licenses and identification cards for aliens.

Read a second time.

Senate amendment 1 to **Assembly Bill 69** offered by Senators Carpenter and Plale.

Senator Schultz moved that Senate amendment 1 to **Assembly Bill 69** be laid on the table.

The question was: Shall Senate amendment 1 to **Assembly Bill 69** be laid on the table?

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, Lassa, Lazich, Leibham, Olsen, Reynolds, Schultz, Stepp and Zien – 19.

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

Absent or not voting – Senator Plale – 1.

Tabled.

Senate amendment 2 to **Assembly Bill 69** offered by Senator Carpenter.

Senator Leibham moved that Senate amendment 2 to **Assembly Bill 69** be laid on the table.

The question was: Shall Senate amendment 2 to **Assembly Bill 69** be laid on the table?

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.

Tabled.

Senate amendment 3 to **Assembly Bill 69** offered by Senators Kapanke and Carpenter.

Senator Kedzie raised a point of order that Senate amendment 3 was not germane.

Senator Plale, with unanimous consent, asked that the record reflect that he would have voted no on tabling Senate amendment 1 to **Assembly Bill 69**.

The Chair ruled the point of order well taken.

Senator Kapanke appealed the ruling of the Chair.

The question was: Shall the decision of the chair stand as the judgement of the Senate?

The ayes and noes were required and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Reynolds, Roessler, Schultz, Stepp and Zien – 18.

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Kapanke, Lassa, Miller, Plale, Risser, Robson, Taylor and Wirch – 15.

Absent or not voting – None.

The decision of the Chair stands as the judgement of the Senate.

Ordered to a third reading.

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

Assembly Bill 69

Read a third time.

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

Ayes – Senators Brown, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, S. Fitzgerald, Grothman, Hansen, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Olsen, Reynolds, Robson, Roessler, Schultz, Stepp, Wirch and Zien – 26.

Noes – Senators Breske, Erpenbach, Jauch, Miller, Plale, Risser and Taylor – 7.

Absent or not voting – None.

Concurred in.

Assembly Bill 84

Relating to: the number of school days required each school term.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Assembly Bill 84**?

Adopted.

Ordered to a third reading.

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

Assembly Bill 84

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, Lassa, Lazich, Leibham, Reynolds, Roessler, Schultz, Stepp and Zien – 19.

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

Absent or not voting – None.

Concurred in as amended.

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

Messaged.

Assembly Bill 448

Relating to: allowing school buses to tow trailers.

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 448

Read a third time and concurred in.

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.

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 509

Read a third time and concurred in.

Assembly Bill 527

Relating to: the requirement that dogs be vaccinated against rabies.

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 527

Read a third time and concurred in.

Assembly Bill 556

Relating to: trailers or semitrailers used to transport livestock.

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 556

Read a third time and concurred in.

Assembly Bill 617

Relating to: coverage of certain health care costs in cancer clinical trials.

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 617

Read a third time and concurred in.

Assembly Bill 619

Relating to: retail sales of wine by the bottle in restaurants for consumption on and off the premises.

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 619

Read a third time and concurred in.

Assembly Bill 660

Relating to: legal custody of a child who was initially taken into custody under circumstances in which the child's parent relinquished custody of the child and whose parents' parental rights to the child have been terminated.

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 660

Read a third time and concurred in.

Assembly Bill 805

Relating to: fee remissions at technical colleges for victims of Hurricane Katrina.

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 805

Read a third time and concurred in.

Assembly Bill 864

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

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 864

Read a third time and concurred in.

MOTIONS MAY BE OFFERED

Senator Schultz, with unanimous consent, asked that **Senate Bill 164** be withdrawn from the committee on **Senate Organization** and taken up.

Senate Bill 164

Relating to: notice regarding unauthorized acquisition of personal information.

Read.

The Chair, with unanimous consent, asked that the Senate stand informal.

3:15 P.M.

STOOD INFORMAL

3:20 P.M.

The Senate reconvened.

Senator Lasee in the chair.

The question was: Shall Assembly substitute amendment 1 to **Senate Bill 164** be concurred in?

Concurred in.

Senator Robson, with unanimous consent, asked that **Senate Bill 598** be withdrawn from the committee on **Energy, Utilities and Information Technology** and taken up at this time.

Senator Schultz objected.

Senator Robson moved that that the rules be suspended and that **Senate Bill 598** be withdrawn from the committee on **Energy, Utilities and Information Technology** and taken up at this time.

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, Miller, Olsen, Plale, Risser, Robson, Taylor and Wirch – 14.

Noes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Reynolds, Roessler, Schultz, Stepp and Zien – 19.

Absent or not voting – None.

Motion refused.

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

Messaged.

ADJOURNMENT

Senator Schultz moved that the Senate adjourn.

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, Lassa, Lazich, Leibham, Reynolds, Roessler,
Schultz, Stepp and Zien – 19.

3:35 P.M.

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

Absent or not voting – None.

Adjourned.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 476** offered by Senator
Grothman.

Senate amendment 1 to **Senate Bill 569** offered by Senator
Reynolds.