



STATE OF WISCONSIN

Senate Journal

Ninety–Seventh Regular Session

10:30 A.M.

TUESDAY, April 25, 2006

The Senate met.

The Senate was called to order by Senator Alan Lasee.

The roll was called and the following Senators answered to their names:

Senators Breske, Brown, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Miller, Olsen, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 33.

Absent – None.

Absent with leave – None.

The Senate stood for the prayer which was offered Bishop Robert Morlino of the Diocese of Madison.

The Senate remained standing and Senator Brown 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 Thursday, April 20, 2006.

Read and referred:

Senate Joint Resolution 75

Relating to: commending the University of Wisconsin men's hockey team.

By Senators Risser, Miller, Erpenbach, Roessler, Olsen, A. Lasee, Plale, Lassa, Breske, Wirch, Taylor, Coggs and Kedzie; cosponsored by Representatives Black, Pocan, Nischke, Mursau, Sheridan, Hebl, Nelson, Jeskewitz, Travis, Meyer, Toles, Young, Vruwink, Bies, Davis, Ward, Berceau, Lehman, Petrowski, Molepske, Boyle, Pridemore, Van Akkeren, Gunderson, Turner, Kerkman, Pope–Roberts and Ott.

To committee on **Senate Organization**.

Senate Joint Resolution 76

Relating to: commending the University of Wisconsin women's hockey team.

By Senators Risser, Miller, Erpenbach, Roessler, Olsen, A. Lasee, Darling, Hansen, Schultz, Lazich, Kedzie, Cowles and Taylor; cosponsored by Representatives Black, Pocan, M. Williams, Mursau, Sheridan, Hebl, Cullen, Jeskewitz, Travis,

Meyer, Pope–Roberts, Turner, Vruwink, Hubler, Davis, McCormick, Berceau, Lehman, Krawczyk, Molepske, Boyle, Pridemore, Ott, Nass, Hundertmark and Van Akkeren.

To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 696

Relating to: differential pay for activated state employees.

By Senators Brown, Miller, S. Fitzgerald and Zien; cosponsored by Representatives Musser and Turner.

To joint committee on **Employment Relations**.

The committee on **Energy, Utilities and Information Technology** reports and recommends:

Senate Bill 683

Relating to: the prohibition against the harvest of raw forest products from tax delinquent lands and notice and recording requirements for persons who harvest raw forest products.

Passage.

Ayes, 5 – Senators Cowles, Kapanke, Plale, Wirch and Kedzie.

Noes, 0 – None.

ROBERT COWLES

Chairperson

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

Assembly Bill 172

Relating to: the rights of adult children of crime victims.

Concurrence.

Ayes, 5 – Senators Zien, Roessler, Grothman, Taylor and Risser.

Noes, 0 – None.

Senate Bill 691

Relating to: termination of mobile telephone contracts by members of the military.

Introduction and adoption of Senate Amendment 2.

Ayes, 4 – Senators Roessler, Grothman, Taylor and Risser.

Noes, 1 – Senator Zien.

Passage as amended.

Ayes, 4 – Senators Zien, Roessler, Grothman and Taylor.

Noes, 1 – Senator Risser.

DAVID ZIEN

Chairperson

**State of Wisconsin
Office of the Governor**

April 20, 2006

To the Honorable, the Senate:

The following bill(s), originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Senate Bill 481	Act 367	April 20, 2006

Sincerely,
JIM DOYLE
Governor

Pursuant to Senate Rule 17 (5), Senator Taylor added as a coauthor of **Senate Bill 641**.

Pursuant to Senate Rule 17 (5), Senator Taylor added as a cosponsor of **Assembly Bill 966**.

The committee on **Job Creation, Economic Development and Consumer Affairs** reports and recommends:

Senate Clearinghouse Rule 06–004

Relating to the adjustment of thresholds for application of prevailing wage rates and payment and performance assurance requirements and affecting small businesses.

No action taken.

TED KANAVAS
Chairperson

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

Senate Clearinghouse Rule 05–103

Relating to the veterans assistance program.

No action taken.

RONALD BROWN
Chairperson

The Chief Clerk makes the following entries dated Friday, April 21, 2006.

Read and referred:

Senate Joint Resolution 77

Relating to: reauthorization of the special provisions of the Voting Rights Act of 1965.

By Senators Cogg, Robson, Taylor, Risser and Erpenbach; cosponsored by Representatives Grigsby, Young, Turner, Kessler, Fields, Toles, Zepnick, Sinicki, Richards, Parisi, Pohan, Lehman, Berceau, Sheridan, Staskunas, Travis and Pope–Roberts.

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

Senate Joint Resolution 78

Relating to: the life and service of Lance Corporal Nicholas R. Anderson.

By Senator Schultz; cosponsored by Representative Freese. To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 697

Relating to: requiring the secretary of administration to submit certain reports to the joint committee on finance.

By Senators Cowles, S. Fitzgerald, Stepp, Kanavas and Schultz; cosponsored by Representatives Gard, Huebsch, Kaufert and J. Fitzgerald.

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

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

Assembly Bill 958

Relating to: civil liability exemption for assistance provided as the result of an emergency.

Introduction and adoption of Senate Substitute Amendment 1.

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

Noes, 0 – None.

Concurrence as amended.

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

Noes, 0 – None.

CATHY STEPP
Chairperson

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

Assembly Bill 1078

Relating to: licensing and activities of driver schools and instructors, granting rule–making authority, and providing a penalty.

Concurrence.

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

Noes, 0 – None.

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.

Introduction and adoption of Senate 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 842

Relating to: the use by the Department of Natural Resources of seized, confiscated, or unclaimed property for educational hunting, fishing, trapping, and other conservation activities; the sale by the Department of Natural Resources of seized, perishable property and confiscated wild animals and carcasses; and the receipt of proceeds by the Department of

Natural Resources for skins of fur-bearing animals that are prepared as part of the course of instruction under the trapper education program.

Concurrence.

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

Noes, 0 – None.

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.

Passage.

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

Noes, 0 – None.

Senate Bill 640

Relating to: licensing and activities of driver schools and instructors, granting rule-making authority, and providing a penalty.

Adoption of Senate Amendment 1.

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

Noes, 0 – None.

Passage as amended.

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

Noes, 0 – None.

NEAL KEDZIE
Chairperson

**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 579	Act 351	May 2, 2006
Senate Bill 181	Act 353	May 2, 2006
Senate Bill 157	Act 354	May 2, 2006
Senate Bill 312	Act 355	May 2, 2006
Senate Bill 515	Act 358	May 2, 2006
Senate Bill 467	Act 360	May 2, 2006

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

**State of Wisconsin
Office of the Governor**

April 19, 2006

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BEERS, STEPHEN, of Fontana, as a member of the Real Estate Board, to serve for the term ending July 1, 2010.

Sincerely,

JIM DOYLE
Governor

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

**State of Wisconsin
Office of the Governor**

April 19, 2006

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint LENTZ, GREGORY, of Menomonie, as a member of the Credit Union Review Board, to serve for the term ending May 1, 2011.

Sincerely,

JIM DOYLE
Governor

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

The Chief Clerk makes the following entries dated Monday, April 24, 2006.

Read and referred:

Senate Joint Resolution 79

Relating to: commending the UW men's cross country team.

By Senators Risser, Roessler, A. Lasee, Miller, Erpenbach, Lazich and Olsen; cosponsored by Representatives Black, Petrowski, Molepske, Jeskewitz, Boyle, Sheridan, Pocan, Turner, Kerkman, Vos, Berceau, Hebl and Vruwink.

To committee on **Senate Organization.**

The committee on **Senate Organization** reports:

Senate Bill 640

Relating to: licensing and activities of driver schools and instructors, granting rule-making authority, and providing a penalty.

Rereferred to the joint committee on **Finance** 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 April 25, 2006, pursuant to Senate Rule 41 (1)(e).

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

Noes, 0 – None.

Assembly Bill 1078

Relating to: licensing and activities of driver schools and instructors, granting rule-making authority, and providing a penalty.

Rereferred to the joint committee on **Finance** 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 April 25, 2006 pursuant to Senate Rule 41 (1)(e).

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

Noes, 0 – None.

Assembly Bill 788

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

Rereferred to the joint committee on **Finance** 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 April 25, 2006, 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
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 481	Act 367	May 3, 2006

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

Pursuant to Senate Rule 17 (5), Senator Lazich added as a cosponsor of **Assembly Bill 591**.

Pursuant to Senate Rule 17 (5), Senator Breske added as a coauthor of **Senate Joint Resolution 76**.

Senate Clearinghouse Rule 06–018

Relating to the cancer drug repository program authorized under s. 255.056, Stats., and affecting small business.

Submitted by Department of Health and Family Services.
Report received from Agency, April 24, 2006.

Referred to committee on **Health, Children, Families, Aging and Long Term Care**, April 24, 2006.

Senate amendment 2 to **Senate Bill 575** offered by Senator Zien.

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

INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Read and referred:

Senate Joint Resolution 80

Relating to: the life and service of Merton Timmerman.

By Senator Harsdorf; cosponsored by Representative Rhoades.

To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 698

Relating to: creating a health care plan to cover all individuals employed in the state, requiring every employer in

the state to pay an assessment for the costs of the health care plan, creating a Wisconsin Health Care Plan Board, requesting waivers of federal law, requiring the exercise of rule-making authority, and making appropriations.

By Senator Decker; cosponsored by Representative Musser.

To committee on **Agriculture and Insurance**.

PETITIONS AND COMMUNICATIONS

State of Wisconsin

April 25, 2006

The Honorable, The Senate:

Pursuant to Senate Rule 46(2)(c), I am writing to direct that **Senate Bill 356** be withdrawn from the committee on **State and Federal Relations** and rereferred to the committee on **Energy, Utilities and Information Technology**. I have obtained the consent of the appropriate chairperson.

Sincerely,
ALAN LASEE
Senate President

State of Wisconsin

April 25, 2006

The Honorable, The Senate:

Pursuant to Senate Rule 46(2)(c), I am writing to direct that **Senate Bill 358** be withdrawn from the committee on **Job Creation, Economic Development and Consumer Affairs** and rereferred to the committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform**. I have obtained the consent of the appropriate chairperson.

Sincerely,
ALAN LASEE
Senate President

State of Wisconsin
Ethics Board

April 25, 2006

The Honorable, The Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

Beiriger, Jeffrey J	Wisconsin Illinois Senior Housing
O'Brien, Erin Spector, Scott Winters, Amy	Wisconsin Wetlands Association AFT – Wisconsin BIO

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>

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
University System

April 15, 2006

The Honorable, The Legislature:

Each April, the UW System submits the Annual Minority and Disadvantaged Student Report to the Governor and the Chief

Clerk of each house of the Legislature, as required by Wisconsin Statutes. The 2004-05 Minority and Disadvantaged Student Annual Report fulfills the requirement in Section 36.25(14m)(c) of the Wisconsin State Statutes that the Board of Regents report annually by April 15 on its pre-college, recruitment, and retention plan for multicultural and economically disadvantaged students.

This year marks the seventh minority and disadvantaged student annual report under the Board of Regents-approved Plan 2008: Educational Quality Through Racial and Ethnic Diversity. The information contained in this report responds to the statutory requirement, and reflects some, but not all, of the initiatives and activities in Plan 2008. At its meeting on April 7, 2006, the Board of Regents accepted the attached report for submission to the Governor and the Chief Clerk of each house of the Legislature for distribution to the appropriate standing committees under 13.172(3). The attached report fulfills the requirements of this statute. The report includes the following information:

- Summary information on pre-college initiatives and activities.
- Expenditures for students-of-color and disadvantaged-student programs; and
- Student financial assistance date.

If you need additional information regarding this report, please contact Cora B. Marrett, Senior Vice President for Academic Affairs, at (608) 262-3826. Thank you for your consideration.

Sincerely,

KEVIN P. REILLY
President

Referred to committee on Higher Education and Tourism.

**State of Wisconsin
Department of Natural Resources**

April 21, 2006

The Honorable, The Senate:

In fulfillment of the requirements under s. 299.85 (9m), Wisconsin State Statutes, I am submitting to you a copy of the Wisconsin's Environmental Compliance Audit Program 2006 Annual Report. It covers the period April 30, 2004 to March 31, 2006. Please distribute as appropriate. I am also providing a copy of the Report to the Governor and to the Honorable Chief Clerk of the Assembly.

For more information on Wisconsin's Environmental Compliance Audit Program or additional copies of this report, please contact Mark McDermid at (608) 267-3125, or visit our web site at:

<http://dnr.wi.gov/org/caer/cea/environmental/auditing.htm>.

DNR staff will send you an electronic copy of this letter and Annual report to facilitate distribution.

Sincerely,

SCOTT HASSETT
Secretary

Referred to committee on Natural Resources and Transportation.

Pursuant to Senate Rule 17 (5), Senator Hansen added as a coauthor of **Senate Joint Resolution 75**.

Pursuant to Senate Rule 17 (5), Senator Robson added as a coauthor of **Senate Joint Resolution 75**.

Pursuant to Senate Rule 17 (5), Senator Robson added as a coauthor of **Senate Joint Resolution 76**.

ADVICE AND CONSENT OF THE SENATE

Senator Schultz, with unanimous consent, asked that **Senate Joint Resolution 78** be withdrawn from the committee on **Senate Organization** and taken up at this time.

Senate Joint Resolution 78

Relating to: the life and service of Lance Corporal Nicholas R. Anderson.

Read.

Adopted by unanimous rising vote.

Senator Schultz, with unanimous consent, asked that all members of the Senate be made coauthors of **Senate Joint Resolution 78**.

Senator Schultz, with unanimous consent, asked that **Senate Joint Resolution** be immediately messaged to the Assembly.

Messaged.

Senator Kedzie, with unanimous consent, asked that all appointments except those of Stephen Bablitch and Mary Burke be considered en masse and that the reading be dispensed.

BERG, MELANIE, of Hudson, as a member of the Podiatrists Affiliated Credentialing Board, to serve for the term ending July 1, 2008.

BYERLY, FRAN, of Barron, as a member of the Livestock Facility Siting Review Board, to serve for the term ending May 1, 2010.

CANEFF, DENNIS, of Madison, as a member of the Land and Water Conservation Board, to serve for the term ending May 1, 2010.

CARRILLO, JOSE, of Janesville, as a member of the Prison Industries Board, to serve for the term ending May 1, 2010.

CROWDER, DON, of Lake Geneva, as a member of the Psychology Examining Board, to serve for the term ending July 1, 2009.

DUCKETT, SANDRA, of Green Bay, as a member of the Fox River Navigational System Authority, to serve for the term ending July 1, 2008.

ENGELBRECHT, LEE, of Two Rivers, as a member of the Livestock Facility Siting Review Board, to serve for the term ending May 1, 2007.

FURNESS, IAN, of Fond du Lac, as a member of the Podiatrists Affiliated Credentialing Board, to serve for the term ending July 1, 2009.

GASKA, JEROME, of Columbus, as a member of the Livestock Facility Siting Review Board, to serve for the term ending May 1, 2009.

HALMINIAK, BRENDA, of Rhinelander, as a member of the Examining Board of Professional Geologists, Hydrologists, and Soil Scientists, to serve for the term ending July 1, 2008.

HANEY, JAMES M., of Plover, as a member of the Judicial Commission, to serve for the term ending August 1, 2005.

HANEY, JAMES M., of Plover, as a member of the Judicial Commission, to serve for the term ending August 1, 2008.

HELEIN, PETER, of Appleton, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 2007.

HOLTE, JAMES, of Elk Mound, as a member of the Livestock Facility Siting Review Board, to serve for the term ending May 1, 2010.

JOHNSON, ANDREW, of Wausau, as a member of the Livestock Facility Siting Review Board, to serve for the term ending May 1, 2008.

Read.

The question was: Confirmation?

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

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

Noes – None.

Absent or not voting – Senators Coggs, Decker, Ellis and Grothman – 4.

Confirmed.

BABLITCH, STEPHEN, of Whitefish Bay, as Secretary of the Department of Administration, to serve for the term ending at the pleasure of the Governor.

Read.

The question was: Confirmation?

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

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

Noes – None.

Absent or not voting – Senators Decker and Grothman – 2.

Confirmed.

BURKE, MARY, of Madison, as Secretary of the Department of Commerce, to serve for the term ending at the pleasure of the Governor.

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.

Senator Schultz, with unanimous consent, asked that **Senate Joint Resolution 75** be withdrawn and taken up at this time.

Senate Joint Resolution 75

Relating to: commending the University of Wisconsin men's hockey team.

Read.

Adopted.

Senator Schultz, with unanimous consent, asked that all members of the Senate be made coauthors of **Senate Joint Resolution 75**.

Senator Schultz, with unanimous consent, asked that **Senate Joint Resolution 76** be withdrawn and taken up at this time.

Senate Joint Resolution 76

Relating to: commending the University of Wisconsin women's hockey team.

Read.

Adopted.

Senator Schultz, with unanimous consent, asked that all members of the Senate be made coauthors of **Senate Joint Resolution 76**.

Senator Darling, with unanimous consent, asked that the Senate stand informal.

10:55 A.M.

STOOD INFORMAL

11:00 A.M.

The Senate reconvened.

Senator Lasee in the chair.

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 99
Assembly Joint Resolution 100
Assembly Joint Resolution 101
Assembly Joint Resolution 104

Concurred in:

Senate Joint Resolution 42
Senate Joint Resolution 71

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Joint Resolution 99

Relating to: declaring May as Manufacturing Month in Wisconsin.

By Representative Honadel; cosponsored by Senator Stepp.

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

Assembly Joint Resolution 100

Relating to: commending the University of Wisconsin men's hockey team.

By Representatives Black, Pocan, Nischke, Mursau, Sheridan, Hebl, Nelson, Jeskewitz, Travis, Meyer, Toles, Young, Vruwink, Bies, Davis, Ward, Berceau, Lehman, Petrowski, Molepske, Boyle, Pridemore, Van Akkeren, Gunderson, Turner, Kerkman, Pope-Roberts and Ott; cosponsored by Senators Risser, Miller, Erpenbach, Roessler, Olsen, A. Lasee, Plale, Breske, Wirch, Taylor and Coggs.

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

Assembly Joint Resolution 101

Relating to: commending the University of Wisconsin women's hockey team.

By Representatives Black, Travis, Pocan, Vruwink, Hebl, M. Williams, Cullen, Davis, Pope-Roberts, Lehman, Molepske, Boyle, Mursau, Berceau, Turner, Hubler, Jeskewitz, McCormick, Krawczyk, Ott, Sheridan, Nass, Hundertmark, Meyer, Pridemore and Van Akkeren; cosponsored by Senators Risser, Miller, Erpenbach, Darling, Hansen, Schultz, Lazich, Roessler, Olsen, Kedzie, Cowles, Taylor and A. Lasee.

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

Assembly Joint Resolution 104

Relating to: commending the UW men's cross country team.

By Representatives Black, Petrowski, Molepske, Jeskewitz, Boyle, Sheridan, Pocan, Turner, Kerkman, Vos, Berceau, Hebl and Vruwink; cosponsored by Senators Risser, Roessler, A. Lasee, Miller, Erpenbach, Lazich and Olsen.

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

Senate Bill 123

Relating to: reorganizing and revising chapter 767 of the statutes.

The question was: Shall Assembly amendment 1 to **Senate Bill 123** be concurred in?

Concurred in.

Senate Bill 145

Relating to: deferred prosecution agreements for persons charged with issuing a worthless check or other order for payment and allowing a district attorney to collect money owed to others.

The question was: Shall Assembly substitute amendment 1 to **Senate Bill 145** be concurred in?

Concurred in.

Senate Bill 226

Relating to: informed consent for minors for inpatient and outpatient treatment for mental illness and developmental

disability, informed consent for the administration to minors of psychotropic medication, and access to records.

The question was: Shall Assembly amendment 1 to **Senate Bill 226** be concurred in?

Concurred in.

Senate Bill 338

Relating to: the prohibition against a public officer or employee having a private interest in a public contract.

The question was: Shall Assembly substitute amendment 1 to **Senate Bill 338** be concurred in?

Concurred in.

Senate Bill 502

Relating to: references to certificates granted by the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board and eligibility requirements for training certificates for marriage and family therapists and professional counselors.

The question was: Shall Assembly amendment 1 to **Senate Bill 502** be concurred in?

Concurred in.

Senator Schultz, with unanimous consent, asked that the Senate recess.

11:04 A.M.

RECESS

1:46 P.M.

The Senate reconvened.

Senator Lasee in the chair.

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

Senate Bill 550

Relating to: return of funds in excess of surplus and incurred liabilities.

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 550

Read a third time and passed.

Senate Bill 554

Relating to: membership of the State Laboratory of Hygiene Board; nonresident tuition exemption for veterans; and the transfer program at the University of Wisconsin School of Medicine and Public Health (suggested as remedial legislation by the Board of Regents of the University of Wisconsin System).

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 554

Read a third time and passed.

Senate Bill 640

Relating to: licensing and activities of driver schools and instructors, granting rule-making authority, and providing a penalty.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 640**?

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 640

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 1; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Miller, Olsen, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 32.

Noes – Senator Grothman – 1.

Absent or not voting – None.

Passed.

Senate Bill 641

Relating to: authority for an off-duty peace officer to act outside his or her territorial jurisdiction.

Read a second time.

Senator Risser asked unanimous consent to refer **Senate Bill 641** to the committee on Judiciary, Corrections, and Privacy.

Senator Lazich objected.

The question was: Adoption of Senate amendment 1 to **Senate Bill 641**?

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 641

Read a third time and passed.

Senate Bill 651

Relating to: the confidentiality of information entered into the statewide automated child welfare information system.

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 651

Read a third time and passed.

Senate Bill 661

Relating to: the establishment of a college savings program bank deposit trust fund and a college savings program credit union deposit trust fund and making appropriations.

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 661

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 673

Relating to: certification of substance abuse counselors, clinical supervisors, and prevention specialists and requiring the exercise of 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.

Senate Bill 673

Read a third time and passed.

Senate Bill 677

Relating to: the failure to publish certain notices relating to the creation, or attempted creation, of a tax incremental financing district in the village of Kimberly.

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 677

Read a third time and passed.

Senate Bill 685

Relating to: use of the proceeds from the sale of real property located in the city of Milwaukee and used for school purposes.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 685**?

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 685

Read a third time and passed.

Senator Kedzie, 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 Joint Resolution 26

Relating to: commending Ignacio Contreras' courage and determination to overcome the challenges as he faces, most notably his fight against cancer.

The question was: Shall **Assembly Joint Resolution 26** be concurred in?

Concurred in.

Assembly Joint Resolution 30

Relating to: the life and public service of Marian L. Thompson.

The question was: Shall **Assembly Joint Resolution 30** be concurred in?

Concurred in.

Assembly Joint Resolution 81

Relating to: the life and military service of Army Specialist Bert Edward Hoyer.

Concurred in by unanimous rising vote.

Senator Schultz, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 81**.

Assembly Joint Resolution 91

Relating to: the life and military service of Lance Corporal Richard Warner, USMC.

Concurred in by unanimous rising vote.

Senator Schultz, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 91**.

Assembly Bill 55

Relating to: immunity of private campground owners and operators.

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 55

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.

Concurred in.

Assembly Bill 112

Relating to: motor vehicle registration plates for disabled veterans.

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 112

Read a third time and passed.

Assembly Bill 149

Relating to: attorney fees in civil actions.

Read a second time.

The question was: Adoption of Senate substitute amendment 2 to **Assembly Bill 149**?

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 149

Relating to: attorney fees in civil actions.

Senator Grothman, with unanimous consent, asked that **Assembly Bill 149** be referred to committee on **Senate Organization**.

Referred.

Assembly Bill 290

Relating to: prohibiting the required implanting of a microchip in an individual and providing a penalty.

Read a second time.

Senate substitute amendment 1 to **Assembly Bill 290** offered by Senator Reynolds.

Senator Lassa, with unanimous consent, asked that **Assembly Bill 290** be placed at the foot of the calendar of April 25, 2006.

Assembly Bill 432

Relating to: service of a summons by certain nonresidents.

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 432

Read a third time and concurred in.

Assembly Bill 639

Relating to: an exemption for certain tribal officials under the lobbying law.

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 639

Read a third time and concurred in.

Assembly Bill 966

Relating to: vehicle owner liability for violations arising from the failure to stop at the scene of an accident 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 966

Read a third time and concurred in.

Assembly Bill 1078

Relating to: licensing and activities of driver schools and instructors, 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 1078

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 1; absent or not voting, 1; as follows:

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

Noes – Senator Grothman – 1.

Absent or not voting – Senator Reynolds – 1.

Concurred in.

Assembly Bill 290

Relating to: prohibiting the required implanting of a microchip in an individual and providing a penalty.

Senator Leibham asked unanimous consent to refer **Assembly Bill 290** to the committee on **Senate Organization**.

Senator Erpenbach objected.

Senator Leibham moved that **Assembly Bill 290** be referred to the committee on **Senate Organization**.

Senator Brown, with unanimous consent, asked that the Senate recess.

3:04 P.M.

RECESS

3:27 P.M.

The Senate reconvened.

Senator Lasee in the chair.

Senator Leibham withdrew his motion to refer **Assembly Bill 290** to the committee on **Senate Organization**.

The question was: Adoption of Senate substitute amendment 1 to **Assembly Bill 290**?

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 290

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 32; noes, 1; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Miller, Olsen, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 32.

Noes – Senator Harsdorf – 1.

Absent or not voting – None.

Concurred in as amended.

MOTIONS MAY BE OFFERED

Senator Hansen moved that the rules be suspended and that **Senate Bill 373** be withdrawn from the committee on **Job Creation, Economic Development and Consumer Affairs** and taken up at this time.

The question was: Shall the rules be suspended and **Senate Bill 373** be withdrawn from the committee on **Job Creation, Economic Development and Consumer Affairs** and taken up at this time?

The ayes and noes were required and the vote was: ayes, 15; noes, 17; absent or not voting, 1; as follows:

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

Noes – Senators Brown, Cowles, Darling, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Reynolds, Roessler, Schultz, Stepp and Zien – 17.

Absent or not voting – Senator S. Fitzgerald – 1.
Refused to take up.

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

Messaged.

Senator Miller moved that the record be expunged of messaging to the Assembly.

The ayes and noes were demanded and the vote was: ayes, 14; noes, 16; absent or not voting, 3; as follows:

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

Noes – Senators Brown, Darling, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Reynolds, Roessler, Schultz, Stepp, Zien, - 16.

Absent or not voting – Senators Cowles, Ellis, S. Fitzgerald, - 3.

Refused to expunge record.

ANNOUNCEMENTS, ADJOURNMENT HONORS, AND REMARKS UNDER SPECIAL PRIVILEGE

Senator Kedzie, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Elizabeth Vannatta's 16th birthday tomorrow, April 26th. Elizabeth is the daughter of Senator Kedzie's staff member, Lori Vannatta.

Senator Decker, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the 27th wedding anniversary of Roger and Karen Breske.

Senator Plale, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the engagement of Susie Schooff and Mark Meyer.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Oshkosh West High School Wildcats who won the 2006 WIAA Division I State Basketball Championship. The team had a perfect record during the 2005–2006 season, and they won each game during the playoff and state basketball competition by at least ten points. The team's late coach, Steve Randall, had a huge impact on students and members of the Oshkosh Community. Lance Randall, Steve Randall's son, took over coaching the boys basketball team after Steve passed away in 2004.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Fond du Lac junior synchronized skating team which represented the United States

in Milan, Italy in February 2006. While there, the Fondy Blades beat teams from Sweden and Finland and took home the 2006 Spring Cup. This is the second year the Fondy Blades have competed internationally.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Lourdes boys basketball team which made it to the Wisconsin Interscholastic Athletic Association Division 4 Championship Tournament. The team enjoyed its second consecutive appearance in a WIAA state tournament this season. The Knights have a strong basketball tradition previous to this appearance including winning the WISAA State Title in 1999.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Fond du Lac Boys Hockey Team, state runners up. The team compiled a 21–4–1 record and had an exciting run at the state tournament including a 3–2 overtime win over Superior.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Fond du Lac/Waupun co-op girls hockey team. The team won every playoff and state tournament game by at least 3 goals. They defeated Onalaska in the State Championship 5–1 and compiled a 19–4 overall record.

Senator Stepp, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Racine St. Catherine's boys basketball team. The Angels capped an incredible 27-0 undefeated season with a lopsided 68 to 29 victory over Westby in the WIAA Division 3 state championship in March. Senator Stepp would like to congratulate coach Bob Letsch, his team, and all the students and staff at St. Catherine's on a wonderful season.

Senator Wirch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Frank Matrice of St. Joseph's High School.

Senator Coggs, with unanimous consent, asked that when the Senate adjourn, it do so in honor of physician Louis Coggs, who practiced in Chicago, Illinois and Washington, D.C. He passed away at the age of 89 on Monday, April 24, 2006 in Inglewood, California.

Senator Miller, with unanimous consent, asked that when the Senate adjourn, it do so in honor of McFarland High School students Katie Paulos and Wendy Kramper, who observed the operation of the Wisconsin Legislature in extraordinary session on April 25, 2006 as part of a class assignment.

Senator Zien, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Robert and Margaret Anderson, grandparents of Nicholas Anderson who was celebrated in the Senate's "Honor our Fallen Heros" ceremony today.

ADJOURNMENT

Senator Schultz, with unanimous consent, asked that the Senate adjourn until Thursday, April 27, 2006 at 11:00 A.M.

Adjourned.

3:58 P.M.

AMENDMENTS OFFERED

Senate amendment 1 to **Assembly Bill 461** offered by Senator Brown.

Senate amendment 1 to Assembly amendment 1 to **Senate Bill 272** offered by Senator Schultz.

Senate amendment 1 to **Senate Bill 688** offered by Senator Roessler.