



# STATE OF WISCONSIN

# Senate Journal

## Ninety–Seventh Regular Session

12:45 P.M.

TUESDAY, May 16, 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 Ellis led the Senate in the pledge of allegiance to the flag of the United States of America.

### CHIEF CLERK’S ENTRIES

The Chief Clerk makes the following entries dated Monday, May 15, 2006.

#### State of Wisconsin Office of the Secretary of State

To the Honorable, the Senate:

<u>Joint Resolution</u>	<u>Enrolled Number</u>	<u>Publication Date</u>
SJR 33	46	(part) May 24, 2006 (part) August 1, 2006 (part) September 5, 2006 (part) October 3, 2006
SJR 42	47	Not Published
SJR 70	48	Not Published
SJR 71	49	Not Published
<u>Bill Number</u>	<u>Act Number</u>	<u>Publication Date</u>
Senate Bill 653	Act 386	May 24, 2006
Senate Bill 391	Act 387	May 24, 2006
Senate Bill 530	Act 389	May 24, 2006
Senate Bill 478	Act 391	May 24, 2006
Senate Bill 407	Act 399	May 24, 2006
Senate Bill 424	Act 400	May 24, 2006
Senate Bill 473	Act 401	May 24, 2006
Senate Bill 486	Act 402	May 24, 2006
Senate Bill 503	Act 403	May 24, 2006
Senate Bill 554	Act 404	May 24, 2006
Senate Bill 639	Act 405	May 24, 2006
Senate Bill 651	Act 406	May 24, 2006

**Senate Bill 673**      **Act 407**      May 24, 2006

Sincerely,  
DOUGLAS LA FOLLETTE  
Secretary of State

The Chief Clerk records:

- Senate Bill 226**
- Senate Bill 436**
- Senate Bill 446**
- Senate Bill 498**
- Senate Bill 524**
- Senate Bill 526**
- Senate Bill 528**
- Senate Bill 606**
- Senate Bill 611**
- Senate Bill 613**
- Senate Bill 626**
- Senate Bill 641**
- Senate Bill 680**

Report correctly enrolled on May 15, 2006.

#### CORRECTIONS IN:

##### 2005 SENATE BILL 226

Prepared by the Legislative Reference Bureau  
(May 9, 2006)

In enrolling, the following correction was made:

Item 9 of senate amendment 1 and item 2 of senate amendment 1 to senate amendment 1 were not given effect because item 5 of assembly amendment 1 deleted that material.

#### CORRECTIONS IN:

##### SENATE AMENDMENT 1, SENATE SUBSTITUTE AMENDMENT 2, TO 2005 SENATE BILL 606

Prepared by the Legislative Reference Bureau  
(May 11, 2006)

In enrolling, the following correction was made:

1. Page 1, line 2: delete “for” and substitute ““for””.

#### CORRECTIONS IN:

##### 2005 SENATE BILL 626

Prepared by the Legislative Reference Bureau  
(May 12, 2006)

In enrolling, the following correction was made:

1. Page 4, line 17: delete “shall”.

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

Read first time and referred:

**Senate Bill 725**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Law Enforcement Association, for the 2003–05 biennium, covering employees in the law enforcement collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.  
To committee on **Senate Organization**.

**Senate Bill 726**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Law Enforcement Association, for the 2005–07 biennium, covering employees in the law enforcement collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.  
To committee on **Senate Organization**.

**Senate Bill 727**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the District 1199W/United Professionals for Quality Health Care, SEIU, AFL–CIO, for the 2005–07 biennium, covering employees in the professional patient care collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.  
To committee on **Senate Organization**.

**Senate Bill 728**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the State Engineering Association for the 2003–05 biennium, covering employees in the professional engineering collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.  
To committee on **Senate Organization**.

**Senate Bill 729**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the State Engineering Association for the 2005–07 biennium, covering employees in the professional engineering collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.  
To committee on **Senate Organization**.

**Senate Bill 730**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Association of State Prosecutors for the 2005–07 biennium, covering employees in the assistant district attorneys collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.  
To committee on **Senate Organization**.

**Senate Bill 731**

Relating to: protective placements and protective services; involuntary administration of psychotropic medication; guardianships, conservatorships, and wards; and services for adults at risk and elder adults at risk.

By committee on Senate Organization.  
To committee on **Senate Organization**.

**REPORT OF COMMITTEES**

The joint committee on **Employment Relations** reports and recommends:

**Senate Bill 725**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Law Enforcement Association, for the 2003–05 biennium, covering employees in the law enforcement collective bargaining unit, and authorizing an expenditure of funds.

Introduction.

Ayes, 7 – Senators A. Lasee, Schultz, Fitzgerald and Robson; Representatives Gard, Huebsch and Kaufert .

Noes, 0 – None.

**Senate Bill 726**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Law Enforcement Association, for the 2005–07 biennium, covering employees in the law enforcement collective bargaining unit, and authorizing an expenditure of funds.

Introduction.

Ayes, 7 – Senators A. Lasee, Schultz, Fitzgerald and Robson; Representatives Gard, Huebsch and Kaufert .

Noes, 0 – None.

**Senate Bill 727**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the District 1199W/United Professionals for Quality Health Care, SEIU, AFL–CIO, for the 2005–07 biennium, covering employees in the professional patient care collective bargaining unit, and authorizing an expenditure of funds.

Introduction.

Ayes, 7 – Senators A. Lasee, Schultz, Fitzgerald and Robson; Representatives Gard, Huebsch and Kaufert .

Noes, 0 – None.

**Senate Bill 728**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the State Engineering Association for the 2003–05 biennium, covering employees in the professional engineering collective bargaining unit, and authorizing an expenditure of funds.

Introduction.

Ayes, 7 – Senators A. Lasee, Schultz, Fitzgerald and Robson; Representatives Gard, Huebsch and Kaufert .

Noes, 0 – None.

**Senate Bill 729**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the State Engineering Association for the 2005–07 biennium, covering employees in the professional engineering collective bargaining unit, and authorizing an expenditure of funds.

Introduction.

Ayes, 7 – Senators A. Lasee, Schultz, Fitzgerald and Robson; Representatives Gard, Huebsch and Kaufert .

Noes, 0 – None.

**Senate Bill 730**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Association of State Prosecutors for the 2005–07 biennium, covering employees in the assistant district attorneys collective bargaining unit, and authorizing an expenditure of funds.

Introduction.

Ayes, 7 – Senators A. Lasee, Schultz, Fitzgerald and Robson; Representatives Gard, Huebsch and Kaufert .

Noes, 0 – None.

ALAN LASEE  
Senate Chairperson

The committee on **Senate Organization** reports and recommends:

**Senate Bill 731**

Relating to: protective placements and protective services; involuntary administration of psychotropic medication; guardianships, conservatorships, and wards; and services for adults at risk and elder adults at risk.

Introduction.

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

Noes, 0 – None.

DALE SCHULTZ  
Chairperson

**ADVICE AND CONSENT OF THE SENATE**

Senator Kedzie, with unanimous consent, asked that the appointment of Marc Blum, William Skarie, and Mai Xiong be withdrawn from the committee on Senate Organization and taken up en masse at this time.

BLUM, MARC, of Oshkosh, as a member of the Dentistry Examining Board, to serve for the term ending July 1, 2009.

SKARIE, DR. WILLIAM R., of Weston, as a member of the Dentistry Examining Board, to serve for the term ending July 1, 2007.

XIONG, MAI, of Wausau, as a member of the Public Defender Board, to serve for the term ending May 1, 2009.

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**

Senator Schultz, with unanimous consent, asked that **Senate Bill 725** be withdrawn from the committee on **Senate Organization** and taken up at this time.

**Senate Bill 725**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Law Enforcement Association, for the 2003–05 biennium, covering employees in the law enforcement collective bargaining unit, and authorizing an expenditure of 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 725**

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 3; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 30.

Noes – Senators S. Fitzgerald, Lazich and Reynolds – 3.

Absent or not voting – None.

Passed.

Senator Schultz, with unanimous consent, asked that **Senate Bill 726** be withdrawn from the committee on **Senate Organization** and taken up at this time.

**Senate Bill 726**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Law Enforcement Association, for the 2005–07 biennium, covering employees in the law enforcement collective bargaining unit, and authorizing an expenditure of 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 726**

Read a third time.

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

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

Noes – Senators Lazich and Reynolds – 2.

Absent or not voting – None.

Passed.

Senator Schultz, with unanimous consent, asked that **Senate Bill 727** be withdrawn from the committee on **Senate Organization** and taken up at this time.

**Senate Bill 727**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the District 1199W/United Professionals for Quality Health Care, SEIU, AFL–CIO, for the 2005–07 biennium, covering employees in the professional patient care collective bargaining unit, and authorizing an expenditure of 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 727**

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 3; 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, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 30.

Noes – Senators Grothman, Lazich and Reynolds – 3.

Absent or not voting – None.

Passed.

Senator Kedzie, with unanimous consent, asked that **Senate Bill 728** be withdrawn from the committee on **Senate Organization** and taken up at this time.

Senator Fitzgerald, with unanimous consent, asked that the Journal reflect that he would like to have voted no on the confirmation of the Executive Appointments, and aye on passage of **Senate Bill 725**.

**Senate Bill 728**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the State Engineering Association for the 2003–05 biennium, covering employees in the professional engineering collective bargaining unit, and authorizing an expenditure of 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 728**

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, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 32.

Noes – Senator Reynolds – 1.

Absent or not voting – None.

Passed.

Senator Schultz, with unanimous consent, asked that **Senate Bill 729** be withdrawn from the committee on **Senate Organization** and taken up at this time.

**Senate Bill 729**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the State Engineering

Association for the 2005–07 biennium, covering employees in the professional engineering collective bargaining unit, and authorizing an expenditure of 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 729**

Read a third time.

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

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

Noes – Senators Lazich and Reynolds – 2.

Absent or not voting – None.

Passed.

Senator Kedzie, with unanimous consent, asked that **Senate Bill 730** be withdrawn from the committee on **Senate Organization** and taken up at this time.

**Senate Bill 730**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Association of State Prosecutors for the 2005–07 biennium, covering employees in the assistant district attorneys collective bargaining unit, and authorizing an expenditure of 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 730**

Read a third time.

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

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

Noes – Senators Lazich and Reynolds – 2.

Absent or not voting – None.

Passed.

Senator Kedzie, with unanimous consent, asked that **Senate Bill 731** be withdrawn from the committee on **Senate Organization** and taken up at this time.

**Senate Bill 731**

Relating to: protective placements and protective services; involuntary administration of psychotropic medication;

guardianships, conservatorships, and wards; and services for adults at risk and elder adults at risk.

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 731**

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, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee,

Lassa, Lazich, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 32.

Noes – Senator Reynolds – 1.

Absent or not voting – None.

Passed.

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

Messaged.

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**ADJOURNMENT**

Senator Schultz moved that the Senate adjourn pursuant to **Senate Joint Resolution 1.**

Adjourned.

1:13 P.M.