

STATE OF WISCONSIN  
**Senate Journal**  
Ninety–Seventh Regular Session

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MONDAY, June 28, 2006

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The Chief Clerk makes the following entries under the above date.

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**CHIEF CLERK’S ENTRIES**

The Chief Clerk makes the following entries dated Thursday, June 22, 2006.

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**Senate Clearinghouse Rule 06–045**

Relating to collection agencies.  
Submitted by Department of Financial Institutions.  
Report received from Agency, June 22, 2006.  
Referred to committee on **Housing and Financial Institutions**, June 22, 2006.

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The Chief Clerk makes the following entries dated Tuesday, June 27, 2006.

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**State of Wisconsin  
Office of the Governor**

June 15, 2006

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PALMER, DIAN, of Brookfield, as a member of the UW Hospitals and Clinics Authority and Board, to serve for the term ending July 1, 2009.

Sincerely,

JIM DOYLE  
Governor

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

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**State of Wisconsin  
Office of the Governor**

June 15, 2006

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MISTELE, ENID, of Sparta, as a member of the Physical Therapists Affiliated Credentialing Board, to serve for the term ending July 1, 2010.

Sincerely,

JIM DOYLE  
Governor

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

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**Senate Clearinghouse Rule 06–048**

Relating to allowing the operation of double bottoms and certain other vehicles on certain specified highways.

Submitted by Department of Transportation.

Report received from Agency, June 23, 2006.

Referred to committee on **Natural Resources and Transportation**, June 27, 2006.

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**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin**

June 27, 2006

The Honorable, The Senate:

I am writing to inform you that Senator Stepp is unable to attend the Joint Committee for Review of Administrative Rules meeting on Wednesday, June 28, 2006. Therefore, I am appointing Senator Leibham as a temporary replacement for this meeting.

Please contact me if you have any questions pertaining to this matter.

Sincerely,

DALE W. SCHULTZ  
Senate Majority Leader

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**State of Wisconsin  
Legislative Audit Bureau**

June 22, 2006

The Honorable, The Legislature:

At your request, we have completed a review of the number of Wisconsin Technical College System (WTCS) employees convicted of felonies. It is part of a comprehensive evaluation of WTCS personnel policies and practices approved by the Joint Legislative Audit Committee, which will be completed later this year.

Using Department of Corrections felony data and WTCS payroll data from March 2006, we identified 15 WTCS employees who were felons under state supervision.

Section 111.321, Wis. Stats., generally prohibits employment discrimination on the basis of arrest or conviction record, but under s. 111.335(1)(c), Wis. Stats., employment can be terminated when a conviction is substantially related to the circumstance of an individual’s job. The decision to terminate is typically determined by an internal investigation. Because technical colleges were unaware of some of the felons, we have recommended that they conduct internal investigations to determine whether any of the convictions we identified are substantially job-related and whether any job action is appropriate.

We found that 8 of the 16 technical colleges had not developed policies or procedures for dealing with such situations,

including policies related to terminating the employment of individuals when appropriate. We include a recommendation that technical college district boards establish policies and procedures for employee discipline and termination.

Finally, we found variation in how technical colleges conduct background checks of candidates for employment. We have recommended that the WTCS Board identify the types of jobs for which background checks should be conducted and require the technical college district boards to promulgate applicable policies.

We appreciate the courtesy and cooperation of the 16 technical colleges and WTCS Board staff in completing this review.

Sincerely,

JANICE MUELLER  
State Auditor

**State of Wisconsin  
Legislative Audit Bureau**

June 23, 2006

The Honorable, The Legislature:

As required by s. 13.94(1)(dm), Wis. Stats., we have completed our annual financial audit of State Fair Park. We have issued an unqualified opinion on State Fair Park's fiscal year (FY) 2004–05 financial statements and have continued to monitor its financial condition and efforts to improve its financial performance.

State Fair Park's expenditures have exceeded revenues in each year since FY 1999–2000. In FY 2004–05, it reported a loss of \$3.6 million, and its accumulated cash deficit increased to \$9.7 million.

In an attempt to limit future losses, State Fair Park has entered into an agreement that licenses a private promoter to operate the Milwaukee Mile racetrack. The promoter is responsible for all future racetrack improvements and will provide annual license fees to fund State Fair Park's debt service costs related to prior racetrack improvements. However, State Fair Park will continue to incur racing-related costs of nearly \$1.8 million in 2006.

The Pettit Center, which is owned by State Fair Park but operated by a not-for-profit corporation, has reported net losses in each of the past five years. By June 30, it is expected to owe State Fair Park \$1.3 million in past-due rent, which was intended to cover debt service costs that State Fair Park pays on the Center's behalf. Legislation to sell the Pettit Center to its not-for-profit corporation was introduced but not enacted during the most recent legislative session. As proposed, the sale would have required \$2.6 million in general purpose revenue to fund future debt service costs related to the Pettit Center.

State Fair Park continues to pursue the option of selling the Pettit Center. Decisions regarding future state support may be needed if the Wisconsin Exposition Center continues to experience cash flow difficulties and if further capital improvements are proposed for the fairgrounds.

We appreciate the courtesy and cooperation extended to us by the staff of State Fair Park. A response from State Fair Park's executive director follows the appendix.

Sincerely,

JANICE MUELLER  
State Auditor

**Urban Open Space Foundation**

June 20, 2006

The Honorable, The Senate:

As you know, Wisconsin's annual grant to a nonprofit corporation for urban land conservation (Sec. 23.0957) was awarded to the Urban Open Space Foundation in 2005. The grant has made an extraordinary difference in helping our foundation accomplish its mission.

As a grant recipient, UOSF is required each fiscal year to submit a report detailing the activities for which the grant was expended. Copies of the report are to be submitted to "the Department of Natural Resources and the appropriate standing committees of the legislature as determined by the Speaker of the Assembly or the President of the Senate." It is my pleasure to submit to you the following report.

Thank you for your assistance in making this program available. State support is critical to our efforts to promote urban land conservation in Wisconsin through urban forest protection and restoration, water resource enhancement, and other open space objectives. We at Urban Open Space Foundation work with communities to create and revitalize public places; we're committed to helping them achieve their full natural, cultural, and economic potential through quality open space networks.

If you should have any questions, please do not hesitate to contact me directly at the numbers below.

Sincerely,

HEATHER MANN  
Executive Director

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

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Carpenter, for Susan Marie Apps, on the occasion of her retirement after 30 years of dedication to the Milwaukee Public Schools.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Lasee, for Jacob Ault, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Schultz, for Wisconsin Badger Camp, on the occasion of its 40th anniversary.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Jauch, for the Bayfield's Team Electrathon, on the occasion of receiving three trophies, including the state's grand championship.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Betsy Beatty, on the occasion of her retirement after 16 years of excellence in service to the Waupun Correctional Institution.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Jauch, for Kara R. Berlage, on the occasion of earning and attaining the Girl Scout Gold Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Fran Birschbach, on the occasion of her retirement as a Family and Consumer Education teacher at Templeton Middle School.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Risser, for Sean Bodley, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Nicholas J. Brown, on the*

*occasion of earning and attaining the rank of the Eagle Scout Award.*

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

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Arlyn Clarksen, on the occasion of his retirement as a Technology Education teacher at Templeton Middle School.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Reynolds, for Michael Edward Crane, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Carpenter, for Don & Sallie Davis Boys & Girls Club, on the occasion of its grand re-opening.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Edward Firlus, on the occasion of his retirement after 27 years of excellence in service to the Waupun Correctional Institution.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Thomas Frisch, on the occasion of his 24 years of excellence in service to the Waupun Correctional Institution.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Pamela Fuller, on the occasion of her retirement after 33 years of excellence in service to the Waupun Correctional Institution.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Angela Fuller, on the occasion of earning and attaining the Girl Scout Silver Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for David Furrer, on the occasion of his retirement as principal of Hamilton High School.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Francis Garro, on the occasion of his retirement after 35 years of excellence in service to the Waupun Correctional Institution.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Roessler, for GE Oil & Gas in Oshkosh, on the occasion of receiving the prestigious award for Health and Safety: the Voluntary Protection Program Star.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Judy Gurath, on the occasion of her retirement as a Kindergarten teacher at Lannon Elementary School.*

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

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Robert Brendan Hamill, on the occasion of earning and attaining the rank of the Eagle Scout.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Schultz, for Wava Haney, on the occasion of her dedicated career as a teacher that benefitted her students and community.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Harsdorf, for Ryan Hansen, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Christopher Hartwig, on the occasion of his retirement after 23 years of excellence in service to the Waupun Correctional Institute.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for John Hoepfner, on the occasion of his retirement as a 3rd grade teacher at Maple Avenue Elementary School.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Alyssa Holley, on the occasion of earning and attaining the Girl Scout Silver Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Randy Howard, on the occasion of his retirement as a fitness education teacher at Templeton Middle School.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Hansen, for Jacob Richard Huntley, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Roessler, for Gary Iverson, on the occasion of his retirement after 23 years of excellence in service to the Waupun Correctional Institution.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for John Janes, on the occasion of his retirement as a custodian from Maple Avenue Elementary School.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Roessler, for Benjamin Kerwin, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Steven Kloehn, on the occasion of his retirement after 29 years of excellence in service to the Waupun Correctional Institution.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Darling, for John T. Krall, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Decker, for Daniel Kraschnewski, on the occasion of his retirement after 29 years of service to the citizens of Taylor County.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Danielle Kroupa, on the occasion of earning and attaining the Girl Scout Silver Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Larry Krueger, on the occasion of his retirement as custodian from Hamilton High School.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Jane Kyle, on the occasion of her retirement as a family and consumer education teacher at Hamilton High School.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Schultz, for Dave Ladd, on the*

*occasion of his decades of service to the Conservation Congress and a lifetime of community and environmental leadership.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Christian Charles Lambert, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

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

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Schultz, for Senator Alan Lasee, on the occasion of his earning a 4.0 grade point average at Northeast Wisconsin Technical College in the subject of Creative Metal Fabrication.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Sheri and Lloyd Levin, on the occasion of being honored by the Women's American ORT.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Risser, for James Livesey, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

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

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Roessler, for Major Bill Makowski, on the occasion of his outstanding career and commitment to the City of Fond du Lac Police Department.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Kenneth Manthei, on the occasion of his retirement after 26 years of excellence in service to the Waupun Correctional Institution.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Darling, for Nicholas R. Marking, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Todd McCarthy, on the occasion of his retirement after 29 years of excellence in service to the Waupun Correctional Institution.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Roessler, for Gary McCaughtry, on the occasion of his outstanding career and commitment to the Department of Corrections.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Mark Melcher, on the occasion of his retirement after 35 years of excellence in service to the Waupun Correctional Institution.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Darling, for Mary Eve Mesenbourg, on the occasion of her retirement after 37 years of dedication and service to the School District of Menomonee Falls.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Mary Penn, on the occasion of her retirement as a learning disabilities teacher at Hamilton High School.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Coggs, for the Perkins Family and the Mr. Perkins Family Restaurant, on the occasion of being recognized as a Milwaukee restaurant success and for their long standing support of the community at a benefit dinner for the Dooky Chase Restaurant, a Louisiana victim of Hurricane Katrina.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Rita Petchel, on the occasion of her retirement as a 4th grade teacher from Maple Avenue Elementary School.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Christine Parrinello–Peterson, on the occasion of her retirement as a 4th grade teacher at Woodside Elementary School.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Cynthia Piotrowski, on the occasion of her retirement as a 5th grade teacher at Woodside Elementary School.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Grothman, for Marisa Podjaski, on the occasion of her completion of the Youth Apprenticeship Program.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Donna Poortenga, on the occasion of her retirement after 32 years of excellence in service to the Waupun Correctional Institution.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Hansen, for Matthew Prokash, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Alyssa Sanfilippo, on the occasion of earning and attaining the Girl Scout Silver Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Natasha Scannell, on the occasion of earning and attaining the Girl Scout Silver Award.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Brown, for Joan Schanhofer, on the occasion of receiving the Myrtle Parker Chapter Leader of the Year Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Risser, for Adam Schneider, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Carpenter, for Herbert B. Schubert, on the occasion of his 50th anniversary of his Ordination to the Priesthood.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Juliana Seboth, on the occasion of her retirement as a learning disabilities teacher for Marcy Elementary School.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Breske, for Eric Charles Seidel, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Victor Seftar, on the occasion of being awarded the Prospect Lion of the Year Award.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Cowles, for the Shawano Area AARP Chapter #186, on the occasion of being named the "Myrtle Parker Chapter of the Year".*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Cowles, for Susan Shuler, on the occasion of her retirement after 34 years of devoted service to the Seymour Community School District.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Dana Siebenaller, on the occasion of earning and attaining the Girl Scout Silver Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Hillary Singer, on the occasion of earning and attaining the Girl Scout Silver Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Alan Skell, on the occasion of his retirement as a Art teacher at Hamilton School District.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Fitzgerald, for Richard Smith, on the occasion of his retirement after 28 years of excellence in service to the Waupun Correctional Institution.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Decker, for Robert Splinter, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Karen Steinman, on the occasion of her retirement as a learning development teacher at Maple Avenue Elementary.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Erin Swinghamer, on the occasion of earning and attaining the Girl Scout Silver Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Trevor Thomas Swessel, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Schultz, for the Thurber-Greenwood Post 1916, on the occasion of over 75 years of countless hours of volunteer service to the community of Reedsburg.*

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

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Robert Ulatt, on the occasion of being awarded the Birch Stern Fellowship Award.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Cowles, for Joseph Walton, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Grothman, for the West Bend Art Museum, on the occasion of its 45th anniversary.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Jeffrey Paul Wild, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Decker, for Nicholas Wisler, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Joanne White, on the occasion of her retirement after 31 years of excellence in service to the Waupun Correctional Institution.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Judy Wroblewski, on the occasion of her retirement as a fourth grade teacher at Woodside Elementary School.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Fire Chief Del Yaroch, on the occasion of his retirement and his years of service to the Beaver Dam community and the Beaver Dam Fire Department.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Rachel Zeman, on the occasion of earning and attaining the Girl Scout Silver Award.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Kevin Dier-Zimmel, on the occasion of his retirement after 27 years of excellence in service to the Waupun Correctional Institution.*