



STATE OF WISCONSIN

Senate Journal

Ninety–Fifth Regular Session

10:00 A.M.

TUESDAY, January 29, 2002

The Senate met.

The Senate was called to order by Senator Fred Risser.

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

Senators Baumgart, Breske, Burke, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, George, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, Kanavas, A. Lasee, Lazich, M. Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler, Rosenzweig, Schultz, Shibilski, Welch, Wirch and Zien – 33.

Absent – None.

Absent with leave – None.

The Senate stood for the prayer which was offered by Bhai Mohinder Singh from the Sikh Religious Society in Milwaukee.

The Senate remained standing and Senator Ellis led the Senate in the pledge of allegiance to the flag of the United States of America.

Senator Chvala, with unanimous consent, asked to be added as a coauthor of **Senate Joint Resolution 56**.

Senator Chvala, with unanimous consent, asked that **Senate Bill 378** be withdrawn from the committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform** and referred to the committee on **Environmental Resources**.

Senator Welch, with unanimous consent, asked to be added as a cosponsor of **Assembly Joint Resolution 79**.

INTRODUCTION AND REFERENCE OF RESOLUTIONS AND JOINT RESOLUTIONS

Read and referred:

Senate Joint Resolution 57

Relating to: urging the Minnesota legislature to continue the income tax reciprocity agreement between Minnesota and Wisconsin.

By Senators Jauch, Harsdorf, M. Meyer, Schultz, A. Lasee, Darling, Plache, Baumgart, Rosenzweig and Burke; cosponsored by Representatives Rhoades, Pettis, Plouff, Huebsch, Boyle, Shilling, Johnsrud, Kreibich, Freese, Jeskewitz, Sykora, Gunderson, Gronemus, Owens, Townsend, Urban, Turner, Hines, Lassa, Vrakas, Miller, Ryba, Cogs and Hubler.

To committee on **Universities, Housing, and Government Operations**.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 401

Relating to: certification of animal chiropractors, providing an exemption from emergency rule procedures, and granting rule-making authority.

By Senators Breske and Burke; cosponsored by Representatives Skindrud, Plouff and Berceau.

To committee on **Labor and Agriculture**.

Senate Bill 402

Relating to: dog licensing and claims for damage that is caused by dogs in certain populous counties.

By Senators Grobschmidt and Burke; cosponsored by Representatives Plale, Duff, Sinicki, La Fave and Pocan.

To committee on **Universities, Housing, and Government Operations**.

Senate Bill 403

Relating to: retirement benefits provided to educational support personnel under the Wisconsin retirement system.

By Senators Risser, Burke, Wirch, Baumgart and George; cosponsored by Representatives Bies, Sherman, J. Lehman, Pocan, Musser, Ryba, Plouff, Gronemus, Williams, Black, Lassa, Turner and Lippert.

To joint survey committee on **Retirement Systems**.

Senate Bill 404

Relating to: intentionally causing the death of an in vitro human embryo, nontherapeutic research involving an in vitro human embryo, the use of cells or tissue derived from an in vitro human embryo, the purchase or sale of in vitro human embryos, requesting the joint legislative council to conduct a study on how to reduce the number of in vitro human embryos created by assisted reproductive services clinics and how to facilitate the adoption of unused in vitro human embryos, and human cloning and providing penalties.

By Senators Lazich, S. Fitzgerald and Roessler; cosponsored by Representatives Freese, Suder, J. Fitzgerald, Grothman, Gunderson, Gundrum, Hines, Kestell, Krawczyk, Kreibich, Leibham, Loeffelholz, McCormick, Nass, Ott, Owens, Pettis and Walker.

To committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform**.

Senate Bill 405

Relating to: the tax rate of the county sales tax and use tax.

By Senators Jauch and Burke; cosponsored by Representatives Miller, Musser, Turner and Lassa.

To committee on **Universities, Housing, and Government Operations**.

Senate Bill 406

Relating to: providers of medical assistance and requiring the exercise of rule-making authority.

By Senators M. Meyer, Wirch, Schultz and Roessler; cosponsored by Representatives Johnsrud, Musser, Huber, J. Lehman, Sykora, Urban, Starzyk, Hines and Albers.

To committee on **Health, Utilities, Veterans and Military Affairs**.

Senate Bill 407

Relating to: references to the Internal Revenue Code for income and franchise tax purposes.

By Senators Burke, Baumgart, Erpenbach, Grobschmidt, M. Meyer, Risser and Wirch; cosponsored by Representatives Krawczyk, Lippert, M. Lehman, Gard, Jensen, Grothman, Ott, Seratti, D. Meyer, Owens, J. Fitzgerald, Nass, Rhoades, Musser, Vrakas, Johnsrud, Hundertmark, Loeffelholz, Ward, Montgomery, Bies, Hahn, Ladwig, Wieckert, Leibham, Jeskewitz, Skindrud, Powers, Urban, Starzyk, Kaufert, Hines, Huebsch, Townsend, Pettis, Kestell, Walker, Underheim, Friske and Petrowski.

To joint survey committee on **Tax Exemptions**.

REPORT OF COMMITTEES

The committee on **Environmental Resources** reports and recommends:

Assembly Bill 251

Relating to: the period of time during which sturgeon spearing licenses may not be issued.

Introduction and adoption of Senate amendment 1.

Ayes, 5 – Senators Baumgart, Hansen, Wirch, Cowles and Schultz.

Noes, 0 – None.

Concurrence as amended.

Ayes, 5 – Senators Baumgart, Hansen, Wirch, Cowles and Schultz.

Noes, 0 – None.

Senate Bill 317

Relating to: sturgeon spearing licenses; the sturgeon stock, fishery, and habitat in the Lake Winnebago and upper Fox and Wolf rivers system; and making an appropriation.

Introduction and adoption of Senate amendment 1.

Ayes, 5 – Senators Baumgart, Hansen, Wirch, Cowles and Schultz.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Baumgart, Hansen, Wirch, Cowles and Schultz.

Noes, 0 – None.

Senate Bill 361

Relating to: the size of restored, enhanced, or created wetlands that are parts of wetland mitigation projects.

Introduction and adoption of Senate substitute amendment 1.

Ayes, 5 – Senators Baumgart, Hansen, Wirch, Cowles and Schultz.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Baumgart, Hansen, Wirch, Cowles and Schultz.

Noes, 0 – None.

Jim Baumgart
Chairperson

The committee on **Privacy, Electronic Commerce and Financial Institutions** reports and recommends:

KUNDERT, JOHN F. "JACK", of Monroe, as Secretary of the Department of Financial Institutions, to serve for the term ending at the pleasure of the Governor.

Confirmation.

Ayes, 5 – Senators Erpenbach, Jauch, Plache, S. Fitzgerald and Kanavas.

Noes, 0 – None.

Jon Erpenbach
Chairperson

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Office of the Governor**

January 18, 2002

The Honorable, The Senate:

This is to inform you that I am withdrawing the following nominations:

Mary Lou Bohlen for reappointment to the Council on Domestic Abuse effective immediately. Ms. Bohlen has notified my office that she is relocating out of state.

Terry Mulcahy as Secretary of the Department of Transportation effective January 25, 2002. Mr. Mulcahy has notified me of his resignation from the position.

Juliane Saxon for appointment to the Board on Aging and Long Term Care effective immediately. My staff has been informed that federal language precludes Ms. Saxon from serving on the Board due to her place of employment.

Thank you for your attention to this matter.

Sincerely,

SCOTT MCCALLUM
Governor

**State of Wisconsin
Joint Legislative Council**

January 25, 2002

The Honorable, The Senate:

I am pleased to transmit to you the following reports to the 2001 Legislature on legislation introduced by the Joint Legislative Council:

RL2001-15 Legislation on Developmental Disabilities (2001 Senate Bill 289 and 2001 Assembly Bill 590)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available at the Legislative Council Staff offices, One East Main, Suite 401, or from our web page at http://www.legis.state.wi.us/lc/reports_by_topic.htm.

Sincerely,

TERRY C. ANDERSON
Director

State of Wisconsin

January 25, 2001

The Honorable, The Senate:

Please remove my name as a co-sponsor of **Senate Bill 363**, authored by Senator Baumgart, relating to terrorism.

Thank you for your assistance in this matter.

Sincerely,

MICHAEL "MICKEY" LEHMAN
State Representative 58th Assembly District

State of Wisconsin

January 25, 2002

The Honorable, The Senate:

I am writing today to request that you remove my name from the list of cosponsors of **Senate Bill 363**, authored by Senator Baumgart and Representative Kaufert.

I agreed to co-sponsor SB 363 (LRB 4067/1), based on a cosponsorship memo. It now appears that the memo that was distributed may not accurately reflect the true scope of the bill. Therefore I am asking that I be withdrawn as a cosponsor.

If you have any questions related to this request, please do not hesitate to contact me.

Sincerely,

JOHN J. RYBA
Representative
90th Assembly District

**State of Wisconsin
Ethics Board**

January 29, 2002

The Honorable, The Senate:

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

For more detailed information about these lobbyists and organizations and a complete list of organizations and people authorized to lobby the 2001 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us/>

- Bergersen, Gunnar **RAVE Sports Inc**
- Broydrick, William **Milwaukee Public Schools**
- Cumberbatch, Franklin **Milwaukee Public Schools**
- Dilweg, Sean **Wisconsin League of Conservation Voters (WLCV)**
- Essie, Patrick **Wisconsin League of Conservation Voters (WLCV)**
- Gerrard, M William **Allied Health of Wisconsin SC**
- Jensen, Eric **Wisconsin Wholesale Beer Distributors Association Inc**
- LaSorte, Darren **National Rifle Association-Institute for Legislative Action**
- McIntosh, Forbes **Rice Health Care Facilities of Wisconsin Inc**
- Pirlot, Randall J **State Medical Society of Wisconsin**

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,

ROTH JUDD
Director

Senator Robson, with unanimous consent, asked that the Senate recess until 2:45 P.M..

10:30 A.M.

RECESS

2:45 P.M.

The Senate reconvened.
Senator Risser in the chair.

ADVICE AND CONSENT OF THE SENATE

Senator Chvala, with unanimous consent, asked that all the appointments except for that of Richard G. Chandler and Rebecca L. Heidepriem be taken up en masse.

CERNY, MIKE J., of Sharon, as a member of the Snowmobile Recreation Council, to serve for the term ending July 1, 2004.

Read.

DAVID, DR. ALAN K., of Cedarburg, as a member of the Rural Health Development Council, to serve for the term ending July 1, 2006.

Read.

DITTMAR, BEVERLY ANN, of Eagle River, as a member of the Snowmobile Recreation Council, to serve for the term ending July 1, 2004.

Read.

FEITH, SUSAN, of Wisconsin Rapids, as a member of the Chiropractic Examining Board, to serve for the term ending May 1, 2005.

Read.

GABERT, DR. THOMAS C., of Minocqua, as a member of the Snowmobile Recreation Council, to serve for the term ending July 1, 2004.

Read.

HEISER, RAYMOND W., of Wausau, as a member of the Optometry Examining Board, to serve for the interim term ending July 1, 2004.

Read.

KAMPS, GEORGE J., of Green Bay, as a member of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for the term ending July 1, 2005.

Read.

LAWRENCE, BETTYE J., of Madison, as a member of the Board of Nursing, to serve for the interim term ending July 1, 2003.

Read.

LUST, RICHARD O., of Verona, as a member of the Auctioneers Examining Board, to serve for the term ending May 1, 2004.

Read.

MORGAN, DEIRDRE A., of Verona, as Chair of the Parole Commission, to serve for the term ending March 1, 2003.

Read.

SCHMIDT, CRAIG W.C., of Berlin, as a member of the Rural Health Development Council, to serve for the term ending July 1, 2006.

Read.

SCHUMANN, WILLIAM E., of Manitowish Waters, as a member of the Snowmobile Recreation Council, to serve for the term ending July 1, 2004.

Read.

WEDDLE, MCARTHUR, of Milwaukee, as a member of the Psychology Examining Board, to serve for the interim term ending July 1, 2002.

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 Baumgart, Breske, Burke, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, George, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, Kanavas, A. Lasee, Lazich, M. Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler, Rosenzweig, Schultz, Shibilski, Welch, Wirch and Zien – 33.

Noes – None.

Absent or not voting – None.

Confirmed.

Senator Roessler, with unanimous consent, asked to be added as a coauthor of **Senate Bill 407**.

CHANDLER, RICHARD G., of Madison, as Secretary of the Department of Revenue, 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 Baumgart, Breske, Burke, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, George, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, Kanavas, A. Lasee, Lazich, M. Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler, Rosenzweig, Schultz, Shibilski, Welch, Wirch and Zien – 33.

Noes – None.

Absent or not voting – None.

Confirmed.

Senator Chvala, with unanimous consent, asked that **Assembly Bill 358** be withdrawn from the committee on **Universities, Housing, and Government Operations** and referred to the committee on **Environmental Resources**.

Senator Moore, with unanimous consent, asked to be added as a coauthor of **Senate Joint Resolution 54**.

Senator Moore, with unanimous consent, asked to be added as a coauthor of **Senate Bill 175**.

Senator Moore, with unanimous consent, asked to be added as a coauthor of **Senate Bill 179**.

HEIDPRIEM, REBECCA L., of Milwaukee, as the Chief Information Officer of the Department of Electronic Government, 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 Baumgart, Breske, Burke, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, George, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, Kanavas, A. Lasee, Lazich, M. Meyer, Moen, Moore, Panzer, Plache,

Risser, Robson, Roessler, Rosenzweig, Schultz, Shibilski, Welch, Wirch and Zien – 33.

Noes – None.

Absent or not voting – None.

Confirmed.

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

Senate Clearinghouse Rule 01–140

Relating to career executive employment and various technical changes to bring the rules into consistency with the statutes and compensation plan.

Submitted by Department of Employment Relations.

Report received from Agency, January 28, 2002.

Referred to committee on **Universities, Housing, and Government Operations**, January 29, 2002.

Senate Clearinghouse Rule 01–141

Relating to certification for employment consideration, probationary periods, transfers of career executive employees and various technical changes to bring the rules into consistency with the statutes and compensation plan.

Submitted by Department of Employment Relations.

Report received from Agency, January 28, 2002.

Referred to committee on **Universities, Housing, and Government Operations**, January 29, 2002.

The committee on **Environmental Resources** reports and recommends:

Senate Clearinghouse Rule 01–115

Relating to commercial fishing in Lake Superior and Lake Michigan.

Review period waived, Ayes 5, Noes 0.

Ayes, 5 – Senators Baumgart, Hansen, Wirch, Cowles and Schultz.

Noes, 0 – None.

Jim Baumgart
Chairperson

The committee on **Insurance, Tourism, and Transportation** reports and recommends:

Senate Clearinghouse Rule 01–117

Relating to the harbor assistance program.

No action taken.

Senate Clearinghouse Rule 01–121

Relating to vehicle emission inspections.

No action taken.

Roger Breske
Chairperson

MESSAGES FROM THE ASSEMBLY

By John A. Scocos, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has passed and asks concurrence in:

Assembly Bill 563

Assembly Bill 593

Assembly Bill 642

Assembly Bill 742

Concurred in:

Senate Bill 118

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Bill 563

Relating to: abandoned property reporting requirements; reporting and delivery of abandoned stock, intangible business interests, and other intangible property to the state treasurer; the sale of abandoned property; and creating a procedure for claiming certain escheated funds.

By Representative Gundrum; cosponsored by Senator George.

Read first time and referred to committee on **Universities, Housing, and Government Operations**.

Assembly Bill 593

Relating to: The Type 1 motorcycle, moped, and motor bicycle safety program and making an appropriation.

By Representatives Friske, Petrowski, Stone, Gard, Vrakas, Gronemus, Ward, Kaufert, F. Lasee, Montgomery, Musser, McCormick, Hundertmark, Rhoades, Seratti, J. Fitzgerald, Ott, Starzyk, Krawczyk, Ainsworth, Lippert, Hoven, Sykora, Jeskewitz, Urban, Kreibich, Gunderson, Leibham, Suder, M. Lehman, Reynolds, Black, Plouff, Sherman, Lassa, Meyerhofer, J. Lehman, Berceau, Schooff and Grothman; cosponsored by Senators M. Meyer, Zien, Plache, Panzer, Wirch, Harsdorf, Welch, Shibilski, Hansen, Schultz and Grobschmidt.

Read first time and referred to committee on **Insurance, Tourism, and Transportation**.

Assembly Bill 642

Relating to: authorizing the Wisconsin Health and Educational Facilities Authority to issue bonds to finance a project undertaken for a facility used for education by a private, tax-exempt institution.

By Representatives Wieckert, Plale, Underheim, F. Lasee, McCormick, J. Fitzgerald, Starzyk, Vrakas, Kaufert, Ott, Krawczyk, Owens, Nass, Hundertmark, Olsen, Gunderson, Sykora, Jensen, Montgomery, Leibham, Bies, Ryba and Walker; cosponsored by Senators Robson, George, Baumgart, Welch, S. Fitzgerald, Ellis, Roessler, Kanavas, Cowles, Lazich and Rosenzweig.

Read first time and referred to committee on **Health, Utilities, Veterans and Military Affairs**.

Assembly Bill 742

Relating to: temporary supplemental unemployment insurance benefits and certain other changes to the unemployment insurance law.

By Representatives Hundertmark and Turner; cosponsored by Senators Hansen and A. Lasee.

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

**CONSIDERATION OF MOTIONS AND
RESOLUTIONS**

Senate Resolution 11

Relating to: the 27th year of military occupation of Cyprus.

Read.

Adopted.

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

Senate Joint Resolution 54

Relating to: congratulating Bob Uecker on his induction into the Radio Hall of Fame.

Read.

Adopted.

Senate Joint Resolution 56

Relating to: the life and public service of Roy Kubista.

Read.

Adopted.

Senate Bill 96

Relating to: regulation of social workers, advanced practice social workers, independent social workers, clinical social workers, marriage and family therapists, professional counselors, and art, music, and dance therapists, insurance coverage for services provided by clinical social workers, marriage and family therapists, professional counselors, granting rule-making authority, and providing a penalty.

Read a second time.

Senator Moen, with unanimous consent, asked that **Senate Bill 179** be taken up at this time.

Senate Bill 179

Relating to: requiring crossing gates on school buses, granting rule-making authority, and providing a penalty.

Read a second time.

Ordered to a third reading.

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

Senate Bill 179

Read a third time and passed.

Senator Moen, with unanimous consent, asked that **Assembly Bill 206** be withdrawn from the committee on **Human Services and Aging** and taken up.

Assembly Bill 206

Relating to: regulation of social workers, advanced practice social workers, independent social workers, clinical social workers, marriage and family therapists, professional counselors, and art, music, and dance therapists, insurance coverage for services provided by clinical social workers, marriage and family therapists, professional counselors, granting rule-making authority, and providing a penalty.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 206

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 Baumgart, Breske, Burke, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, George, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, Kanavas, A. Lasee, M. Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler, Rosenzweig, Schultz, Shibilski, Wirch and Zien – 31.

Noes – Senators Lazich and Welch – 2.

Absent or not voting – None.

Concurred in.

Senator Moen, with unanimous consent, asked that **Senate Bill 96** be laid on the table.

Senate Bill 104

Relating to: campaign financing, providing exemptions from emergency rule procedures, granting rule-making authority, making appropriations and providing penalties.

Read a second time.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 104**?

Adopted.

The question was: Adoption of Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 104**?

Adopted.

Senate amendment 1 to Senate amendment 3 to Senate substitute amendment 1 to **Senate Bill 104** offered by Senator George.

Senator Chvala moved rejection of Senate amendment 1 to Senate amendment 3 to Senate substitute amendment 1 to **Senate Bill 104**.

The question was: Rejection of Senate amendment 1 to Senate amendment 3 to Senate substitute amendment 1 to **Senate Bill 104**?

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

Ayes – Senators Baumgart, Breske, Burke, Chvala, Cowles, Decker, Ellis, Erpenbach, S. Fitzgerald, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, A. Lasee, Lazich, M. Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler, Rosenzweig, Schultz, Shibilski, Wirch and Zien – 29.

Noes – Senators Darling, George, Kanavas and Welch – 4.

Absent or not voting – None.

Rejected.

The question was: Adoption of Senate amendment 3 to Senate substitute amendment 1 to **Senate Bill 104**?

Adopted.

IN THE CHAIR

Senator George in the Chair

3:27 P.M.

Senate amendment 4 to Senate substitute amendment 1 to **Senate Bill 104** offered by Senator Risser.

Senator Chvala moved rejection of Senate amendment 4 to Senate substitute amendment 1 to **Senate Bill 104**.

The question was: Rejection of Senate amendment 4 to Senate substitute amendment 1 to **Senate Bill 104**?

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

Ayes – Senators Baumgart, Breske, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, Kanavas, A. Lasee, Lazich, M. Meyer, Moen, Panzer, Plache, Robson, Roessler, Rosenzweig, Schultz, Welch, Wirch and Zien – 28.

Noes – Senators Burke, George, Moore, Risser and Shibilski – 5.

Absent or not voting – None.

Rejected.

Senate amendment 5 to Senate substitute amendment 1 to **Senate Bill 104** offered by Senators Plache and Robson.

The question was: Adoption of Senate amendment 5 to Senate substitute amendment 1 to **Senate Bill 104**?

Adopted.

Senate amendment 6 to Senate substitute amendment 1 to **Senate Bill 104** offered by Senators Ellis, Chvala, Schultz, Cowles and Shibilski.

The question was: Adoption of Senate amendment 6 to Senate substitute amendment 1 to **Senate Bill 104**?

Adopted.

Senate amendment 7 to Senate substitute amendment 1 to **Senate Bill 104** offered by Senator Shibilski.

Senator Chvala moved rejection of Senate amendment 7 to Senate substitute amendment 1 to **Senate Bill 104**.

The question was: Rejection of Senate amendment 7 to Senate substitute amendment 1 to **Senate Bill 104**?

Rejected.

Senate amendment 8 to Senate substitute amendment 1 to **Senate Bill 104** offered by Senator Shibilski.

Senator Chvala moved rejection of Senate amendment 8 to Senate substitute amendment 1 to **Senate Bill 104**.

The question was: Rejection of Senate amendment 8 to Senate substitute amendment 1 to **Senate Bill 104**?

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

Ayes – Senators Baumgart, Breske, Burke, Chvala, Cowles, Darling, Ellis, Erpenbach, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, A. Lasee, Lazich, M. Meyer, Moen, Moore, Panzer, Plache, Robson, Roessler, Rosenzweig, Schultz, Wirch and Zien – 26.

Noes – Senators Decker, S. Fitzgerald, George, Kanavas, Risser, Shibilski and Welch – 7.

Absent or not voting – None.

Rejected.

Senate amendment 9 to Senate substitute amendment 1 to **Senate Bill 104** offered by Senator Shibilski.

Senator Shibilski, with unanimous consent, asked that Senate amendment 9 to Senate substitute amendment 1 to **Senate Bill 104** be withdrawn and returned to author.

Senate amendment 10 to Senate substitute amendment 1 to **Senate Bill 104** offered by Senator Shibilski.

Senator Chvala moved rejection of Senate amendment 10 to Senate substitute amendment 1 to **Senate Bill 104**.

The question was: Rejection of Senate amendment 10 to Senate substitute amendment 1 to **Senate Bill 104**?

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

Ayes – Senators Baumgart, Breske, Burke, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, Grobschmidt, Hansen,

Harsdorf, Huelsman, Jauch, A. Lasee, Lazich, M. Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler, Rosenzweig, Schultz, Wirch and Zien – 28.

Noes – Senators S. Fitzgerald, George, Kanavas, Shibilski and Welch – 5.

Absent or not voting – None.

Rejected.

IN THE CHAIR

Senator Risser in the Chair

4:00 P.M.

Senate amendment 11 to Senate substitute amendment 1 to **Senate Bill 104** offered by Senator George.

Senator George, with unanimous consent, asked that Senate amendment 11 to Senate substitute amendment 1 to **Senate Bill 104** be withdrawn and returned to author.

Senate amendment 12 to Senate substitute amendment 1 to **Senate Bill 104** offered by Senators Kanavas, Roessler, Welch, Darling and Panzer.

Senator Chvala moved rejection of Senate amendment 12 to Senate substitute amendment 1 to **Senate Bill 104**.

The question was: Rejection of Senate amendment 12 to Senate substitute amendment 1 to **Senate Bill 104**?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 11; absent or not voting, 0; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Cowles, Decker, Ellis, Erpenbach, George, Grobschmidt, Hansen, Harsdorf, Jauch, M. Meyer, Moen, Moore, Plache, Risser, Robson, Schultz, Shibilski and Wirch – 22.

Noes – Senators Darling, S. Fitzgerald, Huelsman, Kanavas, A. Lasee, Lazich, Panzer, Roessler, Rosenzweig, Welch and Zien – 11.

Absent or not voting – None.

Rejected.

Senate amendment 13 to Senate substitute amendment 1 to **Senate Bill 104** offered by Senators Kanavas, Welch, Darling and Panzer.

Senator Chvala moved rejection of Senate amendment 13 to Senate substitute amendment 1 to **Senate Bill 104**.

The question was: Rejection of Senate amendment 13 to Senate substitute amendment 1 to **Senate Bill 104**?

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

Ayes – Senators Baumgart, Breske, Burke, Chvala, Cowles, Decker, Ellis, Erpenbach, Grobschmidt, Hansen, Harsdorf, Jauch, M. Meyer, Moen, Moore, Plache, Risser, Robson, Schultz, Shibilski and Wirch – 21.

Noes – Senators Darling, S. Fitzgerald, George, Huelsman, Kanavas, A. Lasee, Lazich, Panzer, Roessler, Rosenzweig, Welch and Zien – 12.

Absent or not voting – None.

Rejected.

Senate amendment 14 to Senate substitute amendment 1 to **Senate Bill 104** offered by Senators Kanavas, Roessler, Panzer, Huelsman and Rosenzweig.

The question was: Adoption of Senate amendment 14 to Senate substitute amendment 1 to **Senate Bill 104**?

POINT OF ORDER

Senator Chvala raised the point of order that Senate amendment 14 to Senate substitute amendment 1 was not germane.

The Chair ruled the point of order well taken.

Senate amendment 15 to Senate substitute amendment 1 to **Senate Bill 104** offered by Senators Huelsman, Rosenzweig, Kanavas, Welch, Darling, A. Lasee, Zien, Panzer and Harsdorf.

Senator Chvala moved rejection of Senate amendment 15 to Senate substitute amendment 1 to **Senate Bill 104**.

The question was: Rejection of Senate amendment 15 to Senate substitute amendment 1 to **Senate Bill 104**?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Cowles, Decker, Erpenbach, Grobschmidt, Hansen, Jauch, M. Meyer, Moen, Moore, Plache, Risser, Robson, Schultz, Shibilski and Wirch – 19.

Noes – Senators Darling, Ellis, S. Fitzgerald, George, Harsdorf, Huelsman, Kanavas, A. Lasee, Lazich, Panzer, Roessler, Rosenzweig, Welch and Zien – 14.

Absent or not voting – None.

Rejected.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 104**?

Adopted.

Ordered to a third reading.

Senator George, with unanimous consent, asked to be added as a coauthor of **Senate Bill 104**.

Senator George, with unanimous consent, asked to be added as a coauthor of **Senate Bill 175**.

Senator Harsdorf, with unanimous consent, asked to be added as a coauthor of **Senate Bill 104**.

Senator Hansen, with unanimous consent, asked to be added as a coauthor of **Senate Bill 104**.

IN THE CHAIR

Senator George in the Chair

4:20 P.M.

Senate Bill 170

Relating to: notification of the state regarding a medical malpractice claim.

Read a second time.

Ordered to a third reading.

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

Senate Bill 170

Read a third time and passed.

Senate Bill 175

Relating to: appointment of students to the board of regents of the University of Wisconsin System.

Read a second time.

Senate substitute amendment 1 to **Senate Bill 175** offered by Senator Ellis.

Senator Grobschmidt moved that Senate substitute amendment 1 to **Senate Bill 175** be laid on the table.

The question was: Shall Senate substitute amendment 1 to **Senate Bill 175** 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 Baumgart, Breske, Burke, Chvala, Decker, Erpenbach, George, Grobschmidt, Hansen, Jauch, M. Meyer,

Moen, Moore, Plache, Risser, Robson, Schultz, Shibilski and Wirch – 19.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Harsdorf, Huelsman, Kanavas, A. Lasee, Lazich, Panzer, Roessler, Rosenzweig, Welch and Zien – 14.

Absent or not voting – None.

Tabled.

Ordered to a third reading.

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

Senate Bill 175

Read a third time and passed.

Senate Bill 176

Relating to: the Wisconsin School for the Deaf and creating a deaf and hard-of-hearing education council.

Read a second time.

Senate amendment 1 to **Senate Bill 176** offered by Senator Grobschmidt.

The question was: Adoption of Senate amendment 1 to **Senate Bill 176**?

Adopted.

Ordered to a third reading.

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

Senate Bill 176

Read a third time and passed.

Senate Bill 227

Relating to: qualifications for endorsements authorizing the operation of a school bus.

Read a second time.

Senator Burke, with unanimous consent, asked that **Senate Bill 227** be referred to the Joint Committee on **Finance**.

Senator Burke, with unanimous consent, asked that the rules be suspended and that **Senate Bill 227** be withdrawn from the Joint Committee on **Finance** and taken up at this time.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 227**?

Adopted.

Ordered to a third reading.

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

Senate Bill 227

Read a third time and passed.

Senate Bill 229

Relating to: qualifications for an endorsement authorizing a person to operate a school bus.

Read a second time.

Ordered to a third reading.

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

Senate Bill 229

Read a third time and passed.

Senate Bill 288

Relating to: administration of student financial aid programs by the higher educational aids board and granting rule-making authority (suggested as remedial legislation by the higher educational aids board).

Read a second time.

Ordered to a third reading.

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

Senate Bill 288

Read a third time and passed.

Senate Bill 339

Relating to: exclusive contracts for the sale of soft drinks in schools.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 339**?

Adopted.

Ordered to a third reading.

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

Senate Bill 339

Read a third time and passed.

Senate Bill 340

Relating to: veterinary postgraduate training permits.

Read a second time.

Ordered to a third reading.

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

Senate Bill 340

Read a third time and passed.

Senate Bill 347

Relating to: eliminating redundancy in statutes pertaining to license renewal requirements; limiting a credential issued by an examining board; use of the term “credential” in the statutes pertaining to the department of regulation and licensing; changing the definition of “licensing” as it relates to administrative procedure; the award of costs in a contested administrative case; persons exempt from regulation as private detectives or private security personnel; and renumbering and creating statutory titles for provisions pertaining to immunity from liability for testimony to the department of regulation and licensing and attached boards, advisory committees to the department of regulation and licensing and attached boards, and cemetery preneed sellers (suggested as remedial legislation by the department of regulation and licensing).

Read a second time.

Ordered to a third reading.

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

Senate Bill 347

Read a third time and passed.

Senate Bill 356

Relating to: the disclosure of information about licensed nurses to the coordinated licensure information system.

Read a second time.

Ordered to a third reading.

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

Senate Bill 356

Read a third time and passed.

Senate Bill 364

Relating to: proclaiming Purple Heart Day.

Read a second time.

Ordered to a third reading.

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

Senate Bill 364

Read a third time and passed.

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

Assembly Joint Resolution 79

Relating to: the life and public service of Robert O. Uehling.

Read.

Concurred in by unanimous rising vote.

Assembly Joint Resolution 82

Relating to: celebrating March 1, 2002, as St. David's Day.

Read.

Concurred in.

Assembly Joint Resolution 83

Relating to: the life and public service of Wisconsin Governor and Federal Judge John W. Reynolds, Jr.

Read.

Concurred in by unanimous rising vote.

Senator Panzer, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 83**.

Assembly Joint Resolution 86

Relating to: the 60th anniversary of the Civil Air Patrol.

Read.

Senator Grobschmidt, with unanimous consent, asked to be added as a cosponsor of **Assembly Joint Resolution 86**.

Concurred in.

Assembly Bill 31

Relating to: certain applicants for preference points under the cumulative preference system for issuing Class A bear hunting licenses.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 31

Read a third time and concurred in.

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

IN THE CHAIR

Senator Risser in the Chair

5:00 P.M.

MOTIONS MAYBE OFFERED

Senator Chvala, with unanimous consent, asked that when the Senate adjourns today it do so in honor of Cliff Miller upon his retirement from the press corp.

Senator M. Meyer, with unanimous consent, asked to be added as a coauthor of **Senate Bill 104**.

Senator Wirch, with unanimous consent, asked to be added as a coauthor of **Senate Bill 104**.

Senator Robson, with unanimous consent, asked to be added as a coauthor of **Senate Bill 104**.

Senator Grobschmidt, with unanimous consent, asked to be added as a coauthor of **Senate Bill 104**.

Senator Cowles, with unanimous consent, asked to be added as a coauthor of **Senate Bill 104**.

Senator Schultz, with unanimous consent, asked to be added as a cosponsor of **Assembly Joint Resolution 79**.

Senator Decker, with unanimous consent, asked to be added as a coauthor of **Senate Bill 104**.

Senator George, with unanimous consent, asked that the Senate return to the second order of business and introduce and take up a Senate Resolution.

Senator Moen objected.

Senator George, moved that the Senate return to the second order of business and introduce and take up a Senate Resolution.

The question was: Shall the Senate return to the second order of business and introduce and take up a Senate Resolution?

The ayes and noes were demanded and the vote was: ayes, 10; noes, 22; absent or not voting, 1; as follows:

Ayes – Senators Baumgart, Cowles, Ellis, Erpenbach, Fitzgerald, George, Harsdorf, A. Lasee, Lazich and Schultz – 10.

Noes – Senators Breske, Burke, Chvala, Darling, Decker, Grobschmidt, Hansen, Huelsman, Jauch, Kanavas, M. Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler, Rosenzweig, Welch, Wirch and Zien – 22.

Absent or not voting – Senator Shibilski – 1.

Refused to return to the second order.

Senator Schultz, with unanimous consent, asked that when the Senate adjourns today it do so in honor of Senators Baumgart and Cowles.

Senator Baumgart, with unanimous consent, asked that when the Senate adjourns today it do so in honor of Aldo Leopold.

ADJOURNMENT

Senator Chvala, with unanimous consent, asked that the Senate adjourn until Thursday, January 31 at 10:00 A.M..

Adjourned.

5:10 P.M.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 307** offered by Senator Baumgart.

Senate amendment 1 to **Senate Bill 330** offered by Senator Baumgart.