



STATE OF WISCONSIN

Senate Journal

Ninety–Sixth Regular Session

11:15 A.M.

WEDNESDAY, January 21, 2004

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, Chvala, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Jauch, Kanavas, Kedzie, A. Lasee, Lassa, Lazich, Leibham, M. Meyer, Moore, Panzer, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Welch, Wirch and Zien – 33.

Absent – None.

Absent with leave – None.

The Senate stood for the prayer which was offered by Senator Cathy Stepp.

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

The Chief Clerk makes the following entries dated **January 20, 2004** :

CHIEF CLERK'S ENTRIES

The committee on **Education, Ethics and Elections** reports and recommends:

Assembly Bill 183

Relating to: school district youth options programs, which allow pupils to attend an institution of higher education under certain circumstances.

Concurrence.

Ayes, 7 – Senators Ellis, S. Fitzgerald, Jauch, Reynolds, Stepp, Robson and Hansen.

Noes, 0–None.

Assembly Bill 600

Relating to: election administration, voter registration and voting requirements and procedures and granting rule–making authority.

Introduction and adoption of Senate Amendment 1.

Ayes, 6 – Senators Ellis, S. Fitzgerald, Stepp, Jauch, Robson and Hansen.

Noes, 1 – Senator Reynolds.

Concurrence as amended.

Ayes, 7 – Senators Ellis, S. Fitzgerald, Reynolds, Stepp, Jauch, Robson and Hansen.

Noes, 0 – None.

Assembly Bill 601

Relating to: state contribution towards certain federally financed election administration costs and making appropriations.

Concurrence.

Ayes, 7 – Senators Ellis, S. Fitzgerald, Reynolds, Stepp, Jauch, Robson and Hansen.

Noes, 0 – None.

Senate Bill 253

Relating to: independent charter schools established by University of Wisconsin institutions and college campuses.

Passage.

Ayes, 5 – Senators Ellis, S. Fitzgerald, Reynolds, Stepp and Robson.

Noes, 2 – Senators Jauch and Hansen.

Michael Ellis
Chairperson

INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Read and referred:

Senate Bill 400

Relating to: the elimination of jury trials in termination of parental rights proceedings.

By Senators Hansen, Risser and Schultz; cosponsored by Representatives Gard, Rhoades, Petrowski, Jeskewitz, F. Lasee and Ott, by request of Kevin Brennan.

To committee on **Judiciary, Corrections and Privacy**.

Senate Bill 401

Relating to: qualifications for a clinical social worker license and granting rule–making authority.

By Senators Hansen, A. Lasee, S. Fitzgerald, Chvala and Roessler; cosponsored by Representatives Bies, Ainsworth, Berceau, Cullen, Hines, Huebsch, Jeskewitz, Kreibich, J. Lehman, Olsen, Owens, Petrowski, Pope–Roberts, Seratti, Shilling, Wasserman, Ott, Van Roy, Molepske, Miller and Stone.

To committee on **Health, Children, Families, Aging and Long Term Care**.

Senate Bill 402

Relating to: funding for independent charter schools.

By Senators Decker, Lassa, Hansen, Chvala, Brown, Breske and Erpenbach; cosponsored by Representatives Vruwink, Plouff and Huber.

To committee on **Education, Ethics and Elections**.

Senate Bill 403

Relating to: seizure of a computer used to commit a crime and providing a penalty.

By Senators Leibham and Schultz; cosponsored by Representatives Pettis, Ladwig, Jeskewitz, Musser, Seratti, Olsen, Petrowski, Hines, McCormick, Ott, Vrakas, Albers, Van Roy and Taylor.

To committee on **Judiciary, Corrections and Privacy**.

Senate Bill 404

Relating to: electronic transactions and records.

By Senators Kanavas, Cowles, S. Fitzgerald, Roessler and Risser; cosponsored by Representatives Nischke, Townsend, Ladwig, Olsen, Kerkman, McCormick, Ott, Jensen, Miller, Montgomery, Owens and Hahn.

To committee on **Transportation and Information Infrastructure**.

REPORT OF COMMITTEES

The committee on **Agriculture, Financial Institutions and Insurance** reports and recommends:

Senate Bill 343

Relating to: payments to ethanol producers and making an appropriation.

Introduction and adoption of Senate Amendment 1.

Ayes, 5 – Senators Schultz, Brown, Kedzie, Hansen and Lassa.

Noes, 0 – None.

Passage as amended.

Ayes, 4 – Senators Schultz, Brown, Kedzie and Hansen.

Noes, 1 – Senator Lassa.

Senate Bill 380

Relating to: reports required to be submitted by the investment board and contracting with outside investment advisors for certain investments.

Passage.

Ayes, 5 – Senators Schultz, Brown, Kedzie, Hansen and Lassa.

Noes, 0 – None.

Senate Bill 381

Relating to: regulatory examinations of savings banks and savings and loan associations.

Passage.

Ayes, 5 – Senators Schultz, Brown, Kedzie, Hansen and Lassa.

Noes, 0 – None.

Dale Schultz
Chairperson

The joint survey committee on **Retirement Systems** reports and recommends:

Senate Bill 344

Relating to: payment of fixed annuity increases under the Wisconsin Retirement System.

The Joint Survey Committee on Retirement Systems finds that this bill, as amended by the substitute amendment described in the report, is good public policy.

Dale Schultz
Senate Chairperson

Referred to committee on **Labor, Small Business Development and Consumer Affairs**.

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

Senate Bill 395

Relating to: designating and marking a portion of USH 8 as the Donald J. Schneider Highway.

Passage.

Ayes, 5 – Senators Panzer, A. Lasee, Zien, Erpenbach and Hansen.

Noes, 0 – None.

Senate Joint Resolution 57

Relating to: the life and public service of 1st Lieutenant Jeremy Lee Wolfe.

Adoption.

Ayes, 5 – Senators Panzer, A. Lasee, Zien, Erpenbach and Hansen.

Noes, 0 – None.

Senate Joint Resolution 58

Relating to: commending Donald J. Schneider for his many years of service to the Wisconsin senate and the people of Wisconsin.

Adoption.

Ayes, 5 – Senators Panzer, A. Lasee, Zien, Erpenbach and Hansen.

Noes, 0 – None.

Mary Panzer
Chairperson

The committee on **Transportation and Information Infrastructure** reports and recommends:

Assembly Bill 161

Relating to: the use of a flashing or rotating amber light on certain motor trucks.

Concurrence.

Ayes, 5 – Senators Leibham, Kanavas, Kedzie, Breske and M. Meyer.

Noes, 0 – None.

Assembly Bill 280

Relating to: displaying, possessing, selling, or offering to sell a stolen registration plate and providing a penalty.

Concurrence.

Ayes, 5 – Senators Leibham, Kanavas, Kedzie, Breske and M. Meyer.

Noes, 0 – None.

Assembly Bill 382

Relating to: issuing and displaying a school bus operator identification card.

Introduction and adoption of Senate Amendment 1.

Ayes, 5 – Senators Leibham, Kanavas, Kedzie, Breske and M. Meyer.

Noes, 0 – None.

Concurrence as amended.

Ayes, 5 – Senators Leibham, Kanavas, Kedzie, Breske and M. Meyer.

Noes, 0 – None.

Assembly Bill 419

Relating to: towing and storage charges associated with nonmoving traffic violations.

Concurrence.

Ayes, 5 – Senators Leibham, Kanavas, Kedzie, Breske and M. Meyer.

Noes, 0 – None.

Assembly Bill 467

Relating to: the traffic violation and registration program and making an appropriation.

Concurrence.

Ayes, 5 – Senators Leibham, Kanavas, Kedzie, Breske and M. Meyer.

Noes, 0 – None.

Senate Bill 293

Relating to: consecutive monthly registration of certain vehicles used exclusively to transport calcium chloride liquid.

Passage.

Ayes, 5 – Senators Leibham, Kanavas, Kedzie, Breske and M. Meyer.

Noes, 0 – None.

Joseph Leibham
Chairperson

Senator Wirch, with unanimous consent, asked that the Senate recess until 4:46 P.M.

11:21 A.M.

RECESS

4:46 P.M.

The Senate reconvened.

Senator A. Lasee in the chair.

Senator Panzer, with unanimous consent, asked that the Senate recess until 6:45 P.M.

4:48 P.M.

RECESS

6:45 P.M.

The Senate reconvened.

Senator A. Lasee in the chair.

Senator Lasee, with unanimous consent, appointed Senators Schultz and Hansen to act as escorts to his Excellency the Governor.

Senator Panzer, with unanimous consent, asked that the Senate recess for the purpose of awaiting the Governor's State of the State Address in Joint Convention in the Assembly Chambers at 7:00 P.M. and upon the rising of the Joint Convention recess until Thursday, January 22 at 10:00 A.M.

The Senate stood recessed.

6:47 P.M.

RECESS

IN ASSEMBLY CHAMBER IN JOINT CONVENTION

The President of the Senate in the Chair.

The committee to await upon the Governor appeared with his excellency the Governor, who delivered his message as follows:

STATE OF THE STATE ADDRESS

Speaker Gard, President Lasee, Lieutenant Governor Lawton, Supreme Court Justices, constitutional officers, members of the Cabinet, tribal leaders, distinguished members of the Legislature, and fellow citizens of Wisconsin:

Last January — after just three weeks in office — I came before you to report that the state of our state was profoundly troubled. After years of spending more than we could afford, we faced a \$3.2 billion deficit — the largest in Wisconsin history. After years of high taxes and over burdensome regulations, our economy was losing jobs, losing businesses, and losing steam.

Difficult times demanded difficult decisions, but we made them, and we're a better state because of it.

Our budget is balanced. We held the line on taxes. Democrats and Republicans are finding ways to get things done. And our economy is coming back to life.

And so — while challenges remain — I can report to my fellow citizens today: Wisconsin is back on track.

The first step to getting back on track was tackling our budget crisis.

The so-called experts said it couldn't be fixed ... that it would require a massive tax increase ... that it would result in devastating cuts to public schools, public safety, and public health.

But together, we proved the pundits wrong.

We balanced the budget. We did it honestly. We did it without tricks — and most importantly, we did it without raising taxes.

We didn't raise corporate taxes ... we didn't raise income taxes ... we didn't raise sales taxes ... we didn't raise any taxes.

As a result, state taxes as a percentage of income are the lowest in 34 years.

Compare what we achieved to what happened around the country:

In dozens of other states, from Idaho to Indiana, they raised taxes.

In Kentucky, they let prisoners out early.

In Oregon, they cut the school year by as much as 17 days.

In Alabama, they put mannequins in state patrol cars.

In Texas, they took away health coverage from 160,000 kids.

And in California — well, you get the idea.

But Wisconsin is different. We cut thoroughly — but not thoughtlessly — so we could protect our most important priorities.

Let me tell you how we got back on track.

Under my budget, we slashed government overhead more than any administration — so we could increase funding for our schools by \$189 million.

We got rid of two cabinet departments — so we could keep four-year-old kindergarten.

We said no to hundreds of millions of dollars in new spending requests from state agencies — so we could say yes to protecting health care for seniors.

In all, we cut government spending by \$1.5 billion, trimmed the state payroll by 2,300 positions, held the line on taxes, and protected education, health care, and public safety.

That's a record Wisconsin can be proud of.

Balancing our budget without tax increases was the most important single thing we could do to put Wisconsin back on track. But it was only the beginning.

And so in September, I unveiled my Grow Wisconsin plan — a comprehensive agenda of action to create good, high wage, family supporting jobs for our citizens, and unleash over a billion dollars in public and private investment.

We succeeded where two previous Governors and Legislatures failed — and passed the single factor tax reform to repeal the tax on creating jobs.

You passed, and I signed, comprehensive legislation to modernize and reform our financial system — protecting workers, and unleashing hundreds of millions of dollars in new investment.

We worked together to provide sales tax relief to manufacturers — to help them offset the cost of energy and create jobs.

We've moved farther and faster than any administration in memory to simplify and streamline regulations, improving our business climate while protecting our environment.

This month, we reached across party lines and established the most aggressive regulatory reform in the Midwest — real reform

that holds agencies accountable, mandates clear time lines on permits, and protects our environment. We did it right, and we did it ... together.

The bill preserves our high environmental standards. It creates jobs. And I will sign it tomorrow.

From funding the BioStar initiative to expanding access to technology zone tax credits, we're capitalizing on Wisconsin's leadership in research, biotechnology, and stem cells, and laying the foundation for a vast expansion in high tech jobs.

Grow Wisconsin says we can compete at the high end. We have the best workers making the best products, and we can out-compete, and out-produce any workers in the world.

Over the past year, there have been a few issues where we've had some mild disagreements.

Where we couldn't reach common ground, I have not been afraid to stand up for what I believe is in the best interest of the people of Wisconsin.

I protected four-year-old kindergarten and the SAGE small class size program when your budget cuts went too far.

I preserved our Stewardship program, to protect parks, trails, and natural areas.

I prevented the state from having to auction off our pristine public lands.

I stopped what would have been a \$400 million cut to public education – a cut that would have put thousands of teachers out of work and put our children's education at risk.

And I stood with 65 Wisconsin sheriffs – many of whom have joined us tonight — and every major law enforcement group in the state, to fight to uphold our 130 year ban on concealed weapons.

Wisconsin doesn't need guns in our shopping malls, movie theaters and on our playgrounds.

Tonight, I urge you to get back to the issues that really matter to our future – strengthening health care, creating jobs, and investing in kids.

The high profile battles we've had on a handful of issues are just part of the story.

The rest of the story is that in a time of great challenges, we came together and made great progress. From the economy to agriculture to public safety to transportation, Democrats and Republicans set aside party differences, and got something done.

Last year, I signed 111 bills into law – almost twice as many as in 2002, and nearly three times as many as in 2001.

The list of successes is long, and it is significant.

And now, after twelve months as your Governor, I stand here tonight more hopeful, more optimistic than ever, at what we can achieve on behalf of Wisconsin families.

The State of Wisconsin is back on track ... and we are moving forward.

Tonight, I offer you my vision and my priorities for where we need to go as a state in the next year, in the next decade, and beyond – and I ask for your help in getting us there.

In some areas, I will present specific initiatives and recommend legislation that should be passed. In other areas, I'll outline the priorities I will use as I detail new proposals in the coming months, and put together the next budget.

I'm not here to unveil a host of expensive new programs, because while our state finances are back on track, we're not out of the woods yet. And in the coming months, we'll have to guard against returning to the old habits of passing bills our state just can't afford.

As Governor, I will fight to ensure that we are fiscally responsible ... and that every taxpayer dollar is spent

efficiently. We must stay focused on the priorities that matter most – education, health care, and jobs.

Let me begin where our work must begin – with our children. Let's ask ourselves: How are we going to make sure that every child in Wisconsin has the opportunity to achieve his or her God-given potential?

As a District Attorney, and as Attorney General, I saw the end result of what happens when we don't make the right investments in our kids. Higher social service costs ... higher welfare spending ... higher prison costs ... and higher crime.

I've learned that we're all a lot better off when we take care of kids in the classroom, instead of the courtroom.

And for the last year, my wife Jessica and I have seen through our Community Connections Program what a community involved in the lives of school children really can do.

Every year, at least 9,000 Wisconsin children are victims of abuse and neglect. Too often, their bruises go unnoticed, their cries go unheard — but their pain is very real.

I worked hard as Attorney General to fight abuse and neglect. And I promised myself that if I ever became Governor, I would do even more to help those 9,000 kids.

We know what works. Parent education and home visits for at risk children can make a big difference. Wisconsin already has a pilot program of home visits in nine counties, and it's working. Kids in the program were 30 percent more likely to be immunized, half as likely to go to the emergency room, and one quarter as likely to be abused.

Tonight, I propose a comprehensive effort of parent education and support, touching every new parent in Wisconsin. Bringing together the resources of state and local government, private foundations, community organizations, hospitals, and medical professionals, we will provide parent education services to every new family in Wisconsin.

For the most at-risk families, we will provide an array of supportive services, from home visits to family resource centers to referrals to health care and child care providers.

The Secretaries of Health and Family Services, Corrections, and Workforce Development, along with the Superintendent of Public Instruction and the First Lady, have worked together to develop a comprehensive agenda for improving the lives of our children.

Later this spring, I will announce a detailed package of reforms, from improving oral health for children, to improving foster care, to promoting quality child care, to cracking down on deadbeat parents, to setting higher standards in early education, to further strengthening our law enforcement efforts against abuse and neglect.

We also need to refocus on ensuring that our children show up for school ready to learn.

One hundred and fifty years ago, Wisconsin was the pioneer in public kindergarten. Back then, it was for five-year-olds and four-year-olds.

For a while, we got away from that. But now we're a national leader again. Innovative programs in La Crosse and Wausau are national models for linking four-year-old kindergarten with Head Start and day care.

Early education like four-year-old kindergarten has proven to give kids an equal chance to succeed by reducing gaps in school performance. And it reduces special education costs later in life.

One quarter of our children benefit from the program today, but now we need to get more communities involved to help give their children the right start. Therefore, tonight I am proposing the creation of Early Education Community Partnership Grants to help local school districts work with community organizations to develop plans for implementing four year old kindergarten programs.

When it comes to education, I'm a pretty basic guy. What our students need most is to be in a classroom with a good teacher, a small class size, high expectations, and a roof that doesn't leak. I have named a Task Force on Educational Excellence to carefully examine how we fund education in our state, how we support special education, how we attract and retain the best teachers, and how we ensure that every child has an equal opportunity to learn.

I want to thank so many of you who have taken the time to meet with Chairman Mike Spector to give your ideas, and I am confident that the Task Force will come up with a series of recommendations that we can all draw from in preparation for next year's budget.

I also believe we need a major focus on literacy. Different kids have different abilities – but every child should have the chance to read.

We have here tonight a native of Racine who has dedicated his life to getting kids excited about reading. Kevin Henkes is part of Wisconsin's proud tradition of creativity, and a winner this year of the Prestigious Newberry Honor Award for his distinguished contributions to American Literature for Children.

Last year, he was kind enough to join my wife Jessica and a group of middle school students for "Reading Day at the Residence." Because there is no better way to encourage reading than a good book.

Kevin, thank you for your service, and let's all work together to ensure every child has the chance to spark their imagination through reading.

We're also joined by Nick Cochart. Nick joined the Wisconsin Badgers football team as a walk-on. Through hard work, a drive for perfection, and a sheer love of the game, he has not only earned himself a spot on the team roster, but has grown to become an emotional leader. He is what a student athlete is all about.

But what is really extraordinary about Nick is the commitment he's making outside of sports. He aspires to be Wisconsin's youngest principal.

Won't you join me in thanking this future educator.

But you know something, if this talented young man does get a teaching job in Wisconsin – and we hope he will – he'll make \$11,000 a year less than he would in Michigan. \$8,000 less than he would in Illinois.

In fact, our starting salary is now \$3,500 below the national average. Less than Minnesota, Michigan, Iowa, Indiana, Illinois, and Ohio.

While the arguments over this issue have been the same for many years, the facts have changed. We're no longer fourteenth in the nation in teacher salaries – we're below the national average ... and falling. It has become a direct threat to the quality of education. And I'm pleased that Representative Gary Bies, four other Republicans, and many Democrats have recognized this new reality, and introduced legislation to repeal the QEO.

No matter what your opinions are on the QEO, we need to increase teacher compensation and ensure that Wisconsin can attract and retain the best teachers for our kids.

Last year, I began to detail my Healthy Kids initiatives – encouraging a focus on fitness in our schools, launching a multimillion dollar anti-tobacco campaign, and making school breakfast available to more of our students.

Tonight, I am announcing a \$10 million public-private partnership to improve fitness equipment and physical education curriculum in schools across the state. Working with the National School Fitness Foundation, we will put nearly 100

state-of-the-art fitness programs into schools that need the help the most over the next three years.

There's another issue that affects the health of our kids and their ability to learn. And that's school breakfast.

I see this in pretty basic terms. We're last in the country. We have 150,000 kids who are eligible for free and reduced breakfast, but they're not getting it. We have schools turning down millions in federal money.

And so I ask you to join me to make sure that more kids get a healthy breakfast. Because if West_Virginia can do this, and Mississippi can do this, so can Wisconsin.

There is a lot that our government can and must do. But one thing it can't do is raise our kids. Only families can do that.

At the same time, government should make a parent's job easier, not harder.

We need to have quality child care, access to home visits, nutrition programs, and other support for families.

Most of all, we need a strong economy so parents can provide for their children and give them all the opportunities life has to offer.

Because when it comes right down to it, there's no better social program than a good paying job.

From balancing the budget without raising taxes ... to passing the single factor tax reform ... to streamlining regulations, we are positioning our state to start creating jobs again.

Wisconsin is a national leader in developing innovative new ideas and business models, but at the height of the economic boom, Minnesota got six times as much venture capital as we did.

The Senate has passed legislation to address this shortage, thanks to the leadership of Senators Ted Kanavas and Gwen Moore.

Tonight, I'm calling on the full Legislature to pass venture capital legislation, so we can start turning highly promising ideas into high paying jobs.

Let me give you an example.

A few years ago, UW Professor Lynn Allen-Hoffman made a remarkable discovery in her lab. She developed a skin-grafting technology that holds the potential to grow new skin cells for burn victims – relieving their intense pain and dramatically improving their chances of survival.

She has founded a small company – Statratech – in the University Research Park. What she needs now is the venture capital that will turn her discovery into high-wage jobs, and unlock its great potential for the human race.

Professor Lynn Allen Hoffman is here tonight. Let's pass this legislation and help people like her make miracles happen in Wisconsin.

One area we have to get back on track is our manufacturing industry.

We should pass the Manufacturing Competitiveness Program, introduced by Representatives Lena Taylor, Jennifer Schilling and Senator Dave Hansen. This proposal takes advantage of the great expertise we have at our universities, technical colleges and manufacturing extension partnerships to help manufacturers become more competitive.

The bill is affordable, it's a job creator, and it's time to get it done.

The main thing Wisconsin has to sell is the dedicated, well-educated and highly skilled men and women who make the products and deliver the services that fuel our economy.

Let's pass my worker training initiatives – from providing training to help workers and businesses become more competitive, to expanding the youth apprenticeship program under legislation sponsored by Representative Terry Van Akkeren.

And let's not forget about those who so often work the most and earn the least. Working full time at the minimum wage of \$5.15 an hour, they are paid less than \$11,000 a year – not enough to live on, much less raise a family.

There's something we can do today that would help more than 130,000 Wisconsin citizens – most of them adults, most of them women, and many of them with children.

Fellow citizens, these workers haven't had a raise in seven years. It is time to increase the minimum wage.

There's another group of hardworking people in our state who are struggling – family farmers.

From encouraging the sale and production of ethanol, to promoting Wisconsin's leadership in organic foods, to launching a new online farmers market, to preserving the farmland preservation tax credit, we are helping farmers add value to their products ... and profits to their bottom line.

We're developing balanced, sensible livestock siting legislation, and we're leading the way in protecting consumers and producers in the event of a Mad Cow outbreak. Now, you can strengthen our efforts by passing the Premise Identification bill.

Last year you passed tax incentives for manufacturers. Now join with me and Representatives Al Ott and Bobbie Gronemus to help small and medium-sized dairy farmers afford the investments to make their farms more competitive.

Over the past two weeks, I've held town halls on the State of our State – and from Monona to Milwaukee, from Stevens Point to Superior, one of the top issues on people's minds is the rising cost of health care.

Last year, Wisconsin took a number of innovative steps to rein in health care costs for our government. For the first time, we negotiated contracts that require state employees to pay a portion of their health premiums, like workers in the private sector.

Working with a new Wisconsin company, we formed a prescription drug buying pool – BadgerRx – to bargain for lower prices for the state.

Starting in July, BadgerRx will be available to businesses, from the largest to the smallest. A small business in Oshkosh that pays to insure its 25 employees and their families will now have the market power of 600,000 people in buying prescriptions.

By joining with us, most employers could save up to 10 percent on prescription drug costs. This is a great example of government doing something that doesn't cost much, but helps lower people's health care costs.

We've also passed legislation to empower farm families to join health care co-ops that will reduce premiums, improve coverage, and expand insurance to those who can't afford it now.

Not long ago, I got a letter from a social worker in Osseo who works with a woman who can afford to buy only one roast a month because her prescription drugs cost so much. She divides into small pieces, so she can have a little meat every few days.

Our seniors should not have to choose between food and medicine.

There is one thing the federal government could do tomorrow to bring down the health care costs of every American who is taking prescription drugs – allow individuals and states to buy safe prescription drugs from Canada.

Tonight, I am announcing that we have launched a new website — DrugSavings.wi.gov – that will give our citizens information on how to find lower price prescriptions, what the new Medicare bill means for them, and how to take advantage of SeniorCare.

I am asking the Food and Drug Administration for their approval to expand this website, giving our citizens the power

to buy prescription drugs directly from Canada – from pharmacies our state verifies are reputable, reliable, and safe. Tonight, I ask for support from the people of Wisconsin. Log onto DrugSavings.wi.gov. Register your support on our petition to the FDA.

I also seek support from the Legislature. Pass a joint resolution urging the federal government to use their existing authority to allow the reimportation of safe, U.S.-made and approved prescription drugs from Canada. Let's send a united message to the federal government as well as to the drug companies – this is an issue that won't go away, and Wisconsin's citizens need action.

I also ask for your help in another fight. The new Medicare law leaves the future of SeniorCare uncertain, and more than 90,000 Wisconsin seniors in limbo. Let's work together to save SeniorCare.

From the businesses and providers who are working together through a new effort called the Collaborative ... to the disease management initiatives underway at the Marshfield Clinic ... to the great work of Epic Systems and GE Medical, Wisconsin is a pioneer in health care quality.

But we can do even more.

Most hospitals still write out prescriptions and medical records by hand. Too frequently, poor penmanship leads to poor medicine, bad record keeping leads to bad drug interactions, and in some cases, disastrous effects on the patient's health. Every year, 98,000 people die in hospitals nationwide as a result of medical errors – more than from AIDS, car accidents, or breast cancer.

A solution can be found in technology that is being advanced right here in Wisconsin, called computerized physician order entry. It catches errors when they most commonly occur – when prescriptions are ordered — reducing medical mistakes by up to 70 percent.

We should provide hospitals with extra Medicaid funding if they move to this system. The cost to the state is just \$2 million, backed up by additional federal revenue. But the benefits will be measured in the care that is improved and the lives that are saved.

The bill is authored by Representative Sheldon Wasserman, who is also a doctor. Dr. Wasserman, thank you for your leadership, and let's get this bill passed together.

We all agree property taxes are too high. But let's be honest. Bumper sticker solutions and quick fixes won't work. They will devastate our schools, bring economic development projects all over the state to a halt, and destroy Wisconsin's tradition of local control.

Finger pointing and press releases won't lower property taxes; the only answer is to roll up our sleeves, and work together to reduce the costs of local government.

Let me give you an example of what works.

We're joined tonight by Mayor Joe Laux of Menasha who worked together with his colleague, Mayor George Scherck of Neenah, to hold down property taxes. Now, I understand that Neenah and Menasha would probably never agree to consolidate their high school football teams, but when faced with difficult economic times, they consolidated their two fire departments.

130 years ago, the two cities tried to consolidate – and it ended in a fistfight. This time, it ended up saving taxpayers \$2 million. Like most communities around the state, Neenah and Menasha held the line on property taxes. In fact — contrary to all the dire predictions we heard – Wisconsin had the lowest increase in local property taxes in four years.

But there is more we can do.

First, we will continue to support shared revenue, keeping our commitment to local communities.

Second, we will find workable financial incentives in the shared revenue formula to reward fiscal responsibility and consolidation at the local level.

Third, from health care and prescription drugs to police vehicles and information technology, we are using the resources and buying power of the state to help local governments reduce their costs.

And fifth, reforming the school finance system is the single most important thing we can do to hold down property taxes, and I hope we'll all work together to get it done.

In Wisconsin, we recognize that clean air and water are the cornerstones of a strong economy.

Tonight, I'm calling on Democrats and Republicans to pass legislation to protect our groundwater against withdrawals that significantly damage our rivers, lakes, wetlands, and springs. I applaud Representatives DuWayne Johnsrud and Louis Molepske as well as Senator Neal Kedzie for their efforts to find a bipartisan solution.

This year will mark a milestone in the long effort to clean up the Fox River, as the first PCBs are finally removed from the Fox River. It is a downpayment on what will be the largest river cleanup effort in the nation.

We also must preserve and protect the Great Lakes – the largest body of fresh water in the world. Let's fight to keep the beaches open, go after invasive species, and most of all, preserve these waters for Wisconsin citizens, instead of diverting them to Phoenix or Las Vegas.

We have in our state a great national treasure – but it is at risk. Our Ice Age Trail follows the path of the last glacier that cut its way through Wisconsin thousands of years ago. When completed, it will be Wisconsin's version of the Appalachian Trail.

Over the past 45 years, 400 miles of the trail have been protected for future generations, thanks in no small part to the Stewardship program. But unless we take aggressive action now, we will lose forever our chance to complete the trail.

And so tonight, I am setting the goal to permanently protect the next 400 miles of the Ice Age Trail within the next decade.

As a first step, I'm announcing that the Stewardship Program, with the help of the federal government and the leadership of Congressman Dave Obey, has purchased 207 acres in Chippewa County to help expand the Ice Age Trail.

There are other challenges as well.

We need to toughen our laws against sex predators.

We need to get the big money out of politics, and pass campaign finance reform. I am working with Senators Jon Erpenbach and Mike Ellis to do just that. There's one thing we all should agree on. Groups that run phony issue ads should have the same reporting and contribution requirements as everyone else.

Our state employees make outstanding contributions to our state in so many ways. One of those employees, Jim Larson, joins us tonight with his family.

Jim serves our state as a member of the State Patrol, and as a member of the Wisconsin Air National Guard. While on active duty last year in Kuwait, he suffered a financial penalty, because like many employees, his military salary is less than his civilian one.

A bipartisan bill – authored by Representative Terry Musser – would eliminate this penalty, but the bill has been stalled since September. It's time for the State of Wisconsin, as an employer, to join with companies like American Family, Miller Brewing, Schneider International, Rockwell Automation and many others, and provide a differential pay benefit to all state employees who serve our country.

I've recognized a number of outstanding individuals here tonight.

But I'd also like to honor those who couldn't be here.

Early last year, Wisconsin lost one of our own, Dr. Laurel Clark, who perished with her fellow explorers aboard the Shuttle Columbia.

Throughout the year, thousands of Wisconsin's young men and women left home to do their duty in Iraq when their country called. Nine of them never returned.

Sergeant Kirk Straseskie.

Major Mathew Schram.

Sergeant Daniel Gabrielson.

Specialist Paul Sturino.

Private Rachel Bosveld.

Sergeant Warren Hansen.

Specialist Eugene Uhl.

Lieutenant Jeremy Wolfe.

And Major Christopher Splinter.

They are a roster of heroes. They make Wisconsin proud. And we will never forget them.

In honor of those nine families, we're joined tonight by Julie and Marvin Bosveld, whose daughter Rachel became the first Wisconsin woman killed in action in Iraq. Rachel was an incredibly courageous 19 year-old who enlisted right after high school because she loved her country and wanted to serve.

Mr. and Mrs. Bosveld, this state owes you a profound debt of gratitude, for you truly raised a hero.

Tonight, let us also salute the men and women of our Wisconsin National Guard.

More than 2,000 of them were deployed last year, the most since the Berlin Crisis in 1961. They sustained the first combat injuries for the Wisconsin Guard since World War II, and were awarded more than 20 Purple Hearts.

Won't you join me in recognizing Major General Al Wilkening and members of our Wisconsin Army and Air National Guard.

Last spring, I had the opportunity to help release a bald eagle back into the wild. Its wings had been injured, and it had been found lying on the ground, unable to fly. The family that found it brought it to the DNR, and they got it to Marge Gibson, Executive Director of the Raptor Education Group, who slowly nursed the eagle back to health.

Months later, we stood with Ms. Gibson, high on the banks of the Wisconsin River. As she handed me the eagle, I asked her what would happen to it.

She explained that within a day, it would find its nest again. And more than likely, its lifelong mate would be waiting for it.

And so I threw the eagle up in the air, and as I did, it took one beat of its wings. It rose up about 10 feet, took one more beat of its wings, and began soaring again, high above the Wisconsin River.

Wisconsin is that eagle, strong and proud. We've taken a few hits, and we had fallen from where we should have been, but like that eagle, we have always found our way home.

We've worked hard to lift this state up, and now, Wisconsin is ready to soar again.

Let all of us who love this state come together to make Wisconsin a place full of hope, full of promise, full of opportunity for all who seek it.

I am humbled and honored to be your Governor.

On Wisconsin.

The Joint Convention arose at 8:15 P.M.

RECESS

10:00 A.M.

The Senate reconvened.

Senator A. Lasee in the chair.

QUORUM CALL

The Chair noted the possible lack of a quorum.

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

Senators Brown, Carpenter, Chvala, Coggs, Darling, Ellis, Erpenbach, Hansen, Kanavas, Kedzie, A. Lasee, Lazich, Plale, Reynolds, Risser, Robson, Stepp, Welch, Wirch and Zien – 20.

Absent – Senators Breske, Cowles, Decker, Fitzgerald, Harsdorf, Jauch, Lassa, Leibham, Meyer, Moore, Panzer, Roessler and Schultz – 13.

Absent with leave – None.

PETITIONS AND COMMUNICATIONS

Senate Bill 214

Relating to: carrying or going armed with a concealed weapon, requiring the exercise of rule-making authority, making appropriations, and providing penalties.

Read.

The question was: Shall **Senate Bill 214** pass notwithstanding the objections of the governor?

The ayes and noes were required and the vote was: ayes, 23; noes, 10; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Cowles, Darling, Decker, Ellis, S. Fitzgerald, Harsdorf, Kanavas, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Panzer, Plale, Reynolds, Roessler, Schultz, Stepp, Welch, Wirch and Zien – 23.

Noes – Senators Carpenter, Chvala, Coggs, Erpenbach, Hansen, Jauch, M. Meyer, Moore, Risser and Robson – 10.

Absent or not voting – None.

Passed not withstanding objections of the governor.

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

Senate Clearinghouse Rule 03–075

Relating to licenses, certifications, and registrations.

Submitted by Department of Commerce.

Report received from Agency, January 20, 2004.

Referred to committee on **Labor, Small Business Development and Consumer Affairs**, January 21, 2004.

Senate Clearinghouse Rule 03–108

Relating to hunting limits.

Submitted by Kickapoo Reserve Management Board.

Report received from Agency, January 20, 2004.

Referred to committee on **Environment and Natural Resources**, January 21, 2004.

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

Senate Clearinghouse Rule 03–101

Relating to the child care local pass through program.

No action taken.

Carol Roessler
Chairperson

The committee on **Transportation and Information Infrastructure** reports and recommends:

Senate Clearinghouse Rule 03–109

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

No action taken.

Joseph Leibham
Chairperson

MESSAGES FROM THE ASSEMBLY

By Patrick E. Fuller, chief clerk.

Mr. President:

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

Assembly Bill 86

Assembly Bill 209

Assembly Bill 284

Assembly Bill 286

Assembly Bill 326

Assembly Bill 332

Assembly Bill 341

Assembly Bill 345

Assembly Bill 426

Assembly Bill 468

Assembly Bill 488

Assembly Bill 570

Assembly Bill 573

Assembly Bill 733

Assembly Bill 746

Assembly Bill 747

Adopted and asks concurrence in:

Assembly Joint Resolution 62

Concurred in:

Senate Bill 17

Senate Bill 131

Senate Bill 252

Senate Bill 305

Senate Bill 306

Senate Bill 357

Senate Bill 358

Senate Bill 359

Senate Bill 360

Senate Bill 361

Senate Bill 362

Amended and concurred in as amended:

Assembly amendment 1 to **Senate Bill 211** adopted.

MESSAGES FROM THE ASSEMBLY CONSIDERED

Assembly Bill 86

Relating to: physical health examinations of pupils.

By Representatives Rhoades, Loeffelholz, Ward, Ladwig, Jensen, Stone, Gronemus, Ainsworth, Freese, Hahn, Albers, Suder, Krawczyk, Grothman, Townsend, Owens, Vrakas,

Hines, Hundertmark, Petrowski, Lothian, J. Wood and Gunderson; cosponsored by Senators Kanavas, Zien, Lazich, Leibham, Kedzie, A. Lasee and Stepp.

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

Assembly Bill 209

Relating to: allowing an individual income tax deduction for certain amounts contributed by a great-grandparent, aunt, or uncle to a college savings account or a college tuition and expenses program.

By Representatives Kreibich, Jeskewitz, Miller, Hahn, Gronemus, Van Roy, Krawczyk, M. Lehman, Hines, LeMahieu, Musser, Seratti, Owens, Grothman, Ainsworth, Freese, Gunderson, Bies, Ott, Shilling, Towns, Cullen, McCormick, Vrakas, J. Fitzgerald, Coggs, Olsen, Suder, Lassa and Pettis; cosponsored by Senators Darling, Schultz, Stepp, Harsdorf, Kedzie, Roessler, Wirch and Breske.

Read first time and referred to committee on **Higher Education and Tourism.**

Assembly Bill 284

Relating to: the requirement that operators of fish farms provide evidence of fish health and granting rule-making authority.

By Representatives Ott, Ainsworth, Albers, Bies, Freese, Gronemus, Gunderson, Hahn, Hines, Kerkman, Kreibich, M. Lehman, Petrowski, Pettis, Plouff, Seratti, Townsend and Vrakas; cosponsored by Senators Harsdorf, Breske, Kedzie, A. Lasee, Schultz, Stepp, Welch and Zien.

Read first time and referred to committee on **Agriculture, Financial Institutions and Insurance.**

Assembly Bill 286

Relating to: the prohibition against underage persons entering or being on any premises operating under an alcohol beverage license.

By Representatives J. Wood, Jeskewitz, Gundrum, Gronemus, Kreibich, Jensen, Owens and Plouff; cosponsored by Senators Schultz, Brown and A. Lasee.

Read first time and referred to committee on **Homeland Security, Veterans and Military Affairs and Government Reform.**

Assembly Bill 326

Relating to: allowing funeral directors and operators of funeral establishments to copy vital records.

By Representatives M. Lehman, Olsen, J. Lehman, Vrakas, Staskunas, Freese, Rhoades, Pettis, Nass, Hines, Ladwig, Hahn, F. Lasee, Hundertmark, Van Roy, Friske, Bies, Weber, Gunderson, Montgomery, Musser, McCormick, LeMahieu, Krawczyk and Jensen; cosponsored by Senators Kanavas, Lazich, Roessler, Wirch, Leibham, M. Meyer, Breske and Schultz.

Read first time and referred to committee on **Labor, Small Business Development and Consumer Affairs.**

Assembly Bill 332

Relating to: the full and equal enjoyment of a public place of accommodation or amusement by a person with a disability who is accompanied by a service animal.

By Representatives Miller, Berceau, Sherman, Boyle, Hines, Albers, Balow, McCormick, Plouff, Gielow and Van Roy; cosponsored by Senators Robson, Carpenter, Risser and

Wirch, by request of Wisconsin Academy of Graduate Service Dogs, Incorporated and Wisconsin Council of the Blind.

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

Assembly Bill 341

Relating to: authorizing counties to use the marriage license fee for purposes related to domestic violence and increasing the assessment imposed on persons convicted of domestic abuse offenses.

By Representatives Kreibich, Kaufert, J. Wood, M. Williams, Vrakas, Owens, Ward, Rhoades, Turner, Jeskewitz, Gielow, Musser, Shilling, Ott, Ladwig, Pettis, Balow, Hines, Loeffelholz, Olsen, Berceau, Albers, Van Roy, Weber, Friske, J. Fitzgerald, Suder, Miller, Plouff and Townsend; cosponsored by Senators Roessler, Leibham, Darling, Stepp, Cowles and Jauch.

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

Assembly Bill 345

Relating to: designating the first weekend in March Aldo Leopold Weekend.

By Representatives Miller, M. Williams, Boyle, Travis, Krug, Pocan, Black, Hahn, Gunderson, Plouff, Van Roy, Freese, McCormick, Berceau, Krawczyk, Coggs and Bies; cosponsored by Senators Kedzie, Wirch, Schultz, Decker, Risser, Erpenbach, Cowles, Welch, Plale, Hansen and Lassa.

Read first time and referred to committee on **Environment and Natural Resources.**

Assembly Bill 426

Relating to: the regulation of professional boxing contests.

By Representatives Colon, Jensen, Wasserman, Stone, Cullen, Townsend, Hahn, Jeskewitz, Bies, Albers, F. Lasee, Ward and Vrakas; cosponsored by Senators Zien, Hansen and Lassa.

Read first time and referred to committee on **Labor, Small Business Development and Consumer Affairs.**

Assembly Bill 468

Relating to: exclusion of witnesses from legal proceedings.

By Representatives Friske, Huber, Ladwig, Staskunas, Hines, Gronemus, Ott, Ziegelbauer, Seratti, J. Lehman, Musser, Petrowski, Owens, Loeffelholz, Ainsworth, Hahn, Gunderson, Albers and Bies; cosponsored by Senators Kanavas, S. Fitzgerald, Schultz and Roessler.

Read first time and referred to committee on **Judiciary, Corrections and Privacy.**

Assembly Bill 488

Relating to: the administration of local exposition district taxes.

By Representative Foti; cosponsored by Senator Darling, by request of Wisconsin Center District.

Read first time and referred to committee on **Homeland Security, Veterans and Military Affairs and Government Reform.**

Assembly Bill 570

Relating to: removal of a shopping cart and providing a penalty.

By Representatives Gielow, Loeffelholz, Gronemus, Van Roy, Huebsch, Kestell, Ladwig, M. Lehman, Ainsworth, Suder, Albers, Krawczyk, Shilling, Bies, Hundertmark, LeMahieu, Gunderson and McCormick; cosponsored by Senators Zien, Lazich, S. Fitzgerald, Roessler, Breske and Schultz.

Read first time and referred to committee on **Judiciary, Corrections and Privacy.**

Assembly Bill 573

Relating to: the operation of off-road utility vehicles and providing a penalty.

By Representatives Gielow, Wasserman, Ainsworth, Krawczyk, Hahn, Gunderson, McCormick and Grothman; cosponsored by Senators Darling, Kedzie, Reynolds and Schultz, by request of villages of Bayside and Fox Point.

Read first time and referred to committee on **Transportation and Information Infrastructure.**

Assembly Bill 733

Relating to: reciprocal agreements for real estate licenses.

By Representative Gard.

Read first time and referred to select committee on **Job Creation.**

Assembly Bill 746

Relating to: eligibility to attend an independent charter school and payments made to independent charter schools.

By Representatives Krug, Vukmir, Sinicki, Jensen, Richards, Jeskewitz, J. Wood and Nischke; cosponsored by Senators Darling, Plale, Kanavas, A. Lasee, Reynolds, Stepp and Lazich.

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

Assembly Bill 747

Relating to: eligibility to attend Woodlands School, a charter school located in a 1st class city school district.

By Representatives Sinicki, Jensen, Zepnick, Jeskewitz, Taylor, Honadel, Richards, Krug, Cullen and Krusick; cosponsored by Senators Darling, Plale, Reynolds, Moore, Carpenter, Coggs, Stepp and Lazich.

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

Assembly Joint Resolution 62

Relating to: commending the life of Irvin Favre.

By Representatives Weber, Van Roy, Montgomery, Krawczyk, Ainsworth, McCormick, Owens, Kaufert, F. Lasee, Ladwig, Petrowski, Nass, Jeskewitz, Kreuser, LeMahieu, M. Lehman, Olsen, Kreibich, Gunderson, M. Williams, Schneider, Plouff, Lothian, Foti, Vrakas, Rhoades, Kestell, Shilling, Miller and Huber; cosponsored by Senators Cowles, Hansen, Roessler, Darling, Risser, Wirch, Kanavas, Erpenbach, Stepp and Lassa.

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

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

Senate Bill 119

Relating to: payment of litigation expenses of emergency medical services personnel, fire fighters, and law enforcement or correctional officers.

Read a second time.

Senator Panzer, with unanimous consent, asked that **Senate Bill 119** be referred to committee on **Senate Organization.**

Senate Bill 120

Relating to: creating a public health council, reimbursement for quarantine costs, intrastate mutual aid, requiring use of the incident command system in an emergency, exemption from liability during a state of emergency, threats to release or

disseminate harmful chemical, biological, or radioactive substances, making appropriations, and providing a penalty.

Read a second time.

Senator Darling, with unanimous consent, asked that **Senate Bill 120** be referred to the joint committee on **Finance.**

Senator Robson objected.

Senator Panzer, with unanimous consent, asked that **Senate Bill 120** be placed at the foot of the 11th order of business on the calendar of January 21, 2004.

Senate Bill 247

Relating to: providing certain orientation information for University of Wisconsin System students electronically.

Read a second time.

Ordered to a third reading.

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

Senate Bill 247

Read a third time and passed.

Senate Bill 287

Relating to: multiple municipal local health departments in Milwaukee County.

Read a second time.

Senator Panzer, with unanimous consent, asked that **Senate Bill 287** be referred to committee on **Senate Organization.**

Senate Bill 320

Relating to: requirements for recommendations made by insurers and insurance intermediaries to senior consumers in annuity transactions; committees of the board of directors of domestic stock and mutual corporations; annuity minimum nonforfeiture amount; merger of town mutual and domestic mutual insurance corporation into a town mutual; the insurance security fund; other miscellaneous changes to the insurance provisions; and granting rule-making authority.

Read a second time.

Ordered to a third reading.

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

Senate Bill 320

Read a third time and passed.

Senate Bill 326

Relating to: the deceptive or misleading use of the name of a state-chartered bank, savings bank, savings and loan association, or credit union, the deceptive or misleading use of a name that is deceptively similar to the name of a state-chartered bank, savings bank, savings and loan association, or credit union, and providing a penalty.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 326?**

Adopted.

Ordered to a third reading.

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

Senate Bill 326

Read a third time and passed.

Senate Bill 120

Relating to: creating a public health council, reimbursement for quarantine costs, intrastate mutual aid, requiring use of the incident command system in an emergency, exemption from liability during a state of emergency, threats to release or disseminate harmful chemical, biological, or radioactive substances, making appropriations, and providing a penalty.

Read a second time.

Senator Panzer, with unanimous consent, asked that **Senate Bill 120** be placed at the foot of the calendar of January 21, 2004.

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

Assembly Bill 13

Relating to: sales of damaged timber by the department of natural resources and by counties from county forest lands.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 13

Read a third time and concurred in.

Assembly Bill 54

Relating to: the sale of tax delinquent real property.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 54

Read a third time and concurred in.

Assembly Bill 265

Relating to: causing substantial bodily harm to another person and providing a penalty.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 265

Read a third time and concurred in.

Assembly Bill 477

Relating to: creating an individual income tax subtract modification for certain individuals who donate a human organ.

Read a second time.

Senator Plale, with unanimous consent, asked to be added as a cosponsor of **Assembly Bill 477**.

Ordered to a third reading.

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

Assembly Bill 477

Read a third time.

The ayes and noes weredemanded and the vote was: ayes, 30; noes, 2; absent or not voting, 1; as follows:

Ayes – Senators Breske, Brown, Carpenter, Chvala, Coggs, Darling, Decker, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Jauch, Kanavas, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Meyer, Moore, Panzer, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Welch and Wirch – 30.

Noes – Senators Ellis and Cowles – 2.

Absent or not voting – Senator Zien – 1.

Concurred in.

Senator Robson, with unanimous consent, asked to be added as a cosponsor of **Assembly Bill 477**.

Senator Hansen, with unanimous consent, asked to be added as a cosponsor of **Assembly Bill 477**.

Senator Lassa, with unanimous consent, asked to be added as a cosponsor of **Assembly Bill 477**.

Senate Bill 120

Relating to: creating a public health council, reimbursement for quarantine costs, intrastate mutual aid, requiring use of the incident command system in an emergency, exemption from liability during a state of emergency, threats to release or disseminate harmful chemical, biological, or radioactive substances, making appropriations, and providing a penalty.

Read a second time.

Senator Darling, with unanimous consent, asked that **Senate Bill 120** be referred to the Joint Committee on **Finance**.

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

ADJOURNMENT

Senator Panzer, with unanimous consent, asked that the Senate adjourn until Tuesday, at 10:00 A.M..

Adjourned.

10:31 A.M.

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

Senate Bill 357

Senate Bill 358

Senate Bill 359

Senate Bill 360

Senate Bill 361

Senate Bill 362

Report correctly enrolled on January 21, 2004.

CHIEF CLERK'S REPORT

The Chief Clerk records:

Senate Bill 357

Senate Bill 358

Senate Bill 359

Senate Bill 360

Senate Bill 361

Senate Bill 362

Presented to the Governor on January 21, 2004.