



STATE OF WISCONSIN

Senate Journal

Ninety–Eighth Regular Session

12:01 P.M.

THURSDAY, March 6, 2008

The Senate met.

The Senate was called to order by President Risser.

CALL OF ROLL

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

Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 32.

Absent – None.

Absent with leave – Senator Roessler – 1.

The Senate stood for the prayer which was offered by Reverend Jamie P. Washam of Underwood Memorial Baptist Church in Wauwatosa.

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

LEAVES OF ABSENCE

Senator Fitzgerald, with unanimous consent, asked that Senator Roessler be granted a leave of absence for today's session.

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS; REFERENCE OF APPOINTMENTS

Read and referred:

Senate Joint Resolution 100

Relating to: the life and military service of Sergeant Lance S. Cornett.

By Senator Hansen; cosponsored by Representative Nygren.

To committee on **Senate Organization**.

REPORT OF COMMITTEES

The committee on **Agriculture and Higher Education** reports and recommends:

Assembly Bill 657

Relating to: eliminating the World Dairy Center Authority.
Concurrence.

Ayes, 5 – Senators Vinehout, Lassa, Plale, Harsdorf and Kapanke.

Noes, 0 – None.

Assembly Bill 66

Relating to: authorizing the Wisconsin Health and Educational Facilities Authority to issue bonds to finance projects related to cultural facilities.

Concurrence.

Ayes, 5 – Senators Vinehout, Lassa, Plale, Harsdorf and Kapanke.

Noes, 0 – None.

Assembly Bill 701

Relating to: a report on food safety programs.

Concurrence.

Ayes, 5 – Senators Vinehout, Lassa, Plale, Harsdorf and Kapanke.

Noes, 0 – None.

Assembly Bill 732

Relating to: a meat processing facility investment income and franchise tax credit, granting rule–making authority, and making an appropriation.

Concurrence.

Ayes, 5 – Senators Vinehout, Lassa, Plale, Harsdorf and Kapanke.

Noes, 0 – None.

Assembly Bill 763

Relating to: allowing dairy cooperatives to claim the dairy manufacturing facility investment credit and making an appropriation.

Concurrence.

Ayes, 5 – Senators Vinehout, Lassa, Plale, Harsdorf and Kapanke.

Noes, 0 – None.

Assembly Bill 83

Relating to: creating an agricultural education and workforce development council and making an appropriation.

Concurrence.

Ayes, 5 – Senators Vinehout, Lassa, Plale, Harsdorf and Kapanke.

Noes, 0 – None.

CULVER, CURT S., of Nashotah, as a member of the Board of Trustees of the Medical College of Wisconsin, to serve for the term ending July 1, 2010.

Confirmation.

Ayes, 5 – Senators Vinehout, Lassa, Plale, Harsdorf and Kapanke.
Noes, 0 – None.

KATHLEEN VINEHOUT
Chairperson

The committee on **Commerce, Utilities and Rail** reports and recommends:

Assembly Bill 654

Relating to: eliminating the study related to imposing local general property taxes on public utility property.

Concurrence.

Ayes, 7 – Senators Plale, Breske, Wirch, Hansen, Cowles, Harsdorf and Kedzie.
Noes, 0 – None.

Senate Bill 524

Relating to: utility aid payments based on a production plant's value in 1990.

Adoption of Senate Amendment 1.

Ayes, 7 – Senators Plale, Breske, Wirch, Hansen, Cowles, Harsdorf and Kedzie.
Noes, 0 – None.

Passage as amended.

Ayes, 6 – Senators Plale, Breske, Wirch, Hansen, Harsdorf and Kedzie.
Noes, 1 – Senator Cowles.

Senate Bill 525

Relating to: requirements for automatic fire suppression systems and exhaust hoods in mobile kitchens.

Passage.

Ayes, 7 – Senators Plale, Breske, Wirch, Hansen, Cowles, Harsdorf and Kedzie.
Noes, 0 – None.

JEFFREY PLALE
Chairperson

The committee on **Education** reports and recommends:

Senate Bill 174

Relating to: the purposes, authority, and responsibilities of the Educational Approval Board and the regulation of schools by that board.

Adoption of Senate Substitute Amendment 1.

Ayes, 7 – Senators Lehman, Erpenbach, Hansen, Kreitlow, Olsen, Grothman and Lazich.
Noes, 0 – None.

Passage as amended.

Ayes, 6 – Senators Lehman, Erpenbach, Hansen, Kreitlow, Olsen and Lazich.
Noes, 1 – Senator Grothman.

Senate Bill 251

Relating to: removal of a pupil from class, from any portion of school property, or from a school-sponsored activity.

Adoption of Senate Substitute Amendment 1.

Ayes, 7 – Senators Lehman, Erpenbach, Hansen, Kreitlow, Olsen, Grothman and Lazich.
Noes, 0 – None.

Passage as amended.

Ayes, 6 – Senators Lehman, Erpenbach, Hansen, Kreitlow, Grothman and Lazich.
Noes, 1 – Senator Olsen.

Senate Bill 349

Relating to: records of pupils attending a private school participating in the Milwaukee Parental Choice Program.

Passage.

Ayes, 4 – Senators Lehman, Erpenbach, Hansen and Kreitlow.
Noes, 3 – Senators Olsen, Grothman and Lazich.

Senate Bill 395

Relating to: adopting federal law as it relates to an income tax deduction for certain educators and creating an individual income tax deduction for educators who use their own funds to purchase classroom educational supplies.

Passage.

Ayes, 7 – Senators Lehman, Erpenbach, Hansen, Kreitlow, Olsen, Grothman and Lazich.
Noes, 0 – None.

Senate Bill 442

Relating to: the use of cellular telephones and other devices while operating certain motor vehicles transporting children and providing a penalty.

Adoption of Senate Amendment 1.

Ayes, 7 – Senators Lehman, Erpenbach, Hansen, Kreitlow, Olsen, Grothman and Lazich.
Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Lehman, Erpenbach, Hansen, Kreitlow and Olsen.
Noes, 2 – Senators Grothman and Lazich.

Senate Bill 486

Relating to: requiring the licensure of instructional staff in schools participating in the Milwaukee Parental Choice Program.

Passage.

Ayes, 4 – Senators Lehman, Erpenbach, Hansen and Kreitlow.
Noes, 3 – Senators Olsen, Grothman and Lazich.

Senate Bill 493

Relating to: providing information about suicide prevention to public and private school professional staff.

Passage.

Ayes, 5 – Senators Lehman, Erpenbach, Hansen, Kreitlow and Olsen.
Noes, 2 – Senators Grothman and Lazich.

Senate Bill 557

Relating to: state special education aid for the salaries of certain pupil services personnel and granting rule-authority.

Passage.

Ayes, 6 – Senators Lehman, Erpenbach, Hansen, Kreitlow, Olsen and Grothman.
Noes, 1 – Senator Lazich.

JOHN LEHMAN
Chairperson

The committee on **Health, Human Services, Insurance, and Job Creation** reports and recommends:

Assembly Bill 501

Relating to: insurance agent license requirements, revocations, and reinstatement and relicensing requirements, and granting rule-making authority.

Concurrence.

Ayes, 6 – Senators Erpenbach, Vinehout, Carpenter, Taylor, Lazich and Kanavas.
Noes, 0 – None.

Senate Bill 374

Relating to: compulsory financial responsibility for the operation of motor vehicles, providing an exemption from emergency rule-making procedures, granting rule-making authority, and providing a penalty.

Passage.

Ayes, 4 – Senators Erpenbach, Vinehout, Carpenter and Taylor.

Noes, 2 – Senators Lazich and Kanavas.

Senate Bill 474

Relating to: licenses and limited X-ray machine operator permits to engage in the practice of radiography, creating a radiography examining board, granting rule-making authority, requiring the exercise of rule-making authority, and providing a penalty.

Passage.

Ayes, 6 – Senators Erpenbach, Vinehout, Carpenter, Taylor, Lazich and Kanavas.

Noes, 0 – None.

Senate Bill 490

Relating to: eliminating an assessment on the gross private patient revenue of hospitals, creating an assessment on the gross patient revenue of hospitals, creating a hospital assessment trust fund, increasing the Medical Assistance and Badger Care payment rate for hospitals, requiring monthly payments by health maintenance organizations to hospitals and reconciliation of payments with actual utilization of services, increasing supplemental Medical Assistance payments to rural hospitals, transferring moneys from the hospital assessment fund to the injured patients and families compensation fund, requiring the Department of Health and Family Services annually to submit a report for review by the Joint Committee on Finance, and making appropriations.

Passage.

Ayes, 4 – Senators Erpenbach, Vinehout, Carpenter and Taylor.

Noes, 2 – Senators Lazich and Kanavas.

Senate Bill 504

Relating to: supervision of barber or cosmetologist apprentices.

Passage.

Ayes, 6 – Senators Erpenbach, Vinehout, Carpenter, Taylor, Lazich and Kanavas.

Noes, 0 – None.

JON ERPENBACH
Chairperson

The committee on **Public Health, Senior Issues, Long Term Care and Privacy** reports and recommends:

Assembly Bill 185

Relating to: the birth defect prevention and surveillance system.

Concurrence.

Ayes, 5 – Senators Carpenter, Coggs, Kreitlow, Schultz and Cowles.

Noes, 0 – None.

Assembly Bill 611

Relating to: creating an exception to the prohibition on protective placement or continued protective placement of an

individual in a nursing facility (suggested as remedial legislation by the Department of Health and Family Services).

Concurrence.

Ayes, 5 – Senators Carpenter, Coggs, Kreitlow, Schultz and Cowles.

Noes, 0 – None.

Assembly Bill 616

Relating to: authorization to administer the Program for All-Inclusive Care for the Elderly under the Medical Assistance program (suggested as remedial legislation by the Department of Health and Family Services).

Concurrence.

Ayes, 5 – Senators Carpenter, Coggs, Kreitlow, Schultz and Cowles.

Noes, 0 – None.

Assembly Bill 674

Relating to: the statewide nursing home bed cap and nursing home bed transfers.

Concurrence.

Ayes, 5 – Senators Carpenter, Coggs, Kreitlow, Schultz and Cowles.

Noes, 0 – None.

Assembly Bill 731

Relating to: remote dispensing by pharmacists and authorizing the exercise of rule-making powers.

Concurrence.

Ayes, 5 – Senators Carpenter, Coggs, Kreitlow, Schultz and Cowles.

Noes, 0 – None.

Assembly Bill 764

Relating to: coverage of long-term care districts under the Wisconsin Retirement System.

Concurrence.

Ayes, 5 – Senators Carpenter, Coggs, Kreitlow, Schultz and Cowles.

Noes, 0 – None.

Senate Bill 548

Relating to: changing the terms home health aide, hospice aide, and nurse's assistant to the term nurse aide; changing requirements for instructional and competency evaluation programs for nurse aides; changing certain requirements for review and investigation of reports of client abuse or neglect; and requiring the exercise of rule-making authority (suggested as remedial legislation by the Department of Health and Family Services).

Passage.

Ayes, 5 – Senators Carpenter, Coggs, Kreitlow, Schultz and Cowles.

Noes, 0 – None.

Senate Bill 552

Relating to: use of a social security number as personal identifier in the administration of a state or local governmental program.

Passage.

Ayes, 5 – Senators Carpenter, Coggs, Kreitlow, Schultz and Cowles.

Noes, 0 – None.

TIM CARPENTER
Chairperson

The committee on **Small Business, Emergency Preparedness, Workforce Development, Technical Colleges and Consumer Protection** reports and recommends:

Senate Bill 453

Relating to: the total amount of airport development zone and technology zone tax credits.

Passage.

Ayes, 4 – Senators Wirch, Carpenter, Plale and Kedzie.
Noes, 0 – None.

Senate Bill 507

Relating to: technical college attendance under Wisconsin Works.

Adoption of Senate Amendment 1.

Ayes, 4 – Senators Wirch, Carpenter, Plale and Kedzie.
Noes, 0 – None.

Passage as amended.

Ayes, 4 – Senators Wirch, Carpenter, Plale and Kedzie.
Noes, 0 – None.

ROBERT WIRCH
Chairperson

The committee on **Senate Organization** reports:

The following bills were referred to the joint committee on **Finance**, pursuant to Senate Rule 41 (1) (e):

Senate Bill 441

Relating to: environmental regulation of mining and notice to transferees of interests in mining sites.

Senate Bill 452

Relating to: an integrated crime alert network.

Senate Bill 471

Relating to: payment of premiums for health or long-term care insurance coverage from annuities under the Wisconsin Retirement System and distributions from deferred compensation accounts.

Senate Bill 490

Relating to: eliminating an assessment on the gross private patient revenue of hospitals, creating an assessment on the gross patient revenue of hospitals, creating a hospital assessment trust fund, increasing the Medical Assistance and Badger Care payment rate for hospitals, requiring monthly payments by health maintenance organizations to hospitals and reconciliation of payments with actual utilization of services, increasing supplemental Medical Assistance payments to rural hospitals, transferring moneys from the hospital assessment fund to the injured patients and families compensation fund, requiring the Department of Health and Family Services annually to submit a report for review by the Joint Committee on Finance, and making appropriations.

Senate Bill 512

Relating to: mandatory overtime hours worked by health care workers employed by health care facilities and providing penalties.

Senate Bill 524

Relating to: utility aid payments based on a production plant's value in 1990.

Senate Bill 552

Relating to: use of a social security number as personal identifier in the administration of a state or local governmental program.

The following bills were referred to and withdrawn from the joint committee on **Finance** and made Available for Scheduling, pursuant to Senate Rule 41 (1) (e):

Senate Bill 413

Relating to: markers for military memorial highways and bridges.

Senate Bill 433

Relating to: cash value of life insurance regarding eligibility for the veterans assistance program.

Senate Bill 528

Relating to: expanding an exception to local levy limits for levies for debts incurred by a joint fire department.

Senate Bill 548

Relating to: changing the terms home health aide, hospice aide, and nurse's assistant to the term nurse aide; changing requirements for instructional and competency evaluation programs for nurse aides; changing certain requirements for review and investigation of reports of client abuse or neglect; and requiring the exercise of rule-making authority (suggested as remedial legislation by the Department of Health and Family Services).

Assembly Bill 501

Relating to: insurance agent license requirements, revocations, and reinstatement and relicensing requirements, and granting rule-making authority.

RUSS DECKER
Chairperson

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Senator Robson added as a cosponsor of **Assembly Bill 442**.

Pursuant to Senate Rule 17 (5), Senator Darling added as a cosponsor of **Assembly Joint Resolution 97**.

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 47**
- Assembly Bill 67**
- Assembly Bill 71**
- Assembly Bill 92**
- Assembly Bill 144**
- Assembly Bill 151**
- Assembly Bill 159**
- Assembly Bill 212**
- Assembly Bill 241**
- Assembly Bill 281**
- Assembly Bill 301**
- Assembly Bill 346**
- Assembly Bill 424**
- Assembly Bill 431**
- Assembly Bill 479**
- Assembly Bill 486**
- Assembly Bill 517**
- Assembly Bill 532**
- Assembly Bill 543**
- Assembly Bill 553**
- Assembly Bill 569**
- Assembly Bill 603**

Assembly Bill 635
Assembly Bill 645
Assembly Bill 663
Assembly Bill 672
Assembly Bill 673
Assembly Bill 676
Assembly Bill 677
Assembly Bill 692
Assembly Bill 717
Assembly Bill 736
Assembly Bill 753
Assembly Bill 771
Assembly Bill 772
Assembly Bill 804
Assembly Bill 805
Assembly Bill 817
Assembly Bill 819
Assembly Bill 842
Assembly Bill 864
Assembly Bill 869
Assembly Bill 872
Assembly Bill 901

Amended and concurred in as amended:

Senate Bill 69 (Assembly Substitute Amendment 3 Adopted)
Senate Bill 176 (Assembly Substitute Amendment 2 Adopted)

Concurred in:

Senate Bill 289
Senate Bill 294
Senate Bill 324
Senate Bill 325
Senate Bill 326
Senate Bill 327
Senate Bill 328
Senate Bill 335
Senate Bill 368
Senate Bill 369
Senate Bill 370
Senate Bill 378
Senate Bill 402
Senate Bill 417
Senate Bill 429
Senate Bill 435
Senate Bill 436
Senate Bill 487
Senate Bill 519
 Senate Substitute Amendment 2 to **Assembly Bill 8**
 Senate Amendment 1 to **Assembly Bill 400**

MESSAGES FROM THE ASSEMBLY CONSIDERED

Assembly Bill 676

Relating to: disclosure of juvenile court records to other courts, law enforcement agencies, district attorneys and other

prosecutors, and agencies providing services to a juvenile court and providing a penalty.

By Representatives Jeskewitz, Kestell, Ziegelbauer, Grigsby, Ballweg, Vos, Albers, Hahn and Sinicki; cosponsored by Senators Sullivan, Darling and Roessler.

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

ADVICE AND CONSENT OF THE SENATE

Senator Decker, with unanimous consent, asked that all appointments be taken up en masse.

BAGADIA, NIKHIL, of Milwaukee, as a member of the Real Estate Appraisers Board, to serve for the term ending May 1, 2011.

BERG, SCOTT, of Appleton, as a member of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2011.

DECICCO, JULIA, of Milwaukee, as a member of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2011.

GUST, GARY, of Menomonie, as a member of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2011.

JANIAK, MATTHEW, of Mondovi, as a member of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2011.

LEE, KENNETH, of River Falls, as a member of the Real Estate Board, to serve for the term ending July 1, 2011.

MICKOWSKI, JAMES, of Stoughton, as a member of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2010.

RAEMISCH, RICHARD, of Waunakee, as a member of the Prison Industries Board, to serve for the term ending May 1, 2008.

WEIRICH, LISABETH, of Middleton, as a member of the Real Estate Board, to serve for the term ending July 1, 2011.

WIDERSKI, TED, of Cambridge, as a member of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2011.

Read.

The question was: Confirmation?

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

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 32.

Noes – None.

Absent or not voting – Senator Roessler – 1.

Confirmed.

**CONSIDERATION OF MOTIONS,
RESOLUTIONS, AND JOINT RESOLUTIONS
NOT REQUIRING A THIRD READING**

Senate Joint Resolution 98

Relating to: commending Mayor Theresa M. Estness on her career and service to the citizens of Wisconsin.

The question was: Shall **Senate Joint Resolution 98** be adopted?

Adopted.

Senator Grothman, with unanimous consent, asked that **Senate Bill 384** be placed after **Senate Bill 523** on the calendar of 3-6-2008.

Assembly Joint Resolution 93

Relating to: proclaiming June 7, 2008, as Proper Drug Disposal Day.

The question was: Shall **Assembly Joint Resolution 93** be concurred in?

Concurred in.

Assembly Joint Resolution 97

Relating to: recognizing February 2008 as American Heart Month and February 1, 2008, as Wear Red For Women Day.

The question was: Shall **Assembly Joint Resolution 97** be concurred in?

Concurred in.

Assembly Joint Resolution 100

Relating to: commending students, faculty, and staff of the University of Wisconsin System campuses on Undergraduate Research Day.

The question was: Shall **Assembly Joint Resolution 100** be concurred in?

Concurred in.

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

Senate Bill 75

Relating to: requiring an employer to reasonably accommodate an employee who is pregnant or who is breast-feeding her child.

Read a second time.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 75**?

Adopted.

The question was: Adoption of Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 75**?

Adopted.

Senate amendment 3 to Senate substitute amendment 1 to **Senate Bill 75** offered by Senator Lassa.

The question was: Adoption of Senate amendment 3 to Senate substitute amendment 1 to **Senate Bill 75**?

Adopted.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 75**?

Adopted.

Ordered to a third reading.

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

Senate Bill 75

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 4; absent or not voting, 1; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Jauch, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lehman, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 28.

Noes – Senators Grothman, Kanavas, Lazich and Leibham – 4.

Absent or not voting – Senator Roessler – 1.

Passed.

Senate Bill 162

Relating to: extending domestic abuse restraining orders and injunctions to include abuse to animals and threats of abuse to animals.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 162**?

Adopted.

Ordered to a third reading.

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

Senate Bill 162

Read a third time and passed.

Senate Bill 278

Relating to: threatening or committing battery against certain employees of first class cities and providing a penalty.

Read a second time.

The question was: Adoption of Senate amendment 1 to Senate amendment 1 to **Senate Bill 278**?

Adopted.

The question was: Adoption of Senate amendment 1 to **Senate Bill 278**?

Adopted.

Ordered to a third reading.

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

Senate Bill 278

Read a third time and passed.

Senate Bill 439

Relating to: prohibiting the retention of certain information obtained in transactions using account access devices.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 439**?

Adopted.

Senate amendment 2 to **Senate Bill 439** offered by Senator Wirch.

The question was: Adoption of Senate amendment 2 to **Senate Bill 439**?

Adopted.

Senate amendment 3 to **Senate Bill 439** offered by Senator Wirch.

The question was: Adoption of Senate amendment 3 to **Senate Bill 439**?

Adopted.

Ordered to a third reading.

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

Senator Decker, with unanimous consent, asked that **Senate Bill 439** be placed after after **Senate Bill 384** on the calendar of 3-6-2008.

Senate Bill 461

Relating to: liability of the state for a violation of the federal Family and Medical Leave Act of 1993, Fair Labor Standards Act, the Age Discrimination in Employment Act of 1967, and Title I of the Americans with Disabilities Act of 1990.

Read a second time.

Senator Miller, with unanimous consent, asked that **Senate Bill 461** be referred to the Joint Committee on **Finance**.

Senate Bill 463

Relating to: the scope of regulated activity under the campaign finance law.

Read a second time.

Ordered to a third reading.

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

Senate Bill 463

Read a third time and passed.

Senate Bill 496

Relating to: the consequences for failure to act within a time period specified in the Children's Code or the Juvenile Justice Code, extension of certain time periods specified in the Children's Code, and informal dispositions under the Children's Code.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 496**?

Adopted.

Ordered to a third reading.

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

Senate Bill 496

Read a third time and passed.

Senate Bill 498

Relating to: possession of an electric weapon.

Read a second time.

Ordered to a third reading.

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

Senate Bill 498

Read a third time and passed.

Senate Bill 523

Relating to: the Great Lakes-St. Lawrence River Basin Water Resources Compact, withdrawals of water from the Great Lakes Basin, water withdrawal and use, water supply planning, water conservation, granting rule-making authority, and providing a penalty.

Read a second time.

Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 523** offered by Senator Miller.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 523**?

Adopted.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 523**?

Adopted.

Senate substitute amendment 2 to **Senate Bill 523** offered by Senators Grothman, Lazich, S. Fitzgerald, Kanavas and Kedzie.

Senator Miller moved rejection of Senate substitute amendment 2 to **Senate Bill 523**.

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

The Senate stood informal.

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

2:25 P.M.

RECESS

2:51 P.M.

The Senate reconvened.

President Risser in the chair.

POINT OF ORDER

Senator Decker raised the point of order that Senate substitute amendment 2 to **Senate Bill 523** was not germane.

The Chair ruled the point of order well taken.

Ordered to a third reading.

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

Senate Bill 523

Read a third time.

The ayes and noes were required and the vote was: ayes, 26; noes, 6; absent or not voting, 1; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, Hansen, Harsdorf, Jauch, Kapanke, Kreitlow, A. Lasee, Lassa, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirch – 26.

Noes – Senators S. Fitzgerald, Grothman, Kanavas, Kedzie, Lazich and Schultz – 6.

Absent or not voting – Senator Roessler – 1.

Passed.

Senate Bill 384

Relating to: disclosure of juvenile court records to other courts, law enforcement agencies, district attorneys and other prosecutors, and agencies providing services to a juvenile court and providing a penalty.

Senator Grothman, with unanimous consent, asked that **Senate Bill 384** be placed after **Senate Bill 439** on the calendar of 3–6–2008.

Senate Bill 439

Relating to: prohibiting the retention of certain information obtained in transactions using account access devices.

Read a third time and passed.

Senate Bill 384

Relating to: disclosure of juvenile court records to other courts, law enforcement agencies, district attorneys and other prosecutors, and agencies providing services to a juvenile court and providing a penalty.

Senator Grothman, with unanimous consent, asked that **Senate Bill 384** be placed after **Assembly Bill 442** on the calendar of 3–6–2008.

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

Assembly Bill 442

Relating to: special distinguishing registration plates associated with Donate Life Wisconsin, the promotion of organ and tissue donation in this state, granting rule-making authority, and making appropriations.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 442

Read a third time.

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

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

Noes – Senator Grothman – 1.

Absent or not voting – Senator Roessler – 1.

Concurred in.

Senator Decker, with unanimous consent, asked that **Assembly Joint Resolution 91** be withdrawn and taken up at this time.

Assembly Joint Resolution 91

Relating to: commending George F. Potaracke for his many years of service on behalf of older adults in the state of Wisconsin.

The question was: Shall **Assembly Joint Resolution 91** be concurred in?

Concurred in.

Senator Decker, with unanimous consent, asked that **Assembly Joint Resolution 104** be withdrawn and taken up at this time.

Assembly Joint Resolution 104

Relating to: declaring March 10, 2008, Tibet Day.

The question was: Shall **Assembly Joint Resolution 104** be concurred in?

Concurred in.

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

Messaged.

Senate Bill 384

Relating to: disclosure of juvenile court records to other courts, law enforcement agencies, district attorneys and other prosecutors, and agencies providing services to a juvenile court and providing a penalty.

Senate substitute amendment 1 to **Senate Bill 384** offered by Senator Grothman.

Senator Decker, with unanimous consent, asked that **Assembly Bill 676** be withdrawn from the committee on **Senate Organization** and taken up at this time.

Assembly Bill 676

Relating to: disclosure of juvenile court records to other courts, law enforcement agencies, district attorneys and other prosecutors, and agencies providing services to a juvenile court and providing a penalty.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 676

Senator Grothman moved nonconcurrence in **Assembly Bill 676**.

The question was: Shall **Assembly Bill 676** be nonconcurred in?

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

Ayes – Senators Breske, Ellis, Erpenbach, Grothman, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Miller, Olsen, Risser, Robson and Schultz – 15.

Noes – Senators Carpenter, Coggs, Cowles, Darling, Decker, S. Fitzgerald, Hansen, Harsdorf, Jauch, Kreitlow, Lassa, Lehman, Plale, Sullivan, Taylor, Vinehout and Wirch – 17.

Absent or not voting – Senator Roessler – 1.

Refused nonconcurrency.

Senator Erpenbach moved that **Assembly Bill 676** be laid on the table.

The question was: Shall **Assembly Bill 676** be laid on the table?

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

Ayes – Senators Breske, Ellis, Erpenbach, Grothman, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Miller, Olsen, Risser, Robson and Schultz – 15.

Noes – Senators Carpenter, Coggs, Cowles, Darling, Decker, S. Fitzgerald, Hansen, Harsdorf, Jauch, Kreitlow, Lassa, Lehman, Plale, Sullivan, Taylor, Vinehout and Wirch – 17.

Absent or not voting – Senator Roessler – 1.

Tabling refused.

The question was: Shall **Assembly Bill 676** be concurred in?

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

Ayes – Senators Carpenter, Coggs, Cowles, Darling, Decker, S. Fitzgerald, Hansen, Harsdorf, Jauch, Kreitlow, Lassa, Lehman, Plale, Sullivan, Taylor, Vinehout and Wirch – 17.

Noes – Senators Breske, Ellis, Erpenbach, Grothman, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Miller, Olsen, Risser, Robson and Schultz – 15.

Absent or not voting – Senator Roessler – 1.

Concurred in.

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

Messaged.

Senator Decker, with unanimous consent, asked that **Senate Bill 384** be laid on the table.

MOTIONS MAY BE OFFERED

Senator Leibham moved that the rules be suspended and that **Assembly Joint Resolution 17** be withdrawn from the committee on **Labor, Elections and Urban Affairs** and taken up at this time.

The question was: Shall the rules be suspended and **Assembly Joint Resolution 17** be withdrawn from the committee on **Labor, Elections and Urban Affairs** and taken up at this time?

The ayes and noes were required and the vote was: ayes, 14; noes, 18; absent or not voting, 1; as follows:

Ayes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen and Schultz – 14.

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Kreitlow, Lassa, Lehman, Miller, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirch – 18.

Absent or not voting – Senator Roessler – 1.

Refused to withdraw and take up.

ANNOUNCEMENTS, ADJOURNMENT HONORS, AND REMARKS UNDER SPECIAL PRIVILEGE

Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Jolene Anderson who was recently named Big Ten Player of the year and who has broken scoring records, as you know just two weeks ago. What's most significant about Jolene's approach to basketball is the heart that she puts into the game and her teamwork. She had a chance to break the record with a lay-up but instead passed the ball to let her teammate score. Additionally, we will have a resolution to recognize her contribution to Wisconsin basketball.

Senator Wirch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Eunice Boyer of Kenosha who passed away recently. Dr. Boyer was a professor at Carthage College. After retirement she devoted her life to public service. She served on the school board, Gateway Board and 20 years on the Kenosha Board of Supervisors.

Senator Lassa, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Adams-Friendship High School wrestlers Adam Theisen, Senior, 130 lb. State Champion, Ryan Seidler, Junior, 119 lb. 4th Place, and Steve Baumel, Junior, 140 lb. 3rd Place at the WIAA State Wrestling Tournament.

Senator Hansen, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Bay Port Pirates boys basketball team who are making their first trip to the WIAA Division 1 state tournament.

Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Silver Express, the music group that rocked the capitol today in celebration of Youth Art Month. Some tried to shut the doors to keep the music out, but we were enjoying Bon Jovi. They are a very talented and enthusiastic group of high school musicians from Hurley, Wisconsin. They were an absolute delight. I know some of you went out and enjoyed them and I would like to adjourn in honor of them today. The students are: Ethan Buccanero, Maria Filz, Erin Gulan, Larrisa Hill, Michael Hitt, Mike Kitto, John Kutz, Audrey Nelmark, Tracy Pajula, Lydia Patritto, Ty Patritto, Marisa Perlberg, Alex Polkinghorne, Jessica Shafer, and Paige Wendt. A special thanks to their Director Keith Polkinghorne, Stage Director Don Hitt, and Assistant Director Todd Haeger.

ADJOURNMENT

Senator Decker, with unanimous consent, asked that the Senate adjourn until Tuesday, March 11, 2008.

Adjourned.

4:07 P.M.