



STATE OF WISCONSIN

Senate Journal

Ninety–Third Regular Session

10:00 A.M.

THURSDAY, January 22, 1998

The Senate met.

The Senate was called to order by Senator Robert Wirsch.

The Chair, with unanimous consent, asked that the proper entries be made in the journal.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 413

Relating to: threats to cause bodily harm to a witness or to damage the property of a witness and providing penalties.

By Senators C. Potter, Roessler, Darling, Weeden, A. Lasee and Panzer; cosponsored by Representatives Otte, Green, Murat, Dobyms, Grothman, Owens, Gunderson, F. Lasee, Porter, Ainsworth, Plouff, Skindrud, Musser, Sykora, Ladwig, Ziegelbauer, Baumgart, Brandemuehl, Gronemus and Albers.

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

Senate Bill 414

Relating to: restricting state governmental units from engaging in certain commercial activities, state governmental procurement requirements and creating a legislative joint committee on public–private partnership.

By Senators Farrow, Huelsman, Darling, Welch, Rosenzweig and Rude; cosponsored by Representatives Nass, Jensen, Musser, Hutchison, F. Lasee, Hahn, Johnsrud, Kedzie, Ladwig, Seratti, Vrakas, Meyer, Huebsch, Walker, Staskunas, Plale and La Fave.

To committee on **Economic Development, Housing and Government Operations.**

Senate Bill 415

Relating to: the prohibition on constructing and modifying medical waste incinerators.

By Senators Wirsch, Burke, Risser, A. Lasee and Plache; cosponsored by Representatives Kreuser, Porter, Ainsworth, Murat, Baldwin and R. Young.

To committee on **Agriculture and Environmental Resources.**

REPORT OF COMMITTEES

The joint committee on **Finance** reports and recommends:

Senate Bill 39

Relating to: stopping at railroad crossings, reckless driving at railroad crossings and providing penalties.

Introduction and adoption of Senate substitute amendment 1.

Ayes, 16 – Senators Burke, Decker, Jauch, Shibilski, Cowles, Panzer, Schultz and Rosenzweig. Representatives Gard, Ourada, Harsdorf, Albers, Porter, Kaufert, Linton and Cogs.

Noes, 0 – None.

Passage as amended.

Ayes, 14 – Senators Burke, Jauch, Shibilski, Cowles, Panzer, Schultz and Rosenzweig. Representatives Gard, Ourada, Harsdorf, Albers, Porter, Linton and Cogs.

Noes, 2 – Senator Decker. Representative Kaufert.

Senate Bill 147

Relating to: regulating water or sewer service provided to occupants of mobile home parks, providing an exemption form emergency rule procedures, granting rule–making authority and providing a penalty.

Introduction and adoption of Senate amendment 1 to Senate substitute amendment 1.

Ayes, 16 – Senators Burke, Decker, Jauch, Shibilski, Cowles, Panzer, Schultz and Rosenzweig. Representatives Gard, Ourada, Harsdorf, Albers, Porter, Kaufert, Linton and Cogs.

Noes, 0 – None.

Introduction and adoption of Senate amendment 2 to Senate substitute amendment 1.

Ayes, 16 – Senators Burke, Decker, Jauch, Shibilski, Cowles, Panzer, Schultz and Rosenzweig. Representatives Gard, Ourada, Harsdorf, Albers, Porter, Kaufert, Linton and Cogs.

Noes, 0 – None.

Senate substitute amendment 1 adoption.

Ayes, 16 – Senators Burke, Decker, Jauch, Shibilski, Cowles, Panzer, Schultz and Rosenzweig. Representatives Gard, Ourada, Harsdorf, Albers, Porter, Kaufert, Linton and Cogs.

Noes, 0 – None.

Passage as amended.

Ayes, 15 – Senators Burke, Decker, Jauch, Shibilski, Cowles, Panzer, Schultz and Rosenzweig. Representatives Gard, Ourada, Albers, Porter, Kaufert, Linton and Cogs.

Noes, 1 – Representative Harsdorf.

Senate Bill 180

Relating to: the sale of advertising space in folded highway maps, the sale of highway service maps and making an appropriation.

Passage.

Ayes, 15 – Senators Burke, Decker, Jauch, Shibilski, Cowles, Panzer, Schultz and Rosenzweig. Representatives Gard, Ourada, Albers, Porter, Kaufert, Linton and Cogs.

Noes, 1 – Representative Harsdorf.

Senate Bill 271

Relating to: exempting certain resident students from tuition at the University of Wisconsin System and at the technical college system.

Introduction and adoption of Senate amendment 1.

Ayes, 16 – Senators Burke, Decker, Jauch, Shibilski, Cowles, Panzer, Schultz and Rosenzweig. Representatives

Gard, Ourada, Harsdorf, Albers, Porter, Kaufert, Linton and Coggs.

Noes, 0 – None.

Introduction and adoption of Senate amendment 2.

Ayes, 16 – Senators Burke, Decker, Jauch, Shibilski, Cowles, Panzer, Schultz and Rosenzweig. Representatives Gard, Ourada, Harsdorf, Albers, Porter, Kaufert, Linton and Coggs.

Noes, 0 – None.

Passage as amended.

Ayes, 16 – Senators Burke, Decker, Jauch, Shibilski, Cowles, Panzer, Schultz and Rosenzweig. Representatives Gard, Ourada, Harsdorf, Albers, Porter, Kaufert, Linton and Coggs.

Noes, 0 – None.

Senate Bill 321

Relating to: increasing the number of circuit court branches.

Senate amendment 1 adoption.

Ayes, 16 – Senators Burke, Decker, Jauch, Shibilski, Cowles, Panzer, Schultz and Rosenzweig. Representatives Gard, Ourada, Harsdorf, Albers, Porter, Kaufert, Linton and Coggs.

Noes, 0 – None.

Senate amendment 2 adoption.

Ayes, 16 – Senators Burke, Decker, Jauch, Shibilski, Cowles, Panzer, Schultz and Rosenzweig. Representatives Gard, Ourada, Harsdorf, Albers, Porter, Kaufert, Linton and Coggs.

Noes, 0 – None.

Passage as amended.

Ayes, 14 – Senators Burke, Decker, Jauch, Shibilski, Panzer, Schultz and Rosenzweig. Representatives Gard, Ourada, Harsdorf, Albers, Porter, Linton and Coggs.

Noes, 2 – Senator Cowles. Representative Kaufert.

Senate Bill 366

Relating to: nonresident individual income tax reciprocity with the state of Illinois and making appropriations.

Senate amendment 1 adoption.

Ayes, 16 – Senators Burke, Decker, Jauch, Shibilski, Cowles, Panzer, Schultz and Rosenzweig. Representatives Gard, Ourada, Harsdorf, Albers, Porter, Kaufert, Linton and Coggs.

Noes, 0 – None.

Introduction and adoption of Senate amendment 2.

Ayes, 16 – Senators Burke, Decker, Jauch, Shibilski, Cowles, Panzer, Schultz and Rosenzweig. Representatives Gard, Ourada, Harsdorf, Albers, Porter, Kaufert, Linton and Coggs.

Noes, 0 – None.

Introduction and adoption of Senate amendment 3.

Ayes, 16 – Senators Burke, Decker, Jauch, Shibilski, Cowles, Panzer, Schultz and Rosenzweig. Representatives Gard, Ourada, Harsdorf, Albers, Porter, Kaufert, Linton and Coggs.

Noes, 0 – None.

Introduction and adoption of Senate amendment 4.

Ayes, 16 – Senators Burke, Decker, Jauch, Shibilski, Cowles, Panzer, Schultz and Rosenzweig. Representatives Gard, Ourada, Harsdorf, Albers, Porter, Kaufert, Linton and Coggs.

Noes, 0 – None.

Passage as amended.

Ayes, 16 – Senators Burke, Decker, Jauch, Shibilski, Cowles, Panzer, Schultz and Rosenzweig. Representatives

Gard, Ourada, Harsdorf, Albers, Porter, Kaufert, Linton and Coggs.

Noes, 0 – None.

Brian Burke
Senate Chairperson

EXECUTIVE COMMUNICATIONS

**State of Wisconsin
Office of the Governor**

January 16, 1998

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ROGERS, JUDY M., of Madison, as a Commissioner of the Personnel Commission, to serve for the term ending March 1, 2003.

Sincerely,

TOMMY G. THOMPSON
Governor

Read and referred to committee on **Labor, Transportation and Financial Institutions.**

**State of Wisconsin
Office of the Governor**

January 12, 1998

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GABOWER, VIVIAN, of Mauston, as a member of the Land Information Board, to serve for the interim term ending May 1, 2003.

Sincerely,

TOMMY G. THOMPSON
Governor

Read and referred to committee on **Agriculture and Environmental Resources.**

MESSAGES FROM THE ASSEMBLY

By Charles Sanders, chief clerk.

Mr. President:

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

Assembly Bill 60
Assembly Bill 242
Assembly Bill 292
Assembly Bill 415
Assembly Bill 431
Assembly Bill 447
Assembly Bill 476
Assembly Bill 488
Assembly Bill 510
Assembly Bill 547
Assembly Bill 548
Assembly Bill 553
Assembly Bill 586
Assembly Bill 595
Assembly Bill 730

Concurred in:

Senate Bill 384

Senate substitute amendment 1 to **Assembly Bill 20**

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Bill 60

Relating to: qualification of candidates for justice of the supreme court for grants from the Wisconsin election campaign fund and making an appropriation.

By Representatives Notestein, Huber, Baldwin, Baumgart, Meyer, Black, Carpenter, R. Young, Riley, Bock, Boyle and Springer; cosponsored by Senators Adelman, Clausing, C. Potter, Moen and Wirch.

Read first time and referred to committee on **Judiciary, Campaign Finance Reform and Consumer Affairs**.

Assembly Bill 242

Relating to: placing bodily substances in edibles and providing a penalty.

By Representatives F. Lasee, Linton, Musser, Ladwig, Skindrud, Williams, Porter, Ainsworth, Olsen, Hasenohrl, Gronemus, Notestein, Sykora, Albers, Seratti, Lorge, Ryba, Lazich, Gunderson, Robson, Vrakas, Ott and Powers; cosponsored by Senators Shibilski and Darling.

Read first time and referred to committee on **Judiciary, Campaign Finance Reform and Consumer Affairs**.

Assembly Bill 292

Relating to: personal liability for razing costs.

By Representatives La Fave, Lazich, Albers, Bock, Gronemus, F. Lasee, Notestein, Powers, Riley, Turner and Walker.

Read first time and referred to committee on **Judiciary, Campaign Finance Reform and Consumer Affairs**.

Assembly Bill 415

Relating to: the factors to be considered by a court when sentencing a person convicted of a crime.

By Representatives Goetsch, Dobyns, Owens, Ott, Ainsworth, Musser, Olsen, Sykora, Albers, Kelso, Staskunas, Plouff, Cullen and Klusman; cosponsored by Senators Adelman, Roessler and Huelsman.

Read first time and referred to committee on **Judiciary, Campaign Finance Reform and Consumer Affairs**.

Assembly Bill 431

Relating to: exempting certain persons from the sex offender registration requirements and the prohibition on child sex offenders working with children.

By Representatives Huber, Hoven, Goetsch, Ziegelbauer, Powers, Ryba, M. Lehman, Vander Loop, Hanson, Olsen, Baumgart, Musser, Duff, Gronemus, Sykora, Kelso, Plouff, Staskunas, R. Young and Bock; cosponsored by Senators Panzer, Adelman, Darling and Roessler.

Read first time and referred to committee on **Judiciary, Campaign Finance Reform and Consumer Affairs**.

Assembly Bill 447

Relating to: enforcement of certain environmental laws regulating mining and water pollution.

By Representatives Johnsrud, Hanson, Wood, M. Lehman, Turner, Gronemus, Ott, Robson, Meyer, Hasenohrl, Kelso, Musser, Seratti, Powers, Murat, Ward and Kreibich;

cosponsored by Senators Clausing, Weeden, Plache, Wirch and Jauch, by request of Attorney General James Doyle.

Read first time and referred to committee on **Agriculture and Environmental Resources**.

Assembly Bill 476

Relating to: awarding revising maintenance payments on the basis of debt discharge in bankruptcy.

By Representatives Albers, Hanson, Staskunas, Ladwig, Musser, Powers, Brandemuehl, Owens, Porter, Sykora, Goetsch, Seratti, Gunderson and Kedzie; cosponsored by Senators Huelsman, Roessler and Fitzgerald.

Read first time and referred to committee on **Judiciary, Campaign Finance Reform and Consumer Affairs**.

Assembly Bill 488

Relating to: prospecting and mining fees.

By Representatives Ourada, Olsen, Duff, Harsdorf, Dobyns, M. Lehman, Musser, Ott, Powers, Zukowski, Gunderson, Seratti, Kreibich, Ainsworth, Boyle and Hasenohrl; cosponsored by Senators Cowles, Burke, Roessler and Rosenzweig.

Read first time and referred to committee on **Agriculture and Environmental Resources**.

Assembly Bill 510

Relating to: filing a certified copy of a petition and order for hearing for guardianship with the register of deeds, requiring a historical society to pay a register of deeds to record the society's articles of incorporation and requiring certain documents that are recorded with a register of deeds to be legible.

By Representatives Grothman, Duff, Goetsch, Green, Gunderson, Hanson, Huber, Kelso, Kreuser, Ladwig, J. Lehman, M. Lehman, Meyer, Olsen, Ott, Otte, Plouff, Porter, Powers, Seratti, Turner, Underheim, Vrakas, Ward, Zukowski and Gronemus; cosponsored by Senators Risser, Drzewiecki, A. Lasee, Plache, C. Potter, Roessler, Schultz, Welch and Wirch.

Read first time and referred to committee on **Judiciary, Campaign Finance Reform and Consumer Affairs**.

Assembly Bill 547

Relating to: the issuance of administrative warnings to holders of credentials issued by the department of regulation and licensing and granting rule-making authority.

By Representative Otte, by request of Department of Regulation and Licensing Secretary Marlene A. Cummings.

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

Assembly Bill 548

Relating to: notices concerning proposals by American Indian tribal governing bodies to redesignate areas for air quality purposes.

By Representatives Seratti, Gard, Ainsworth, Goetsch, Musser, Harsdorf, F. Lasee, Grothman, M. Lehman, Handrick, Albers, Kelso, Duff, Gunderson, Nass, Porter and Green.

Read first time and referred to committee on **Agriculture and Environmental Resources**.

Assembly Bill 553

Relating to: the adoption of the Uniform Unincorporated Nonprofit Association Act; the authority of nonprofit associations to acquire, hold and transfer property; the liability of nonprofit associations and their members; and the ability of nonprofit associations to sue and to be sued.

By Representatives Cullen and Green; cosponsored by Senators George and Huelsman.

Read first time and referred to committee on **Judiciary, Campaign Finance Reform and Consumer Affairs**.

Assembly Bill 586

Relating to: requirements concerning metallic mining.

By Representatives Seratti, Olsen, Musser, Ourada, Dobyms, Freese, Gard, Zukowski, Lorge, Albers, Kaufert, Handrick, Powers, Hahn, Ott, Sykora, Ainsworth and Owens.

Read first time and referred to committee on **Agriculture and Environmental Resources**.

Assembly Bill 595

Relating to: the college tuition prepayment program.

By Representatives Kreibich, Hasenohrl, Schafer, Brandemuehl, Cullen, Freese, Gard, Green, Grothman, Hahn, Huber, Hutchison, Kelso, F. Lasee, Meyer, Musser, Olsen, Plouff, Porter, Powers, Seratti, Underheim, Ward, L. Young and Sykora; cosponsored by Senators Darling, Drzewiecki, Farrow, Roessler, Rosenzweig, Weeden and Zien.

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

Assembly Bill 730

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Milwaukee Graduate Assistants Association, AFT, Local 2169, AFL-CIO, for the 1997-99 biennium, covering employes in the program, project and teaching assistants of the University of Wisconsin-Milwaukee collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.

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

ADJOURNMENT

Senator Wirch, with unanimous consent, asked that the Senate adjourn until pursuant to Senate Joint Resolution 1.

Adjourned.

10:01 A.M.

**LEGISLATIVE REFERENCE BUREAU
CORRECTIONS**

CORRECTIONS IN:

1997 SENATE BILL 333

Prepared by the Legislative Reference Bureau
(January 16, 1998)

1. Page 1, line 5: delete "corporations" and substitute "companies".
2. Page 11, line 11: delete "corporations" and substitute "companies".