



STATE OF WISCONSIN

Senate Journal

Ninety–Third Regular Session

10:00 A.M.

TUESDAY, February 3, 1998

The Senate met.

The Senate was called to order by Senator Fred Risser.

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

Senators Breske, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Fitzgerald, George, Grobschmidt, Huelsman, Jauch, A. Lasee, Moen, Moore, Panzer, Plache, C. Potter, Risser, Roessler, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Welch, Wineke, Wirch and Zien – 32.

Absent – None.

Absent with leave – None.

The Senate stood for a moment of silent meditation.

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

INTRODUCTION AND REFERENCE OF RESOLUTIONS AND JOINT RESOLUTIONS

Read and referred:

Senate Joint Resolution 39

Relating to: commending the Green Bay Packers' team, organization and fans for their accomplishments during the past season.

By Senators Drzewiecki, Cowles, Breske, Burke, Chvala, Clausing, Darling, Decker, Ellis, Farrow, Fitzgerald, George, Grobschmidt, Huelsman, Jauch, A. Lasee, Moen, Moore, Panzer, Plache, C. Potter, Risser, Roessler, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Welch, Wineke, Wirch and Zien; cosponsored by Representatives Ryba, Kelso, Lorge, Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyms, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kaufert, Kedzie, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, Ladwig, La Fave, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Meyer, Morris–Tatum, Murat, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Schafer, Schneider, Seratti, Skindrud, Spillner, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer and Zukowski.

To committee on **Senate Organization**.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 427

Relating to: voting by the members of the conservation congress.

By Senators Shibilski, Schultz, Roessler, C. Potter, Breske, Wineke, Wirch, A. Lasee, Rude, Decker, Drzewiecki, Farrow, Fitzgerald and Moen; cosponsored by Representatives F. Lasee, Hasenohrl, Sykora and Gronemus.

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

Senate Bill 428

Relating to: the assignment of lottery prizes and granting rule–making authority.

By Senators Moen, Schultz, Darling, Weeden, Huelsman and Breske; cosponsored by Representatives Kaufert, Albers, Jensen, Huber, Walker, Ladwig, F. Lasee, Ourada, Freese, Linton, Owens, Brandemuehl, Goetsch, Harsdorf, Vrakas, Porter, Kelso, Duff, Cullen, Hahn, Olsen, Powers, Hubler and Wasserman.

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

Senate Bill 429

Relating to: certificates for the sales and use tax exemption for certain commodities in warehouses.

By Senator Drzewiecki; cosponsored by Representative Gard.

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

Senate Bill 430

Relating to: increasing the maximum amount of tuition grants awarded by the higher educational aids board.

By Senator C. Potter; cosponsored by Representative Kreibich.

To committee on **Education**.

Senate Bill 431

Relating to: issuance of dog licenses by veterinarians.

By Senator Decker; cosponsored by Representatives Ainsworth, Turner, Ott, Meyer, Brandemuehl, Sykora, Jeskewitz and Grothman.

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

Senate Bill 432

Relating to: the fair hearing process under Wisconsin works.

By Senators Moore, Plache and Wineke; cosponsored by Representatives Notestein, R. Young, Plale, Hanson, Riley, Robson, La Fave, Boyle, Staskunas and R. Potter.

To committee on **Labor, Transportation and Financial Institutions.**

Senate Bill 433

Relating to: prohibiting the granting of visitation or physical placement with a child to a parent or other person who intentionally kills a parent of the child.

By Senators Darling, Farrow, Drzewiecki, Welch, Zien and Weeden; cosponsored by Representatives Green, Zukowski, Ladwig, Duff, Wasserman, Ainsworth, Albers, Kelso, Porter, Dobyns, Goetsch and Harsdorf.

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

Senate Bill 434

Relating to: residency qualifications for certain election officials.

By Senator Wirch; cosponsored by Representatives Porter, Springer, Walker, Plouff and Coggs.

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

Senate Bill 435

Relating to: the discharge of wastewater from a sulfide mine.

By Senators Schultz, Rude, Decker and Risser; cosponsored by Representatives Hahn, Freese, Albers, Zukowski, Hasenohrl, Vander Loop, Lorge, Huber, Robson, Boyle, Black, Springer, Baumgart, Linton, Ryba, Bock, Baldwin and Lazich.

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

Senate Bill 436

Relating to: transferring from the department of workforce development to the department of commerce the administration of the housing design and construction requirements of the fair housing law; a grant for a distance education center; grants for revolving loan funds for economic development; loans for renovation of buildings, purchase of land, buildings, machinery or equipment or construction of buildings; tourism marketing; the rural economic development program; administration of brownfields redevelopment activities; use of penalty revenues under the physician and health care provider loan assistance programs; transferring from the department of health and family services to the department of corrections the responsibility for establishing and collecting fees for juvenile correctional services provided by the department of corrections; parental liability for guardian ad litem fees in juvenile court proceedings; increasing the per diem payments made to temporary reserve judges; litigation by persons incarcerated, imprisoned, confined or detained in a jail or prison; petitions for writs of habeas corpus and limiting access to public records by persons incarcerated, imprisoned, confined or detained in a jail or prison; requirements for promotion from 4th grade to 5th grade and from 8th grade to 9th grade; grants to teachers who are certified by the National Board for Professional Teaching Standards; creating a grant program for peer review and mentoring of teachers; determining the amount appropriated as general school aid; the college tuition prepayment program; leasing technical college facilities to

others; the family practice residency program of the Medical College of Wisconsin, Inc.; grants to certain school districts for telecommunications access awarded by the technology for educational achievement in Wisconsin board; revising dispute settlement procedures in local government employment other than law enforcement and fire fighting employment; the dry cleaner environmental response program; hazardous waste disposal facilities; voluntary party liability for cleaning up property that is contaminated with hazardous substances and that was acquired from a local governmental unit; tire waste cleanup; arbitration of appeals under the petroleum storage remedial action program; clean water fund program federal financial hardship assistance; administrative forfeitures for violations of safe drinking water rules; providing community aids funding for Milwaukee County; child welfare, children in out-of-home care, termination of parental rights and adoption; criminal history and abuse record searches of operators, employes and nonclient residents of certain entities that provide care for children or adults; a child's first book initiative; eligibility criteria for kinship care payments; proposed legislation to establish a new long-term care system for services to elderly and adult disabled individuals; a pilot project for management of long-term care programs; authorizing counties to contract for health and social services on a prepaid or postpaid, per capita basis; care required and provided in adult family homes, community-based residential facilities and nursing homes; critical access hospitals; reimbursement of the Marquette University School of Dentistry for providing dental services in Waushara and Monroe counties; inclusion of stepparents in the badger care program; transferring food service operations of the Southern Wisconsin Center for the Developmentally Disabled from the department of health and family services to the department of corrections; the submittal date for a report on the future of the state centers for the developmentally disabled; rates by which reimbursement is reduced to the state centers for the developmentally disabled; eliminating the monthly reimbursement limit on community options program services for medical assistance recipients; medical assistance eligibility for working recipients of supplemental security income; eliminating the requirement for an annual report on access to obstetric and pediatric services under the medical assistance program; interim assistance for applicants of supplemental security income; specialized medical vehicles; electronic benefits transfer under the food stamp program; county administration of public assistance records; guaranteed renewability of individual health benefit plans; an exemption from renewability requirements for short-term insurance; the transportation and sale of fish; the Southeastern Wisconsin Fox River commission; fees for snowmobile trail use stickers; benefits payable and contributions permitted under the Wisconsin retirement system; payment and performance assurance requirements for public works projects; state interfund borrowing limitations; transfers from the general fund to the property tax relief fund; grants for recycling of computers and wheelchairs; creating a refundable individual income tax credit for educational expenses paid for dependents who attend public or certain private elementary and secondary schools; creating an individual income tax deduction for amounts paid for elementary and secondary educational costs; creating an individual income tax deduction for amounts paid for certain higher education costs; defining the Internal Revenue Code for state income and franchise tax purposes; a property tax exemption for computers; state aid payments to municipalities; creating a tax amnesty program; increasing the department of revenue's ability to collect delinquent taxes; denying and revoking licenses and similar documents to persons who owe delinquent taxes or fail to reveal their social security numbers

or federal employer identification numbers; administration of the adult entertainment tax; weight limitations for vehicles and combinations of vehicles transporting bulk potatoes; the transportation infrastructure loan program; administration of a national guard youth program; the maximum allowable veterans home loan; granting rule-making authority; providing an exemption from rule-making procedures; granting and decreasing bonding authority; and making and decreasing appropriations.

By Senator Burke; cosponsored by Representative Gard, by request of Governor Tommy G. Thompson.

To joint committee on **Finance**.

Pursuant to Senate Rule 36(2)(c) and section 13.50(6)(a), Wisconsin Statutes, the Co-Chairs of the Joint Survey Committee on Retirement Systems shall prepare and submit a report in writing setting forth an opinion on the desirability of **Senate Bill 436**, relating to the budget adjustment bill, as a matter of public policy.

Pursuant to Senate Rule 36(2)(c) and section 13.50(6)(a), Wisconsin Statutes, the Co-Chairs of the Joint Survey Committee on Tax Exemptions shall prepare and submit a report in writing setting forth an opinion on the desirability of **Senate Bill 436**, relating to the budget adjustment bill, as a matter of public policy.

REPORT OF COMMITTEES

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

EARL, ANTHONY S., of Madison, as a member of the Great Lakes Protection Fund, to serve for the term ending October 11, 1998.

Confirmation.

Ayes, 4 – Senators Clausing, Wirch, A. Lasee and Zien.
Noes, 0 – None.

OBRIEN, PATRICK, of Menasha, as a member of the Waste Facility Siting Board, to serve for the interim term ending May 1, 1999.

Confirmation.

Ayes, 4 – Senators Clausing, Wirch, A. Lasee and Zien.
Noes, 0 – None.

RUSSELL, MARCELLA L., of Shullsburg, as a member of the State Fair Park Board, to serve for the term ending May 1, 2002.

Confirmation.

Ayes, 4 – Senators Clausing, Wirch, A. Lasee and Zien.
Noes, 0 – None.

WHITE, DONNA JEAN, of Cambria, as a member of the Snowmobile Recreation Council, to serve for the term ending July 1, 2000.

Confirmation.

Ayes, 4 – Senators Clausing, Wirch, A. Lasee and Zien.
Noes, 0 – None.

ZIELKE, PATRICK T., of La Crosse, as a member of the Wisconsin Waterways Commission, to serve for the interim term ending March 1, 1999.

Confirmation.

Ayes, 4 – Senators Clausing, Wirch, A. Lasee and Zien.
Noes, 0 – None.

Senate Bill 373

Relating to: creating a bluff protection program, granting rule-making authority and making an appropriation.

Introduction and adoption of Senate substitute amendment 1.

Ayes, 4 – Senators Clausing, Wirch, A. Lasee and Zien.
Noes, 0 – None.

Passage as amended.

Ayes, 3 – Senators Clausing, Wirch and Zien.
Noes, 1 – Senator A. Lasee.

Alice Clausing
Chairperson

The committee on **Judiciary, Campaign Finance Reform and Consumer Affairs** reports and recommends:

Assembly Bill 150

Relating to: electronic filing of certain campaign finance reports with the elections board and making an appropriation.

Concurrence.

Ayes, 4 – Senators Wirch, Clausing, Huelsman and Drzewiecki.

Noes, 0 – None.

Assembly Bill 284

Relating to: testing for the presence of the human immunodeficiency virus and sexually transmitted diseases in criminal defendants and juveniles alleged to be delinquent or in need of protection or services who are found not competent to proceed or not guilty by reason of mental disease or defect.

Concurrence.

Ayes, 4 – Senators Wirch, Clausing, Huelsman and Drzewiecki.

Noes, 0 – None.

Assembly Bill 300

Relating to: the performance of services for the victim by a juvenile as restitution for the juvenile's act.

Concurrence.

Ayes, 4 – Senators Wirch, Clausing, Huelsman and Drzewiecki.

Noes, 0 – None.

Assembly Bill 396

Relating to: the filing officer for candidates for the office of municipal judge in municipal courts serving 2 or more municipalities.

Concurrence.

Ayes, 4 – Senators Wirch, Clausing, Huelsman and Drzewiecki.

Noes, 0 – None.

Assembly Bill 410

Relating to: original adult court jurisdiction over a juvenile who is alleged to have attempted or committed a violation of any state criminal law if that violation may be joined with an alleged assault, battery, homicide or attempted homicide over which the adult court has original jurisdiction, the elimination of reverse waiver for a juvenile who is once waived always waived, the imposition of a juvenile adjudication and disposition by an adult court on a juvenile who has been found to have committed a lesser offense, the financial ability of a juvenile, either alone or with the assistance of a parent with custody of the juvenile, to make restitution for any damage or injury resulting from the juvenile's act or to pay a forfeiture imposed on the juvenile, sanctions for a juvenile in need of protection or services based on habitual truancy or being a school dropout who violates a condition of his or her dispositional order and sanctions for contempt of court by a

juvenile who violates a condition of his or her dispositional order, the rules of evidence at postdispositional hearings under the juvenile justice code and the disclosure of juvenile court records to other juvenile courts for the purposes of preparing a presentence investigation, determining custody of a juvenile, setting bail, impeaching a witness and determining whether a juvenile who would otherwise be an heir has intentionally killed the decedent.

Introduction and adoption of Senate amendment 1.

Ayes, 4 – Senators Wirch, Clausing, Huelsman and Drzewiecki.

Noes, 0 – None.

Concurrence as amended.

Ayes, 4 – Senators Wirch, Clausing, Huelsman and Drzewiecki.

Noes, 0 – None.

Assembly Bill 487

Relating to: the sale of a motor vehicle subject to a seizure for a crime related to driving while under the influence of an intoxicant or other drug and providing a penalty.

Concurrence.

Ayes, 4 – Senators Wirch, Clausing, Huelsman and Drzewiecki.

Noes, 0 – None.

Assembly Bill 564

Relating to: sexual assault, the controlled substance flunitrazepam and providing penalties.

Introduction and adoption of Senate amendment 1.

Ayes, 4 – Senators Wirch, Clausing, Huelsman and Drzewiecki.

Noes, 0 – None.

Concurrence as amended.

Ayes, 4 – Senators Wirch, Clausing, Huelsman and Drzewiecki.

Noes, 0 – None.

Senate Bill 254

Relating to: powers of attorney.

Introduction and adoption of Senate substitute amendment 1.

Ayes, 3 – Senators Wirch, Clausing and Huelsman.

Noes, 1 – Senator Drzewiecki.

Passage as amended.

Ayes, 3 – Senators Wirch, Clausing and Huelsman.

Noes, 1 – Senator Drzewiecki.

Senate Joint Resolution 32

Relating to: providing that the proceeds of the state lottery, all moneys received by the state under Indian gaming agreements, other than moneys used to regulate and enforce the provisions of the Indian gaming agreements, and all moneys received by the state that are attributable to pari-mutuel on-track betting must be used for reducing property taxes imposed on principal dwellings by creating property tax credits and may be used for reducing rent constituting property taxes; and providing that the distribution of the proceeds of the state lottery, moneys received by the state under Indian gaming agreements and all moneys received by the state that are attributable to pari-mutuel on-track betting are not subject to the uniformity requirement of [article VIII, section 1, of the Wisconsin Constitution](#) (first consideration).

Adoption and without recommendation.

Ayes, 2 – Senators Wirch and Clausing.

Noes, 2 – Senators Huelsman and Drzewiecki.

Robert Wirch
Chairperson

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Department of Corrections**

January 26, 1998

The Honorable, The Legislature:

The following information is provided for your consideration and review pursuant to 301.03(6m) WI STATS. The figures below cover the period from January 1, 1997 to December 31, 1997.

1. There were 38 inmates transferred involuntarily from a prison to a mental health institute under 51.20(13)(A)4. All but six were committed for outpatient treatment. Six inmates were committed to inpatient treatment and stayed an average 37 days. No inmates transferred voluntarily from prison to a mental health institute,
2. 3,134 inmates underwent voluntary treatment with psychotropic drugs and 38 inmates were treated with psychotropic drugs on an involuntary basis. The types of medication used include antipsychotic drugs, antidepressant drugs, mood stabilizers, anti-parkinsonian medications, and medications for side effects.
3. Mental health services, both psychiatric and psychological, are available at all major institutions. Services include individual and group therapy, chemotherapy, psychiatric, psychological, and neuropsychological evaluations, crisis intervention, sex offender groups, domestic abuse groups, and anger management groups. Inmates who need more intensive mental health services are transferred to the Special Management Unit at Columbia Correctional Institution, the Wisconsin Resource Center, or one of the Mental Health Institutes.

If you need any additional information, please let me know.

Sincerely,

MICHAEL J. SULLIVAN
Secretary

**State of Wisconsin
Joint Legislative Council**

January 29, 1998

The Honorable, The Senate:

I am pleased to transmit to you the following report to the 1997 Legislature on legislation introduced by the Joint Legislative Council.

RL 97-7 Legislation on Changes in Fishing and Hunting Laws (1997 Assembly Bill 736)

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

Sincerely,

JANE R. HENKEL
Deputy Director

**State of Wisconsin
Division of Gaming**

January 26, 1998

The Honorable, The Legislature:

Included with this correspondence, I am submitting the quarterly report of the Department of Administration, Division of Gaming (Gaming), for the six months ending December 31, 1997. As required by s. 562.02(1)(g), Wis. Stats., the attached materials contain pari-mutuel wagering and racing statistical information, as well as the revenues and expenditures for Gaming's Racing, Charitable Gaming and Indian Gaming programs.

If you have any questions or comments regarding this report, please do not hesitate to contact me at (608) 270-2560.

Sincerely,

F. SCOTT SCEPANIAK
Administrator

Senator Moen, with unanimous consent, asked that the Senate recess until 1:00 P.M..

10:16 A.M.

RECESS

1:00 P.M.

The Senate reconvened.

Senator Risser in the chair.

EXECUTIVE COMMUNICATIONS

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

EARL, ANTHONY S., of Madison, as a member of the Great Lakes Protection Fund, to serve for the term ending October 11, 1998.

Read.

OBRIEN, PATRICK, of Menasha, as a member of the Waste Facility Siting Board, to serve for the interim term ending May 1, 1999.

Read

RUSSELL, MARCELLA L., of Shullsburg, as a member of the State Fair Park Board, to serve for the term ending May 1, 2002.

Read.

Confirmed.

WHITE, DONNA JEAN, of Cambria, as a member of the Snowmobile Recreation Council, to serve for the term ending July 1, 2000.

Read.

The question was: Confirmation?

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

Ayes – Senators Breske, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Fitzgerald, George, Grobschmidt, Huelsman, Jauch, A. Lasee, Moen, Moore, Panzer, Plache, C. Potter, Risser, Roessler, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Welch, Wineke, Wirch and Zien – 32.

Noes – None.

Absent or not voting – None.

Confirmed.

**REFERRALS AND RECEIPT OF
COMMITTEE REPORTS CONCERNING
PROPOSED ADMINISTRATIVE RULES**

Senate Clearinghouse Rule 97–155

Relating to the joint effort marketing program.

Submitted by Department of Tourism.

Report received from Agency, January 28, 1998.

Referred to committee on **Insurance, Tourism and Rural Affairs**, February 3, 1998.

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Senate Bill 3

Relating to: issuance of metallic mining permits for the mining of sulfide ore bodies.

Read.

The question was: Shall Assembly amendment 2 to **Senate Bill 3** be concurred in?

Concurred in.

The question was: Shall Assembly amendment 3 to **Senate Bill 3** be concurred in?

Concurred in.

Senate amendment 1 to Assembly amendment 4 to **Senate Bill 3** offered by Senators Shibilski, Schultz and Cowles.

Senator Welch moved rejection of Senate amendment 1 to Assembly amendment 4 to **Senate Bill 3**.

The question was: Rejection of Senate amendment 1 to Assembly amendment 4 to **Senate Bill 3**?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 17; absent or not voting, 0; as follows:

Ayes – Senators Breske, Darling, Drzewiecki, Ellis, Farrow, Fitzgerald, George, Huelsman, A. Lasee, Panzer, Roessler, Rosenzweig, Rude, Welch and Zien – 15.

Noes – Senators Burke, Chvala, Clausing, Cowles, Decker, Grobschmidt, Jauch, Moen, Moore, Plache, C. Potter, Risser, Schultz, Shibilski, Weeden, Wineke and Wirch – 17.

Absent or not voting – None.

Rejection refused.

Senator Ellis, with unanimous consent, asked that the Senate recess until 2:25 P.M..

1:32 P.M.

RECESS

2:25 P.M.

The Senate reconvened.

Senator Risser in the chair.

Senator Farrow, with unanimous consent, asked to be withdrawn as a cosponsor of **Assembly Joint Resolution 7**.

Senator Cowles, with unanimous consent, asked to be added as a coauthor of **Senate Bill 414**.

Senators Rosenzweig and Darling, with unanimous consent, asked to be made coauthors of **Senate Bill 321**.

Senator Roessler, with unanimous consent, asked to be withdrawn as a cosponsor of **Assembly Bill 624**.

Senator Grobschmidt, with unanimous consent, asked to be added as a coauthor of **Senate Bill 376**.

Senator Rude, with unanimous consent, asked to be withdrawn as a coauthor of **Senate Bill 225**.

Senate Bill 3

Relating to: issuance of metallic mining permits for the mining of sulfide ore bodies.

Read.

Senate amendment 1 to Senate amendment 1 to Assembly amendment 4 to **Senate Bill 3** offered by Senators Schultz, Shibilski and Cowles.

The question was: Adoption of Senate amendment 1 to Senate amendment 1 to Assembly amendment 4 to **Senate Bill 3**?

The ayes and noes were demanded and the vote was: ayes, 31; noes, 1; absent or not voting, 0; as follows:

Ayes – Senators Breske, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, George, Grobschmidt, Huelsman, Jauch, A. Lasee, Moen, Moore, Panzer, Plache, C. Potter, Risser, Roessler, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Welch, Wineke, Wirch and Zien – 31.

Noes – Senator Fitzgerald – 1.

Absent or not voting – None.

Adopted.

The question was: Adoption of Senate amendment 1 to Assembly amendment 4 to **Senate Bill 3**?

The ayes and noes were demanded and the vote was: ayes, 27; noes, 5; absent or not voting, 0; as follows:

Ayes – Senators Breske, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, George, Grobschmidt, Jauch, A. Lasee, Moen, Moore, Plache, C. Potter, Risser, Roessler, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Wineke, Wirch and Zien – 27.

Noes – Senators Farrow, Fitzgerald, Huelsman, Panzer and Welch – 5.

Absent or not voting – None.

Adopted.

The question was: Shall Assembly amendment 4 to **Senate Bill 3** be concurred in as amended?

Concurred in as amended.

Senator Chvala, with unanimous consent, asked that **Senate Joint Resolution 39** be withdrawn from the committee on **Senate Organization** and taken up at this time.

Senate Joint Resolution 39

Relating to: commending the Green Bay Packers' team, organization and fans for their accomplishments during the past season.

Read.

Adopted.

Senate Bill 331

Relating to: defining the practice of nursing to include acting under the direction of optometrists.

Read.

The question was: Shall Assembly substitute amendment 1 to **Senate Bill 331** be concurred in?

Concurred in.

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senate Bill 180

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

Read a second time.

Senate amendment 1 to **Senate Bill 180** offered by Senator Shibilski.

The question was: Adoption of Senate amendment 1 to **Senate Bill 180**?

Adopted.

Senate amendment 2 to **Senate Bill 180** offered by Senator Risser.

The question was: Adoption of Senate amendment 2 to **Senate Bill 180**?

Adopted.

Ordered to a third reading.

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

Senate Bill 180

Read a third time.

The ayes and noes were required and the vote was: ayes, 25; noes, 7; absent or not voting, 0; as follows:

Ayes – Senators Breske, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Fitzgerald, Grobschmidt, Huelsman, Jauch, A. Lasee, Panzer, Plache, C. Potter, Roessler, Rosenzweig, Schultz, Shibilski, Welch, Wirch and Zien – 25.

Noes – Senators George, Moen, Moore, Risser, Rude, Weeden and Wineke – 7.

Absent or not voting – None.

Passed.

Senate Bill 271

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

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 271**?

Adopted.

The question was: Adoption of Senate amendment 2 to **Senate Bill 271**?

Adopted.

Ordered to a third reading.

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

Senate Bill 271

Read a third time and passed.

Senate Bill 321

Relating to: increasing the number of circuit court branches.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 321**?

Adopted.

The question was: Adoption of Senate amendment 2 to **Senate Bill 321**?

Adopted.

Ordered to a third reading.

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

Senate Bill 321

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 2; absent or not voting, 0; as follows:

Ayes – Senators Breske, Burke, Chvala, Clausing, Darling, Decker, Drzewiecki, Ellis, Farrow, Fitzgerald, Grobschmidt, Huelsman, Jauch, A. Lasee, Moen, Moore, Panzer, Plache, C. Potter, Risser, Roessler, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Welch, Wineke, Wirch and Zien – 30.

Noes – Senators Cowles and George – 2.

Absent or not voting – None.

Passed.

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

Assembly Bill 150

Relating to: electronic filing of certain campaign finance reports with the elections board and making an appropriation.

Read a second time.

Senator Burke, with unanimous consent, asked that **Assembly Bill 150** be referred to the Joint Committee on **Finance**.

Senator Burke, with unanimous consent, asked that the rules be suspended and that **Assembly Bill 150** be withdrawn from the Joint Committee on **Finance** and taken up at this time.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 150

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 1; absent or not voting, 0; as follows:

Ayes – Senators Breske, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Fitzgerald, George, Grobschmidt, Huelsman, Jauch, Moen, Moore, Panzer, Plache, C. Potter, Risser, Roessler, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Welch, Wineke, Wirch and Zien – 31.

Noes – Senator A. Lasee – 1.

Absent or not voting – None.

Concurred in.

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.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 730

Read a third time.

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

Ayes – Senators Breske, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Fitzgerald, George, Grobschmidt, Huelsman, Jauch, A. Lasee, Moen, Moore, Panzer, Plache, C. Potter, Risser, Roessler, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Welch, Wineke, Wirch and Zien – 32.

Noes – None.

Absent or not voting – None.

Concurred in.

Senator Chvala, with unanimous consent, asked that all action be immediately messaged to the Assmely.

Senator Welch moved that **Senate Bill 264** be withdrawn from the committee on **Judiciary, Campaign Finance Reform and Consumer Affairs** and referred to the committee on **Senate Organization**.

The question was: Shall **Senate Bill 264** be withdrawn from the committee on **Judiciary, Campaign Finance Reform and Consumer Affairs** and referred to the committee on **Senate Organization**?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Cowles, Darling, Drzewiecki, Ellis, Farrow, Fitzgerald, George, Huelsman, A. Lasee, Panzer, Roessler, Rosenzweig, Rude, Schultz, Weeden, Welch and Zien – 17.

Noes – Senators Breske, Burke, Chvala, Clausing, Decker, Grobschmidt, Jauch, Moen, Moore, Plache, C. Potter, Risser, Shibilski, Wineke and Wirch – 15.

Absent or not voting – None.

Referred.

ADJOURNMENT

Senator Chvala, with unanimous consent, asked that the Senate adjourn..

Adjourned.

3:06 p.m.

**LEGISLATIVE REFERENCE BUREAU
CORRECTIONS**

CORRECTIONS IN:

1997 SENATE BILL 380

Prepared by the Legislative Reference Bureau
Friday, January 30, 1998

1. Page 3, line 12: delete "(4)".

NOTE: This reference is not current law and was not intended to be included in Senate Bill 380.

CORRECTIONS IN:

**SENATE AMENDMENT 2,
TO 1997 SENATE BILL 333**

Prepared by the Legislative Reference Bureau
(January 30, 1998)

1. Page 2, line 12: on lines 12, 15 and 18, delete "corporation" and substitute "company".

MOTIONS UNDER SENATE RULE 98

for the Month of January 1998

A certificate of commendation by Senator Moore for Adekola Adedapo and the Mel Rhyne Trio on the occasion of a superb music performance for the opening reception of the National Black Caucus of State Legislators 1997 Annual Meeting.

A certificate of congratulations by Senator Risser for the the Honorable Lynn Adelman on the occasion of being sworn in as a United States District Judge for the Eastern District of Wisconsin and wish him the best in his new endeavors, also for his 21 years of service as State Senator for the 28th District.

A certificate of congratulations by Senator Farrow for Nicholas Angel on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Farrow for David April on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Risser for Badger Candy Kitchen on the occasion of celebrating their 74th Anniversary.

A certificate of commendation by Senator Fitzgerald for Gerald Berge on the occasion of his public service to the State of Wisconsin and the Department of Corrections.

A certificate of congratulations by Senator Weeden for Todd Bickle on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Drzewiecki for Nathaniel Shea Bryan on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Darling for John Nicholas Buchholz on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Wineke for Jeremy Casper on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Schultz for Mark E. Cupp on the occasion of his years of dedication as a Board member of the Schmitt Woodland Hills Board.

A certificate of congratulations by Senator Breske for John Detienne on the occasion of his retirement after 30 years of dedicated service to the Rhinelander and Oneida Counties as a member of the Oneida County Sheriff's Department.

A certificate of commendation by Senator Jauch for Andrew Donahue on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Rude for Pastor Donald Ehler on the occasion of celebrating his 25th anniversary as Pastor of the First Congregational Church of Hillsboro.

A certificate of congratulations by Senator Jauch for Julia Ellison on the occasion of being chosen 1998 Wisconsin State Fairest of the Fair.

A certificate of congratulations by Senator Chvala for James Hackett on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Decker for Alan Hastreiter on the occasion of thanking him for his many contributions in the areas of public policy and sustainable forestry.

A certificate of commendation by Senator Fitzgerald for Robert Henken on the occasion of his 30 years of outstanding public service as the Dane County Highway Superintendent.

A certificate of commendation by Senator Ellis for Doug Hillebrandt on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Fitzgerald for Jason Huber on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Moen for Matthew W. Hubler on the occasion of his retirement from the Sacred Heart Hospital after years of dedicated service.

A certificate of congratulations by Senator Wineke for Daniel Jacobsen on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Wineke for Nathan Jacobsen on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Ellis for Nicholas E. Jermstad on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Rude for Trooper James Kuhn on the occasion of his retirement from the Wisconsin State Patrol after 27 years of dedicated service.

A certificate of commendation by Senator Darling for Robert "BJ" E. Larson on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Ellis for Peter J. Leitermann on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Weeden for Commander Arthur R. LeFeber on the occasion of his retirement after 31 years of distinguished service in the Rock County Sheriff's Department.

A certificate of commendation by Senator Lasee for Sven Galen Loberg on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Breske for Jeff Marx on the occasion of his retirement from the Antigo Police Department after 20 years of dedicated service.

A certificate of congratulations by Senator Farrow for Tom Millard on the occasion of receiving the Pewaukee Chamber of Commerce's Person of the Year Award.

A certificate of condolences by Senator George for the family and friends of Henry Moore on the occasion of celebrating his life on earth.

A certificate of commendation by Senator Panzer for Chester I. Nielsen IV on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Chvala for Barbara Oliverson on the occasion of her retirement after 32 years of dedication to the City of Madison.

A certificate of commendation by Senator Ellis for Matt Pellingner on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Roessler for Charles Redman on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Clausen for David Robert Roos on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Farrow for Joyce Rowell on the occasion of earning the West Allis Chamber of Commerce's Citizen of the Year.

A certificate of congratulations by Senator Fitzgerald for Edna Braunschweig Schwartz on the occasion of celebrating her 100th Birthday.

A certificate of commendation by Senator Ellis for Nicholas M. Scotch on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Weeden for Deputy John S. Scott Jr. on the occasion of his retirement after 23 years of service to the Rock County Sheriff's Department.

A certificate of commendation by Senator George for Thelma Sias on the occasion of her many contributions to the Milwaukee community and receiving the distinguished Drum Major for Justice Award.

A certificate of commendation by Senator Breske for Kathryn Spacht on the occasion of her heroic act in saving her sister's life and giving her parents a enormous sense of pride.

A certificate of congratulations by Senator Weeden for Deputy John C. Torpy on the occasion of his retirement after 28 years of service to the Rock County Sheriff's Department.

A certificate of congratulations by Senator Ellis for Edward J. Truax on the occasion of receiving the "1998 Outstanding Restaurateur of the Year Award" as owner of Eddie's Sky Club in Neenah, Wisconsin.

A certificate of commendation by Senator Wirsch for Robert Tucknott on the occasion of his 25 years of service as a dedicated truck driver for Eagle Express Lines of Highland, Indiana and his act of heroism on June 24, 1997 when he leaped from his truck and saved a mother and her 4 year old son from their burning car which was lodged under his trailer.

A certificate of commendation by Senator Darling for David J. Vander Molen on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Drzewiecki for George Vogl on the occasion of his retirement after a distinguished career with the Federal Mediation & Conciliation Service of the United States Government.

A certificate of congratulations by Senator Weeden for Charles Vogt on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Chvala for Nicholas A. White on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Burke for William Willmann on the occasion of his retirement after many years of service to the Milwaukee County Sheriff's Department.

A certificate of commendation by Senator Roessler for the Wisconsin Paraoptometric Association on the occasion they are celebrating their 25th Anniversary.

A certificate of congratulations by Senator Chvala for the Wisconsin Precast Concrete Association on the occasion they are celebrating their 20th Anniversary.

A certificate of commendation by Senator Shibilski for the Wisconsin Rapids Area Chamber of Commerce on the occasion of celebrating their 50th Anniversary.

A certificate of congratulations by Senator Chvala for Lawrence and Bev Witzel on the occasion of their 25th Wedding Anniversary.

A certificate of congratulations by Senator Risser for Fred and Margaret Witzeling on the occasion of celebrating their 70th Wedding Anniversary.

A certificate of congratulations by Senator Breske for Michael Zoncki on the occasion of earning and attaining the rank of the Eagle Scout Award.