



# STATE OF WISCONSIN

# Senate Journal

## Ninety–Third Regular Session

10:29 P.M.

THURSDAY, April 30, 1998

The Senate met.

The Senate was called to order by Senator Brian Rude.

Senator Ellis, with unanimous consent, asked that the roll call, pledge and leave from the extraordinary session be applied to the regular session.

### PETITIONS AND COMMUNICATIONS

#### State of Wisconsin

April 28, 1998

The Honorable, The Senate:

Pursuant to Senate Rule 20, I have made the following appointment to Senate committee:

To the committee on **Transportation, Agriculture and Rural Affairs**: Senator Decker.

With regard to the members of the minority party, the appointment reflects the recommendation of that caucus.

Sincerely,

MICHAEL ELLIS

Chair, Committee on Senate Organization

#### State of Wisconsin

April 30, 1998

The Honorable, The Senate:

Assembly Bill 331, introduced on May 1, 1997, listed me as a cosponsor. I should not be listed as a cosponsor. I ask that the Senate Journal reflect my wishes not to be a cosponsor of Assembly Bill 331.

Thank you for your assistance.

Sincerely,

KIMBERLY M. PLACHE

State Senator

#### State of Wisconsin Department of Commerce

April 24, 1998

The Honorable, The Senate:

In accordance with s. 560.03(15), the Department of Commerce is required to submit an annual report to the legislature analyzing the use of IRB financing authorized under Section 66.521 of Wisconsin Statutes, and report on the benefits of that use. The Department of Commerce is also required to submit a summary of the employment impact estimates required under Section 560.034(2) of Wisconsin Statutes.

I am respectfully submitting the attached Industrial Revenue Bond Activity Report. If you have any questions concerning the report or would like to obtain copies, please contact Deb Daly in the Division of Community Development at 608/267-3895.

Sincerely,

WILLIAM J. MCCOSHEN

Secretary

#### State of Wisconsin Joint Department of Commerce/Department of Natural Resources

The Honorable, The Legislature:

On behalf of the Department of Commerce and the Department of Natural Resources, we are pleased to provide you with this report. The report summarizes the efforts to-date of the Department of Commerce and the Department of Natural Resources to honor the commitments that each agency made under the Memorandum of understanding on Construction Site Erosion and Sediment Control.

Both agencies recognize that there are many challenges ahead to full implementation of the Memorandum of Understanding as state agencies reorganize and adjust to shifting priorities and budgetary constraints. Despite these challenges, the Department of Commerce and the Department of Natural Resources remain committed to the success of state-administered erosion and sediment control programs and are prepared to work in partnership together and with other state agencies and local municipalities on this important water quality protection effort.

Sincerely,

WILLIAM J. MCCOSHEN, Secretary  
Department of Commerce

GEORGE E. MEYER, Secretary  
Department of Natural Resources

#### State of Wisconsin Office of the Secretary of State

To the Honorable, the Senate:

<u>Bill, Joint Resolution or Resolution Number</u>	<u>Act Number or Enrolled Number</u>	<u>Publication Date</u>
<b>Senate Bill 3</b>	Wisconsin Act 171	May 6, 1998
<b>Senate Bill 459</b>	Wisconsin Act 172	May 6, 1998

Sincerely,

DOUGLAS LA FOLLETTE  
Secretary of State

#### State of Wisconsin Office of the Secretary of State

To the Honorable, the Senate:

<u>Bill, Joint Resolution or Resolution Number</u>	<u>Act Number or Enrolled Number</u>	<u>Publication Date</u>
<b>Senate Bill 329</b>	Wisconsin Act 173	May 11, 1998
<b>Senate Bill 258</b>	Wisconsin Act 175	May 11, 1998

Sincerely,

DOUGLAS LA FOLLETTE  
Secretary of State

**EXECUTIVE COMMUNICATIONS**

**State of Wisconsin  
Office of the Governor**

April 28, 1998

To the Honorable, the Senate:

The following bill(s), originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
<b>Senate Bill 181</b>	<b>Wisconsin Act 189</b>	April 27, 1998
<b>Senate Bill 139</b>	<b>Wisconsin Act 190</b>	April 27, 1998
<b>Senate Bill 494</b> (partial veto)	<b>Wisconsin Act 191</b>	April 27, 1998
<b>Senate Bill 235</b>	<b>Wisconsin Act 196</b>	April 27, 1998
<b>Senate Bill 263</b>	<b>Wisconsin Act 197</b>	April 27, 1998
<b>Senate Bill 285</b>	<b>Wisconsin Act 198</b>	April 27, 1998
<b>Senate Bill 346</b>	<b>Wisconsin Act 200</b>	April 27, 1998
<b>Senate Bill 321</b>	<b>Wisconsin Act 203</b>	April 27, 1998

Sincerely,

TOMMY G. THOMPSON  
Governor

**State of Wisconsin  
Office of the Governor**

April 27, 1998

The Honorable, The Senate:

I have approved **Senate Bill 494** as [1998 Wisconsin Act 191](#) and have deposited it in the Office of the Secretary of State. I have exercised the partial veto in Sections 73, 90 and 488.

**Senate Bill 494** makes numerous changes to the child support statutes in order to comply with federal law. The bill contains most of the same provisions I had requested in the 1997-99 Biennial Budget bill. **Senate Bill 494** will significantly increase the authority of child support enforcement agencies and will result in increased child support collections. The partial vetoes of this bill are primarily technical in nature.

Among other provisions, Section 73 outlines the levy process for personal property other than real property. As part of this process, DWD is directed to send a notice to the obligor that the department intends to issue an execution requiring the local sheriff to seize and to sell the property within 90 days of the date of execution. This language is inconsistent with the language earlier in this section of the bill that indicates the the obligor's property will have already been seized. While DWD intends to contract with the local sheriff to seize the property, the language is confusing as written. I am partially vetoing this section in order to clarify that the execution will require the sheriff to sell, not seize and sell, the property. At the same time I am directing DWD to submit follow up legislation to clarify the steps in this process. I am also partially vetoing a different part of this section in order to correct an erroneous reference to "real" instead of personal property.

Section 90 restricts access to the social security numbers on all vital records, including birth, marriage, divorce and death records, to certain individuals with a direct and tangible interest, the federal government and DWD in order to address privacy concerns. However, there are two problems with this section as drafted. First, access to the social security number on birth, marriage and divorce documents would actually be expanded compared to current law. Second, genealogists or other interested parties would lose their current ability to access social security numbers on death records. I am partially vetoing this provision in order to ensure that the use of social security

numbers on birth, marriage and divorce records is restricted to the subject of the record, DWD and other entities enumerated in current law. At the same time, this partial veto will ensure that current law access to death records is maintained.

Under Section 488, child support orders may be established based on a signed, voluntary paternity acknowledgment, unless a timely rescission has been made. There is some confusion on how to interpret this part of the bill. I am therefore partially vetoing this section to clarify that an order may be established at any time after the acknowledgement has been made including prior to the expiration of the 60-day rescission period.

With these vetoes, I am proud to sign this bill. I believe that it is unacceptable that noncustodial parents in Wisconsin owe more than \$1.2 billion in unpaid child support. These children have often had to live in poverty because their parents have not accepted the personal and financial responsibility of having children. I believe that this bill takes a significant step toward rectifying this problem.

Sincerely,

TOMMY G. THOMPSON  
Governor

**State of Wisconsin  
Office of the Governor**

April 29, 1998

To the Honorable, the Senate:

The following bill(s), originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
<b>Senate Bill 200</b>	<b>Wisconsin Act 212</b>	April 28, 1998
<b>Senate Bill 313</b>	<b>Wisconsin Act 214</b>	April 28, 1998
<b>Senate Bill 333</b>	<b>Wisconsin Act 215</b>	April 28, 1998
<b>Senate Bill 397</b>	<b>Wisconsin Act 216</b>	April 28, 1998
<b>Senate Bill 351</b>	<b>Wisconsin Act 218</b>	April 28, 1998

Sincerely,

TOMMY G. THOMPSON  
Governor

**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 966**

**Assembly Bill 967**

**Assembly Bill 968**

**Assembly Bill 970**

**Assembly Bill 971**

**Assembly Bill 972**

Adopted and asks concurrence in:

**Assembly Joint Resolution 131**

**Assembly Joint Resolution 132**

**Assembly Joint Resolution 133**

Senator Ellis, with unanimous consent, asked that **Assembly Joint Resolution 131** be withdrawn and taken up at this time.

**Assembly Joint Resolution 131**

Relating to: petitioning the federal government to support the recommendations of Representative Klug's task force on the Badger Army Ammunition Plant.

Read.

Senator Welch, with unanimous consent, asked that the Senate recess until 10:32 P.M.

10:31 P.M.

**RECESS**

10:32 P.M.

The Senate reconvened.  
Senator Rude in the chair.

The question was: Shall **Assembly Joint Resolution 131** be concurred in?

Concurred in.

Senator Ellis, with unanimous consent, asked that **Assembly Joint Resolution 132** be withdrawn and taken up at this time.

**Assembly Joint Resolution 132**

Relating to: celebrating the 50th anniversary of Israel.

Read.

The question was: Shall **Assembly Joint Resolution 132** be concurred in?

Concurred in.

Senator Ellis, with unanimous consent, asked that **Assembly Bill 972** be withdrawn and taken up at this time.

**Assembly Bill 972**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Professional Employees Council, WFT/AFT, AFL-CIO, for the 1997-99 biennium, covering employes in the professional fiscal and staff services collective bargaining unit, and authorizing an expenditure of funds.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 972**

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, 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 and Zien – 31.

Noes – Senator Lazich – 1.

Absent or not voting – Senator Wirch – 1.

Concurred in.

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

Senator Ellis, with unanimous consent, asked that **Assembly Joint Resolution 133** be withdrawn and taken up at this time.

**Assembly Joint Resolution 133**

Relating to: commending John H. Schroeder.

Read.

The question was: Shall **Assembly Joint Resolution 133** be concurred in?

Concurred in.

Senator Ellis, with unanimous consent, asked that **Assembly Bill 966** be withdrawn and taken up at this time.

**Assembly Bill 966**

Relating to: the 2-digit date prefix specified on forms (Revisor's Correction Bill).

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 966**

Read a third time and concurred in.

Senator Ellis, with unanimous consent, asked that **Assembly Bill 967** be withdrawn and taken up at this time.

**Assembly Bill 967**

Relating to: repealing, consolidating, renumbering, amending and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, eliminating defects, anachronisms, conflicts, ambiguities and obsolete provisions, deleting, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 967**

Read a third time and concurred in.

Senator Ellis, with unanimous consent, asked that **Assembly Bill 968** be withdrawn and taken up at this time.

**Assembly Bill 968**

Relating to: reinstating a time limitation and notice provision created by 1997 Wisconsin Act .... (1997 Assembly Bill 261) that was unintentionally repealed by 1997 Wisconsin Act .... (1997 Senate Bill 384) (Revisor's Correction Bill).

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 968**

Read a third time and concurred in.

Senator Ellis, with unanimous consent, asked that **Assembly Bill 970** be withdrawn and taken up at this time.

**Assembly Bill 970**

Relating to: repealing, consolidating, renumbering, amending and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, and eliminating defects, anachronisms, conflicts, ambiguities and obsolete provisions (Revision Bill).

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 970**

Read a third time and concurred in.

Senator Ellis, with unanimous consent, asked that **Assembly Bill 971** be withdrawn and taken up at this time.

**Assembly Bill 971**

Relating to: repealing, consolidating, renumbering, amending and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references and eliminating defects, anachronisms, conflicts, ambiguities and obsolete provisions. (Section 13.93 (2) (i) Revision Bill).

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 971**

Read a third time and concurred in.

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

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**ANNOUNCEMENTS, ADJOURNMENT  
HONORS AND REMARKS UNDER SPECIAL  
PRIVILEGE**

Senator Chvala, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Senator Grobschmidt on the occasion of his 50<sup>th</sup> Birthday.

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**ADJOURNMENT**

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

Adjourned.

10:47 P.M.