



STATE OF WISCONSIN

Senate Journal

Ninety–Fifth Regular Session

10:00 A.M.

MONDAY, July 2, 2001

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 Baumgart, Breske, Burke, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, George, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, A. Lasee, Lazich, M. Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler, Rosenzweig, Schultz, Shibilski, Welch, Wirch and Zien – 31.

Absent – Senators S. Fitzgerald – 1.

Absent with leave – None.

The Senate stood for the prayer which was offered by Iman Amin Amer, Religious Director of the Islamic Society of Milwaukee.

The Senate remained standing and Senator George 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: the life and public service of Ernest C. Keppler.

By Senators Baumgart, Risser, A. Lasee, Rosenzweig and Moen; cosponsored by Representatives Leibham, Kestell, Plouff, Montgomery, Krug, Nass, Gronemus, Owens, Ryba, Gunderson, Turner, Schneider, Townsend, J. Lehman, Miller, Lippert and Sykora.

Read.

Considered as privileged and taken up.

Adopted by unanimous rising vote.

Senator Panzer, with unanimous consent, asked that all members of the Senate be made coauthors of **Senate Joint Resolution 39**.

Senator Chvala, with unanimous consent, asked that **Senate Joint Resolution 38** be taken up.

Senate Joint Resolution 38

Relating to: honoring and commending the devoted public service of John T. Benson.

Read.

Senator Chvala, with unanimous consent, asked that all members of the Senate be made coauthors of **Senate Joint Resolution 38**.

Adopted.

Senator Panzer, with unanimous consent, asked that the Senate recess until 11:55 A.M..

10:59 A.M.

RECESS

11:55 A.M.

The Senate reconvened.

Senator Risser in the chair.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 213

Relating to: a real estate transfer fee exemption for a conveyance between related corporations, partnerships, and limited liability companies.

By Senators Huelsman, Cowles, Schultz and Rosenzweig; cosponsored by Representatives Pettis, Powers, Grothman, Vrakas, Lippert and Owens.

To joint survey committee on **Tax Exemptions**.

REPORT OF COMMITTEES

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

Assembly Bill 114

Relating to: allowing managed forest land to be located in cities.

Concurrence.

Ayes, 5 – Senators Baumgart, Hansen, Wirch, Cowles and Schultz.

Noes, 0 – None.

Jim Baumgart
Chairperson

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

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

Senate Clearinghouse Rule 00–111

Relating to implementation of a geographic information system registry of closed remediation sites for properties with groundwater contamination exceeding NR 140 enforcement standards at the time of case closure.

No action taken.

Senate Clearinghouse Rule 01–006

Relating to hunting, trapping and nuisance wildlife control.

No action taken.

Senate Clearinghouse Rule 01-008

Relating to hunting, trapping and captive wildlife.

No action taken.

Senate Clearinghouse Rule 01-012

Relating to fishing on the inland, outlying and boundary waters of Wisconsin and fish rearing pond grants.

No action taken.

Senate Clearinghouse Rule 01-013

Relating to sport fishing on the inland, outlying and boundary waters and fish refuges on the inland waters of Wisconsin.

No action taken.

Jim Baumgart
Chairperson

MESSAGES FROM THE ASSEMBLY

By John A. Scocos, chief clerk.

Mr. President:

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

Assembly Joint Resolution 55

Passed and asks concurrence in:

Assembly Bill 123

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Bill 123

Relating to: who may be appointed personal representative in informal administration.

By Representatives Staskunas, Duff, Sherman, La Fave, Montgomery, Huebsch, Richards, Cullen, Powers, J. Lehman, Ryba, Hundertmark, Jeskewitz, Albers, Gunderson, Vrakas, Townsend, Berceau, Kreuser and McCormick; cosponsored by Senators Burke, Farrow and Huelsman.

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

Assembly Joint Resolution 55

Relating to: creating a committee of conference on 2001 Senate Bill 55, the executive budget bill of the 2001 legislature. Read.

Considered as privileged and taken up.

Senator Panzer, with unanimous consent, asked that the Senate Stand Informal.

Senator Chvala objected.

Senator Panzer, with unanimous consent, asked that the Senate Recess.

Senator Chvala objected.

Senator Panzer moved that the Senate recess.

Senator Chvala, with unanimous consent, asked that the Senate recess until 12:27 P.M.

12:14 P.M.

RECESS

12:27 P.M.

The Senate reconvened.

Senator Risser in the chair.

Senator Panzer, with unanimous consent, withdrew her motion for recess.

Senate amendment 1 to **Assembly Joint Resolution 55** offered by Senators Chvala, Risser and Moen.

Senate substitute amendment 1 to **Assembly Joint Resolution 55** offered by Senator Panzer.

Senator Burke moved that Senate substitute amendment 1 to **Assembly Joint Resolution 55** be laid on the table.

LEAVES OF ABSENCE

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

The question was: Shall Senate substitute amendment 1 to **Assembly Joint Resolution 55** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 13; absent or not voting, 1; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Decker, Erpenbach, George, Grobschmidt, Hansen, Jauch, M. Meyer, Moen, Moore, Plache, Risser, Robson, Shibilski and Wirch – 18.

Noes – Senators Cowles, Darling, Ellis, Harsdorf, Huelsman, A. Lasee, Lazich, Panzer, Roessler, Rosenzweig, Schultz, Welch and Zien – 13.

Absent or not voting – Senator S. Fitzgerald – 1.

Tabled.

The question was: Adoption of Senate amendment 1 to **Assembly Joint Resolution 55**?

Adopted.

The question was: Concurrence in **Assembly Joint Resolution 55**?

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

Ayes – Senators Baumgart, Breske, Burke, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, George, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, A. Lasee, Lazich, M. Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler, Rosenzweig, Schultz, Shibilski, Welch, Wirch and Zien – 31.

Noes – None.

Absent or not voting – Senator S. Fitzgerald – 1.

Concurred in as amended.

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

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

Senator Baumgart, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Ernie Keppler, a good friend, progressive and someone always willing to listen.

Senator Grobschmidt, with unanimous consent, asked that when the Senate adjourn, it do so in memory of Joseph Kehoe, in honor of his life of public service to the city of South Milwaukee serving as an alderman, mayor, and a member of several boards and commissions.

Senator Panzer, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Senator Lasee and his wife on this day which is their 41st wedding anniversary.

Senator Chvala, with unanimous consent, asked that the Senate recess until 5:13 P.M.

12:55 P.M.

Noes – Senators Cowles, Darling, Harsdorf, Huelsman, A. Lazich, Panzer, Roessler, Rosenzweig, Schultz and Welch – 10.

Absent or not voting – Senators Ellis, S. Fitzgerald, Lasee, Robson and Zien – 5.

Recessed.

5:26 P.M.

RECESS

The Senate reconvened.

Senator Risser in the chair.

The Chair, with unanimous consent, asked that the Senate return to the eighth order of business.

RECESS

9:18 P.M.

MESSAGES FROM THE ASSEMBLY

By John A. Scocos, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has amended and concurred in as amended:

Senate amendment 1 to **Assembly Joint Resolution 55** (Assembly amendment 1 adopted)

Concurred in:

Senate Joint Resolution 38

Senate Joint Resolution 39

The Senate reconvened.

Senator Risser in the chair.

MESSAGES FROM THE ASSEMBLY

By John A. Scocos, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has refused to recede from its position on:

Assembly amendment 1 to Senate amendment 1 to **Assembly Joint Resolution 55**

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Joint Resolution 55

Relating to: creating a committee of conference on 2001 Senate Bill 55, the executive budget bill of the 2001 legislature.

Read.

Considered as privileged and taken up.

Senator Robson, with unanimous consent, would like the journal to show she would have voted aye on the question of recessing.

Senator Chvala moved that the Senate adhere to its position on Assembly amendment 1 to Senate amendment 1 to **Assembly Joint Resolution 55**.

LEAVES OF ABSENCE

Senator Panzer, with unanimous consent, asked that Senator Schultz be granted a leave of absence for the balance of today's session.

The question was: Shall the Senate adhere to its position on Assembly amendment 1 to Senate amendment 1 to **Assembly Joint Resolution 55**?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 10; absent or not voting, 4; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Decker, Erpenbach, George, Grobschmidt, Hansen, Jauch, M. Meyer, Moen, Moore, Plache, Risser, Robson, Shibilski and Wirch – 18.

Noes – Senators Cowles, Darling, S. Fitzgerald, Harsdorf, Huelsman, Lazich, Panzer, Roessler, Rosenzweig and Welch – 10.

Absent or not voting – Senators Ellis, A. Lasee, Schultz and Zien – 4.

Adheres to its position.

Senator Chvala, with unanimous consent, asked that the Senate request through a formal message to the Assembly that the State Assembly message their action on **Senate Bill 55** for further consideration by the Senate.

Senator Panzer objected.

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Joint Resolution 55

Relating to: creating a committee of conference on 2001 Senate Bill 55, the executive budget bill of the 2001 legislature.

Read.

Considered as privileged and taken up.

Senator Chvala moved nonconcurrence in Assembly amendment 1 to Senate amendment 1 to **Assembly Joint Resolution 55**.

The question was: Shall Assembly amendment 1 to Senate amendment 1 to **Assembly Joint Resolution 55** be nonconcurred in?

Nonconcurred in.

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

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

Senator Welch objected.

Senator Chvala moved that the Senate recess.

LEAVES OF ABSENCE

Senator Panzer, with unanimous consent, asked that Senators Lasee, Zien and Ellis be granted a leave of absence for the balance today's session.

LEAVES OF ABSENCE

Senator Chvala, with unanimous consent, asked that Senator Robson be granted a leave of absence for the balance of today's session.

The question was: Shall the Senate recess.

The ayes and no were demanded and the vote was: ayes, 17; noes, 10; absent or not voting, 5; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Decker, Erpenbach, George, Grobschmidt, Hansen, Jauch, M. Meyer, Moen, Moore, Plache, Risser, Shibilski and Wirch – 17.

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

Senator Chvala moved that the Senate request through a formal message to the Assembly that the State Assembly message their action on **Senate Bill 55** for further consideration by the Senate.

The question was: Shall the Senate request through a formal message to the Assembly that the State Assembly message their action on **Senate Bill 55** for further consideration by the Senate?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 10; absent or not voting, 4; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Decker, Erpenbach, George, Grobschmidt, Hansen, Jauch, M. Meyer, Moen, Moore, Plache, Risser, Robson, Shibilski and Wirch – 18.

Noes – Senators Cowles, Darling, S. Fitzgerald, Harsdorf, Huelsman, Lazich, Panzer, Roessler, Rosenzweig and Welch – 10.

Absent or not voting – Senators Ellis, A. Lasee, Schultz and Zien – 4.

Motion adopted.

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

Senator Chvala, with unanimous consent, asked that the Senate recess until 2:41 P.M.

10:10 P.M.

RECESS

2:41 P.M.

The Senate reconvened.

Senator Decker in the chair.

ADJOURNMENT

Senator Decker, with unanimous consent, asked that the Senate adjourn until Thursday, July 7 at 10:00 A.M.

Adjourned.

2:42 P.M.

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

Senate Bill 138

Senate Bill 144

Report correctly enrolled on July 2, 2001.