



# STATE OF WISCONSIN

# Senate Journal

## Ninety–Fifth Regular Session

10:00 A.M.

THURSDAY, October 4, 2001

The Senate met.

11:05 A.M.

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, S. Fitzgerald, George, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, Kanavas, A. Lasee, Lazich, M. Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler, Rosenzweig, Shibilski, Schultz, Welch, Wirch and Zien – 33.

Absent – None.

Absent with leave – None.

The Senate stood for the prayer which was offered by West Allis Fire Department Chaplain Jerry Kreamer.

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

The Senate was honored to have Miss Chelsea Riley, a student at the Wisconsin School for the Visually Impaired, sing “God Bless America”. Chelsea was accompanied by her parents, Don and Marsha Riley of Edgerton.

Senator Chvala, with unanimous consent, asked that **Assembly Joint Resolution 59** be taken up at this time.

### **Assembly Joint Resolution 59**

Relating to: proclaiming September 11th of each year as a State Day of Remembrance.

Read.

The question was: Shall **Assembly Joint Resolution 59** be concurred in?

Concurred in.

Senator Chvala, with unanimous consent, asked that **Assembly Joint Resolution 60** be taken up at this time.

### **Assembly Joint Resolution 60**

Relating to: commending the President of the United States, the United States Congress, the United States armed forces, and the servicemen and servicewomen called into duty in connection with Operation Enduring Freedom.

Read.

The question was: Shall **Assembly Joint Resolution 60** be concurred in?

Concurred in.

Senator Moore, with unanimous consent, asked to be added as cosponsors of **Assembly Joint Resolution 60**.

Senator Chvala, with unanimous consent, asked that the Senate recess until 12:18 P.M.

## RECESS

12:18 P.M.

The Senate reconvened.

Senator Risser in the chair.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

### **Senate Bill 268**

Relating to: public inspection of the payroll records of contractors, subcontractors, and agents performing work on those projects.

By Senators Burke, Baumgart, Decker, Grobschmidt, Hansen, Plache and Robson; cosponsored by Representatives Meyerhofer, Balow, Bock, Boyle, Carpenter, Colon, Gronemus, Johnsrud, Kreuser, La Fave, J. Lehman, Morris–Tatum, Pocan, Richards, Ryba and Turner.

To committee on **Labor and Agriculture**.

### **Senate Bill 269**

Relating to: requiring school boards that provide instruction in human sexuality and related subjects to provide instruction in anti–bullying behavior and peer mediation.

By Senators Robson and Burke; cosponsored by Representatives Albers, J. Lehman and Young.

To committee on **Education**.

### **Senate Bill 270**

Relating to: requiring school boards that provide instruction in human sexuality and related subjects to provide instruction in early childhood brain research and development.

By Senators Robson and Burke; cosponsored by Representatives J. Lehman and Young.

To committee on **Education**.

## ADVICE AND CONSENT OF THE SENATE

Senator Chvala, with unanimous consent, asked that all the appointments except for Martin Beil and Alberta Darling, be taken up en masse.

Senator Chvala, with unanimous consent, asked that the appointment of Martin Beil be laid on the table.

ADAMSKI, PAUL C., of Stevens Point, as a member of the College Savings Program Board, to serve for the term ending May 1, 2005.

Read.

BENZEL, TRACY C., of Mercer, as a member of the Examining Board of Professional Geologists, Hydrologists and Soil Scientists, to serve for the term ending July 1, 2005.

Read.

BOHLMAN, JOHN P., of Boscobel, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 2005.

Read.

EARL, ANTHONY S., of Madison, as a member of the Great Lakes Protection Fund, to serve for the term ending October 11, 2002.

Read.

FENHAUS, EDWARD F., of Wausau, as a member of the Waste Facility Siting Board, to serve for the interim term ending May 1, 2002.

Read.

HUBBELL, CHRIS L., of Eau Claire, as a member of the Optometry Examining Board, to serve for the term ending July 1, 2004.

Read.

HULWI, JOSEPH M., of Eleva, as a member of the Hearing and Speech Examining Board, to serve for the term ending July 1, 2005.

Read.

KARNAUSKAS, ROBERT J., of Pewaukee, as a member of the Examining Board of Professional Geologists, Hydrologists and Soil Scientists, to serve for the term ending July 1, 2005.

Read.

KUPPERMAN, DR. GERARD L., of Oconomowoc, as a member of the Hearing and Speech Examining Board, to serve for the term ending July 1, 2005.

Read.

LEIPOLD, CRAIG L., of Racine, as a member of the State Fair Park Board, to serve for the interim term ending May 1, 2002, and for the full term ending May 1, 2007.

Read.

MCKEITHAN, PATRICIA B., of Milwaukee, as a member of the State Fair Park Board, to serve for the term ending May 1, 2005.

Read.

MEJCHAR, JAMES D., of West Allis, as a member of the State Fair Park Board, to serve for the term ending May 1, 2004.

Read.

MICKELSON, DR. DAVID M., of Madison, as a member of the Examining Board of Professional Geologists, Hydrologists and Soil Scientists, to serve for the term ending July 1, 2005.

Read.

NEUENFELDT, PHILIP L., of Milwaukee, as a member of the Wisconsin Technical College System Board, to serve for the term ending May 1, 2007.

Read.

PERTZBORN, ROBERT J., of Madison, as a member of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the interim term ending July 1, 2003.

Read.

SUTTER, SUSAN L., of Horicon, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 2005.

Read.

THELEN, MICHAEL K., of Appleton, as a member of the Hearing and Speech Examining Board, to serve for the term ending July 1, 2005.

Read.

UNBEHAUN, RICK D., of Richland Center, as a member of the Funeral Directors Examining Board, to serve for the term ending July 1, 2005.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, George, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, Kanavas, A. Lasee, Lazich, M. Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler, Rosenzweig, Schultz, Shibilski, Welch, Wirch and Zien – 33.

Noes – None.

Absent or not voting – None.

Confirmed.

Senator Darling, with unanimous consent, asked that pursuant to Senate Rule 73 (1), she be excused from voting on the appointment of Alberta Darling.

DARLING, SENATOR ALBERTA, of River Hills, as a member of the College Savings Program Board, to serve for the term ending May 1, 2005.

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 Baumgart, Breske, Burke, Chvala, Cowles, Decker, Ellis, Erpenbach, S. Fitzgerald, George, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, Kanavas, A. Lasee, Lazich, M. Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler, Rosenzweig, Schultz, Shibilski, Welch, Wirch and Zien – 32.

Noes – None.

Absent or not voting – Senator Darling – 1.

Confirmed.

---

## CONSIDERATION OF MOTIONS AND RESOLUTIONS

### Senate Resolution 7

Relating to: recognizing the week beginning the first Monday in October as “Household Hazardous Waste Awareness Week.”

Read.

Adopted.

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

**Senate Joint Resolution 36**

Relating to: urging the U.S. and Canadian governments to prohibit diversion of Great Lakes water.

Read.

The question was: Adoption of Senate amendment 1 to **Senate Joint Resolution 36**?

Adopted.

The question was: Adoption **Senate Joint Resolution 36**?

Adopted.

Senators Robson and Moore, with unanimous consent, asked to be made coauthors of **Senate Joint Resolution 36**.

Senators Darling, Welch and Kanavas, with unanimous consent, asked to be made coauthors of **Senate Bill 263**.

Senators Darling, Welch and Kanavas, with unanimous consent, asked to be made cosponsors of **Assembly Bill 523**.

Senator Moore, with unanimous consent, asked to be added as a coauthor of **Senate Bill 4**.

Senator Moore, with unanimous consent, asked to be added as a coauthor of **Senate Bill 69**.

Senator Moore, with unanimous consent, asked to be added as a coauthor of **Senate Bill 79**.

Senator Moore, with unanimous consent, asked to be added as a coauthor of **Senate Bill 120**.

Senator Moore, with unanimous consent, asked to be added as a coauthor of **Senate Bill 124**.

Senator Moore, with unanimous consent, asked to be added as a coauthor of **Senate Bill 153**.

**Senate Bill 4**

Relating to: increasing a school district's revenue limit by the amount spent to initiate a school breakfast or school lunch program and requiring a report on pupil nourishment.

Read a second time.

Senator Burke, with unanimous consent, asked that **Senate Bill 4** be referred to the Joint Committee on **Finance**.

**Senate Bill 69**

Relating to: state aid for special education and school age parents programs.

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.

**Senate Bill 69**

Read a third time and passed.

**Senate Bill 79**

Relating to: making an appropriation for the tuition, Wisconsin higher education, and Lawton minority undergraduate grant programs.

Read a second time.

Senator Burke, with unanimous consent, asked that **Senate Bill 79** be referred to the Joint Committee on **Finance**.

**Senate Bill 96**

Relating to: regulation of social workers, advanced practice social workers, independent social workers, clinical social workers, marriage and family therapists, professional counselors, and art, music, and dance therapists, insurance

coverage for services provided by clinical social workers, marriage and family therapists, professional counselors, granting rule-making authority, and providing a penalty.

Read a second time.

Senator Burke, with unanimous consent, asked that **Senate Bill 96** be referred to the Joint Committee on **Finance**.

**Senate Bill 103**

Relating to: jurisdiction in divorces.

Read a second time.

Senator Moen, with unanimous consent, asked that **Assembly Bill 246** be withdrawn from the committee on Judiciary, Consumer Affairs, and Campaign Finance Reform and taken up at this time.

**Assembly Bill 246**

Relating to: jurisdiction in divorces.

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 246**

Read a third time and concurred in.

Senator Moen, with unanimous consent, asked that **Senate Bill 103** be laid on the table.

**Senate Bill 120**

Relating to: increasing a school district's revenue limit by the amount spent for school security measures and granting rule-making authority.

Read a second time.

Senator Burke, with unanimous consent, asked that **Senate Bill 120** be referred to the Joint Committee on **Finance**.

**Senate Bill 124**

Relating to: increasing revenue limits for increases in health insurance costs.

Read a second time.

Senator Burke, with unanimous consent, asked that **Senate Bill 124** be referred to the Joint Committee on **Finance**.

**Senate Bill 153**

Relating to: authorizing a school board to increase the school district's revenue limit.

Read a second time.

Senator Burke, with unanimous consent, asked that **Senate Bill 153** be referred to the Joint Committee on **Finance**.

**Senate Bill 157**

Relating to: health insurance coverage of nervous and mental disorders, alcoholism, and other drug abuse problems.

Read a second time.

Senator Burke, with unanimous consent, asked that **Senate Bill 157** be referred to the Joint Committee on **Finance**.

**Senate Bill 185**

Relating to: disciplinary procedures for certain local law enforcement officers and fire fighters.

Read a second time.

Senate amendment 1 to **Senate Bill 185** offered by Senator Burke.

The question was: Adoption of Senate amendment 1 to **Senate Bill 185**?

Adopted.

Ordered to a third reading.

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

**Senate Bill 185**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 23; noes, 10; absent or not voting, 0; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Decker, Ellis, Erpenbach, George, Grobschmidt, Hansen, Jauch, A. Lasee, Lazich, M. Meyer, Moen, Plache, Risser, Robson, Schultz, Shibilski, Welch, Wirch and Zien – 23.

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

Absent or not voting – None.

Passed.

**Senate Bill 235**

Relating to: requiring instruction in public schools on the history of organized labor in America and the collective bargaining process.

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.

**Senate Bill 235**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Decker, Ellis, Erpenbach, George, Grobschmidt, Hansen, Jauch, M. Meyer, Moen, Moore, Plache, Risser, Robson, Rosenzweig, Shibilski, Wirch and Zien – 21.

Noes – Senators Cowles, Darling, S. Fitzgerald, Harsdorf, Huelsman, Kanavas, A. Lasee, Lazich, Panzer, Roessler, Schultz and Welch – 12.

Absent or not voting – None.

Passed.

Senator Robson, with unanimous consent, asked to be added as a coauthor of **Senate Bill 235**.

Senator Jauch, with unanimous consent, asked to be added as a cosponsor of **Assembly Bill 488**.

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

**Assembly Bill 60**

Relating to: the prohibition against making, possessing, or distributing a representation that depicts nudity, and providing a penalty.

Read a second time.

Senator George, with unanimous consent, asked that Senate substitute amendment 1 to **Assembly Bill 60** be laid on the table.

The question was: Adoption of Senate substitute amendment 2 to **Assembly Bill 60**?

Adopted.

Ordered to a third reading.

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

**Assembly Bill 60**

Read a third time and concurred in as amended.

**Assembly Bill 61**

Relating to: the issuance of temporary fishing licenses to disabled persons.

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 61**

Read a third time and concurred in.

**Assembly Bill 110**

Relating to: access by law enforcement agencies to photographs taken for drivers' licenses and identification cards.

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 110**

Read a third time and concurred in.

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

Senators Rosenzweig and Grobschmidt, with unanimous consent, asked that when the Senate adjourn, it do so in honor and memory of George L. N. Meyer, Jr. for his interest and dedication to historic preservation that extended well beyond his beloved Third Ward and Milwaukee. Rather than try to save history one building at a time, Meyer took a bigger view. He successfully pursued legislative changes that made it easier to save historic structures in Wisconsin. He helped found the Wisconsin Trust for Historic Preservation. He also helped Wisconsin get one of the first federal grants for historical tourism efforts, and was involved in the Mainstreet program, which promotes retail and commercial business in neighborhoods throughout Milwaukee. In the last several years he was active in the movement to preserve old barns here in Wisconsin and elsewhere.

Senator Schultz, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the retirement of Fred Moscol, after two decades of leadership at the Office of Rural Health.

Senator Darling, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Jane Bradley Pettit who was very dedicated to civil rights issues.

Senator Darling, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Edith Norman Finlayson.

Senator Robson, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Fire Fighters, Police Officers and First Response Teams. They are our urban army, putting the safety and health of others ahead of their own.

Senator Baumgart, with unanimous consent, asked that when the Senate adjourn, it do so in honor of all the survivors of family abuse and in remembrance of all the women and children who have suffered abuse in Wisconsin and in the nation.

Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of all Public Safety Officers, Fire Fighters and Police Officers, and especially Fire Fighters Tom Graber, Washburn, Wayne Chevier, Ashland, Paul Schelvan, Ashland, Skip Hafstad, Ashland, Michael Lightner, Washburn, and Tom Harrison, Ashland.

Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Patty and Harold Anglin

of Mason Wisconsin. In addition to their seven biological children, Patty and Harold are the adoptive parents of eight children with special needs who came from all over the world. These children would have otherwise had no hope if the Anglin's had not opened their hearts and home to make them a permanent part of their family. In the belief that every child deserves a home and family, the Anglins founded and operate Acres of Hope, a non-profit charitable organization which provides adoption services for orphaned, abandoned or special-needs children as well as housing and counseling for birth mothers who are considering adoption as an option.

Senator Panzer, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Andrea Haberman, 25, who died September 11 in the World Trade Center, and her family and fiancé.

Senator Panzer, with unanimous consent, asked that when

the Senate adjourn, it do so in honor of Joe Dickey who also perished September 11 in the World Trade Center.

Senator Moen, with unanimous consent, asked that when the Senate adjourn, it do so in honor of all the men and women, officers and enlisted men, of our United States armed forces as they go into harms way to fight the war on terrorism. "We have an old saying in the Navy; 'May you go with fair winds and following seas.'"

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

---

## ADJOURNMENT

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

Adjourned.

1:36 P.M.