



STATE OF WISCONSIN

Senate Journal

Ninety–Fifth Regular Session

10:00 A.M.

THURSDAY, February 7, 2002

The Senate met.

The Senate was called to order by Senator Jim Baumgart.

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 426

Relating to: fees and surcharges related to pesticides, fertilizer, and feed, reimbursement under the agricultural chemical cleanup program, transfers from the agricultural chemical management fund to the environmental fund, and the required balance in the agricultural chemical cleanup fund.

By Senators Hansen and Schultz; cosponsored by Representatives Ott, Olsen, Hines, Petrowski, Vrakas, Sykora, Gunderson and Miller.

To committee on **Labor and Agriculture**.

Senate Bill 427

Relating to: professional land surveyors and the practice of professional land surveying and granting rule–making authority.

By Senators Shibilski, Welch, Burke, George and Risser; cosponsored by Representatives Jeskewitz, Ainsworth, Hahn, Lippert, Albers, Vrakas, Miller, Sherman and La Fave.

To committee on **Universities, Housing, and Government Operations**.

Senate Bill 428

Relating to: minimum staffing requirements for nursing homes that do not primarily serve the developmentally disabled, requiring audits by the legislative audit bureau, requiring reports, and requiring the exercise of rule–making authority.

By Senators Burke, Erpenbach, Grobschmidt, Plache and Shibilski; cosponsored by Representatives Krusick, Berceau, Black, Bock, Carpenter, Coggs, La Fave, Lassa, J. Lehman, Miller, Morris–Tatum, Pocan, Powers, Richards, Ryba, Schneider, Sherman, Sinicki, Staskunas, Steinbrink, Travis, Turner, Walker, Wasserman and Young, by request of Service Employees International Union – Wisconsin State Council, Coalition of WI Aging Groups, AARP, Board on Aging and Long Term Care, AFSCME Council 11, WI State AFL–CIO, WI Federation of Nurses and Health Professionals, WI Citizen Action and Allied Council of Senior Citizens of WI.

To committee on **Human Services and Aging**.

Senate Bill 429

Relating to: expanding eligibility for drug treatment reimbursement grants for persons with HIV infections.

By Senator Robson.

To committee on **Health, Utilities, Veterans and Military Affairs**.

Senate Bill 430

Relating to: coverage of certain members of district boards of local professional baseball park districts under the code of ethics for local public officials and filing of statements of economic interests by candidates for joint municipal judgeships (suggested as remedial legislation by the ethics board).

By Law Revision Committee.

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

Senate Bill 431

Relating to: employment rights of certain employees in the state civil service (suggested as remedial legislation by the department of employment relations).

By Law Revision Committee.

To committee on **Labor and Agriculture**.

Senate Bill 432

Relating to: continuing education requirements for optometrists, physicians, and podiatrists; disciplinary action taken and rosters prepared by the examining board of architects, landscape architects, professional engineers, designers, and land surveyors; private detective and private detective agency licenses and private security permits; and eliminating outdated references to transitional appraiser licenses and to certificates of registration to practice audiology and speech–language pathology (suggested as remedial legislation by the department of regulation and licensing).

By Law Revision Committee.

To committee on **Universities, Housing, and Government Operations**.

REPORT OF COMMITTEES

The committee on **Education** reports and recommends:

Assembly Bill 492

Relating to: use of educational telecommunications access program grants.

Introduction and adoption of Senate amendment 1.

Ayes, 9 – Senators Grobschmidt, Jauch, Baumgart, Robson, Erpenbach, Roessler, Darling, Harsdorf and Kanavas.

Noes, 2 – Senators Shibilski and Lazich.

Concurrence as amended.

Ayes, 8 – Senators Grobschmidt, Baumgart, Robson, Roessler, Darling, Lazich, Harsdorf and Kanavas.

Noes, 3 – Senators Jauch, Shibilski and Erpenbach.

Richard Grobschmidt
Chairperson

The committee on **Insurance, Tourism, and Transportation** reports and recommends:

Senate Bill 393

Relating to: electric personal assistive mobility devices, granting rule-making authority, and providing penalties.

Passage.

Ayes, 5 – Senators Breske, Grobschmidt, Baumgart, A. Lasee and Schultz.

Noes, 0 – None.

Roger Breske
Chairperson

PETITIONS AND COMMUNICATIONS

State of Wisconsin

February 6, 2002

The Honorable, The Senate:

Please accept my resignation from the Joint committee on Finance, effective as of February 6, 2002. It was again a pleasure to be able to serve my constituents by serving on the Finance Committee.

Sincerely,

JIM BAUMGART
State Senator
9th Senate District

State of Wisconsin

February 6, 2002

The Honorable, The Senate:

Pursuant to Senate Rule 20 (2)(a), I have appointed Senator Gwendolynne Moore to the Joint Committee on Finance.

Sincerely,

CHUCK CHVALA
chair, Committee on Senate Organization

Urban Open Space Foundation

February 4, 2002

The Honorable, The Senate:

As you know, Wisconsin's annual grant to a nonstock, nonprofit corporation for urban land conservation (Sec. 23.0957) was awarded to Urban Open Space Foundation in 2001, and it has made an extraordinary difference in helping our Foundation accomplish its important mission.

As a grant recipient, UOSF is required each fiscal year to submit a report detailing the activities for which the grant was expended. Copies of the report are to be submitted to "the Department of Natural Resources and the appropriate standing committees of the legislature as determined by the speaker of the assembly and the president of the Senate." According to our legislation, you are a key recipient of this report.

On behalf of the Board of Directors of the Urban Open Space Foundation, I respectfully submit the following report. Upon review, I think you'll be pleased to note we have managed to leverage the state's investment more than thirteen to one with private-sector funds.

Finally, thank you for helping protect and enhance Wisconsin's critical neighborhood lands and waters by overseeing this grant.

This capacity-building financial resource is both needed and appreciated!

Sincerely,

HEATHER MANN
Executive Director

Referred to committee on **Environmental Resources.**
State of Wisconsin

The Honorable, The Senate:

Please add Representative Tim Carpenter as a cosponsor to **Senate Bill 200**. If you have any questions please call Karin at 266-1707.

Sincerely,

TIMOTHY W. CARPENTER
State Representative 9th Assembly District

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

Senate Clearinghouse Rule 01-119

Relating to the children at risk program.

Submitted by Department of Public Instruction.

Report received from Agency, February 6, 2002.

Referred to committee on **Education**, February 7, 2002.

Senate Clearinghouse Rule 01-131

Relating to the elimination of obsolete rules.

Submitted by Department of Public Instruction.

Report received from Agency, February 6, 2002.

Referred to committee on **Education**, February 7, 2002.

Senate Clearinghouse Rule 01-132

Relating to technical modifications to chapters PI 10, 12, and 37 pursuant to statutory changes made under **1999 Wisconsin Act 9** and **2001 Wisconsin Act 16**.

Submitted by Department of Public Instruction.

Report received from Agency, February 6, 2002.

Referred to committee on **Education**, February 7, 2002.

MESSAGES FROM THE ASSEMBLY

By John A. Scocos, chief clerk.

Mr. President:

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

Assembly Bill 212

Assembly Bill 552

Assembly Bill 578

Assembly Bill 608

Assembly Bill 613

Assembly Bill 635

Assembly Bill 686

Assembly Bill 743

Adopted and asks concurrence in:

Assembly Joint Resolution 80

Concurred in:

Senate Bill 364

Senate Joint Resolution 37

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Bill 212

Relating to: participation in the programming of a youth report center as a condition of a juvenile disposition, sanction, deferred prosecution agreement or consent decree.

By Representatives Miller, Walker, Bock, Ladwig, Ryba, Powers, Ott, Pohan, Staskunas, J. Lehman, Stone, Berceau and Balow; cosponsored by Senators M. Meyer, Burke, Roessler, Hansen, Risser, Huelsman, Harsdorf, Darling and S. Fitzgerald.

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

Assembly Bill 552

Relating to: regional emergency response team requirements.

By Representatives Gunderson, Olsen, Starzyk, Krawczyk, Lippert, Gronemus, J. Fitzgerald, Huber, Albers, Jeskewitz, McCormick, Miller, Ott, Ryba, Townsend, Seratti, Schneider and Shilling; cosponsored by Senators Burke, Baumgart, Cowles, Roessler, Jauch and Wirch.

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

Assembly Bill 578

Relating to: access for sheriffs and jailers to reports regarding the competency of criminal defendants.

By Representatives Leibham, Kestell, Musser, Starzyk, Ladwig, Seratti, Gunderson, Townsend, Hahn, Sykora, Owens, D. Meyer, Lippert, Ott, Petrowski and Krawczyk; cosponsored by Senators Schultz, Roessler, Huelsman, Moen, Darling, Rosenzweig and Baumgart.

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

Assembly Bill 608

Relating to: providing material support of international terrorism and providing a penalty.

By Representatives Walker, La Fave, Albers, Duff, Gunderson, Hahn, Ladwig, J. Lehman, Loeffelholz, Meyerhofer, Nass, Ott, Owens, Ryba, Starzyk, Suder, Turner, Vrakas and Freese; cosponsored by Senators Darling, Huelsman, Roessler and Rosenzweig.

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

Assembly Bill 613

Relating to: expanding definition of racketeering activity to include certain violations of prohibition against unauthorized release of animals, and providing a penalty.

By Representatives Kestell, Gronemus, J. Fitzgerald, Suder, Schooff, Lippert, Musser, Owens, Steinbrink, Ott, Hahn, Jeskewitz, Nass, Olsen, Leibham, Urban, Ladwig, Freese, Turner, Ainsworth, Pettis, Ward, Petrowski, Sykora, Vrakas, Loeffelholz, Albers and Stone; cosponsored by Senators Zien, Huelsman, Kanavas, Schultz, Harsdorf, Roessler and Baumgart.

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

Assembly Bill 635

Relating to: threatening to infect livestock or wild deer with a contagious or infectious disease and providing penalties.

By Representatives Ott, Gronemus, Albers, Freese, Gard, Hahn, Hundertmark, Kedzie, Krawczyk, Ladwig, Lassa, Lippert, Loeffelholz, McCormick, Musser, Olsen, Owens, Petrowski, Plouff, Rhoades, Ryba, Skindrud, Stone, Suder, Sykora, Urban, Vrakas, Walker and Wasserman; cosponsored by Senators Harsdorf, Hansen, Baumgart, S. Fitzgerald, Rosenzweig, Huelsman, A. Lasee, Roessler, Schultz and Welch.

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

Assembly Bill 686

Relating to: infecting animals with a contagious disease and providing a penalty.

By Representatives Ott, Walker, Albers, Bies, J. Fitzgerald, Freese, Gronemus, Gunderson, Hahn, Hines, Johnsrud, Kestell, Krawczyk, Lassa, M. Lehman, Loeffelholz, McCormick, Miller, Olsen, Owens, Petrowski, Skindrud, Stone, Sykora, Townsend, Turner, Urban, Vrakas and Musser; cosponsored by Senators Baumgart, Harsdorf, Roessler and Schultz.

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

Assembly Bill 743

Relating to: the statewide trauma system and making appropriations.

By Representatives Johnsrud, Urban, Rhoades, Jeskewitz, Musser, Olsen, Starzyk, Townsend, Hines, Loeffelholz, Bies, J. Lehman, Gunderson, Ott, Vrakas, Shilling, Turner, Pohan, Miller, Wasserman, Freese and Sykora; cosponsored by Senators Robson, Burke, Erpenbach, Schultz, Huelsman, Rosenzweig and Cowles.

Read first time and referred to committee on **Health, Utilities, Veterans and Military Affairs.**

Assembly Joint Resolution 80

Relating to: congratulating the chancellor, faculty, staff, and students of the University of Wisconsin–Stout on the receipt of the Malcolm Baldrige National Quality Award.

By Representatives Kreibich, Plouff, Sherman, Rhoades, Musser, Gronemus, Balow, D. Meyer, Riley, Pettis, J. Lehman, Lassa, Huber, Krawczyk, Owens, Petrowski, Coggs and Miller; cosponsored by Senators Moen, Harsdorf, Rosenzweig, Grobschmidt, Panzer, Burke, Roessler, Wirch, Kanavas and Schultz.

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

Senate Bill 420 was withdrawn from the committee on **Human Services and Aging** and referred to the committee on **Universities, Housing, and Government Operations** pursuant to Senate Rule 46 (1)(c).

ADJOURNMENT

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

Adjourned.

10:01 A.M

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 363** offered by Senator Baumgart.

**LEGISLATIVE REFERENCE BUREAU
CORRECTIONS**

CORRECTIONS IN:

ENGROSSED 2001 ASSEMBLY BILL 104

Prepared by the Legislative Reference Bureau
(February 5, 2002)

1. Page 19, line 7: delete “)” and substitute “}”.

2. Page 56, line 16: delete “~~or a candidate~~” and substitute “~~or a candidate~~”.

CORRECTIONS IN:

2001 ASSEMBLY BILL 743

Prepared by the Legislative Reference Bureau
(February 5, 2002)

- 1 Page 4, line 19: delete “PR” and substitute “PR-S”.