

STATE OF WISCONSIN
Senate Journal
Ninety–Fifth Regular Session

WEDNESDAY, February 20, 2002

The Chief Clerk makes the following entries under the above date.

INTRODUCTION AND REFERENCE OF RESOLUTIONS AND JOINT RESOLUTIONS

Read and referred:

Senate Resolution 14

Relating to: designating April 24 of each year as Wisconsin Day of Remembrance for the Armenian Genocide of 1915 to 1923.

By Senators Plache, Grobschmidt, Wirch, Welch, Burke, Darling, Roessler, Cowles and Lazich.

To committee on **Senate Organization**.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 445

Relating to: regulation of large animal feeding operations, agricultural nutrient management planning, water pollution discharge permits for certain livestock operations, construction and operation of certain animal waste storage facilities, controlling emissions of ammonia and hydrogen sulfide; including agricultural consumer transactions within the general scope of the Wisconsin Consumer Act; documentation of agricultural credit transactions; grants relating to agriculture and rural economic development; marketing agricultural products, rural economic development loans, sustainable agriculture research, dairy profitability, assistance for beginning farmers; a study of the dairy and livestock industries; prohibiting an application fee for applying to the agricultural production loan guarantee program and requiring lenders making loans that are guaranteed by the Wisconsin Housing and Economic Development Authority to employ certain policies before foreclosing on security interests obtained in connection with the loans granting rule–making authority; and making appropriations.

By Senators Burke, Baumgart and Shibilski; cosponsored by Representatives Miller, Hebl and Schneider.

To committee on **Labor and Agriculture**.

Senate Bill 446

Relating to: parental liability for acts of their minor child, recovery of damages for certain criminal actions, increasing the jurisdictional amount in small claims court, garnishment, attorney fees, exemption from execution of accounts, civil actions by collection agencies, earnings garnishment, retail

theft, recovery in actions involving worthless checks, and revocation of fish and game approvals for which payment is made by worthless checks.

By Senators Hansen, Huelsman, Plache, Darling, Erpenbach, Cowles, Shibilski, Schultz, Breske and Roessler; cosponsored by Representatives Montgomery, Lassa, Rhoades, Ryba, Olsen, Musser, Ladwig, J. Fitzgerald, Gunderson, F. Lasee, Hahn, Hoven, Urban, Turner, Sykora, Vrakas, M. Lehman, Wieckert, Ainsworth, McCormick, Krawczyk, Petrowski, Owens, Suder, Kestell, Bies, Nass, Stone, Seratti, Ott, Skindrud, Gard, Townsend, Huebsch and Albers, by request of Midwest Equipment Dealers Association, Midwest Hardware Association, National Federation of Independent Business, Tavern League of Wisconsin, Wisconsin Alliance of Hearing Professionals, Wisconsin Association of Convenience Stores, Wisconsin Automobile and Truck Dealers Association, Wisconsin Automotive Parts Association, Wisconsin Automotive After Market Trade Association, Wisconsin Civil Recovery Council, Wisconsin Collectors Association, Wisconsin Grocers Association, Wisconsin Fitness and Health Alliance, Wisconsin Independent Businesses, Inc., Wisconsin Jewelers Association, Wisconsin Merchants Federation, Wisconsin Motorcycle Dealers Association, Wisconsin Restaurant Association, Wisconsin Retail Association.

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

Senate Bill 447

Relating to: creating an individual income tax checkoff for a breast cancer research program, creating a breast cancer research program, granting rule–making authority, and making appropriations.

By Senators Plache, Burke, Darling, Erpenbach, Hansen and Moore; cosponsored by Representatives Cullen, Berceau, Bock, Boyle, Carpenter, Krawczyk, Ladwig, J. Lehman, McCormick, Morris–Tatum, Musser, Pocan, Richards, Riley, Shilling, Turner, Urban, Wasserman, Young, Ziegelbauer and Albers.

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

Senate Bill 448

Relating to: collective bargaining arbitration procedure for law enforcement officers employed by a county having a population of 500,000 or more.

By Senators Darling, Rosenzweig, Kanavas, Lazich, Grobschmidt, Burke, Breske and Shibilski; cosponsored by Representatives Walker, Krusick, Plale, Staskunas, Owens, Ott, Duff, Stone, McCormick, Bies, Musser, Montgomery and Sinicki.

To committee on **Labor and Agriculture**.

Senate Bill 449

Relating to: the regulation of commercial and residential lighting systems and granting rule-making authority.

By Senators Cowles, Baumgart, Burke and Hansen; cosponsored by Representatives Miller and Black.

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

Senate Bill 450

Relating to: eliminating the Wisconsin credit union savings insurance corporation (suggested as remedial legislation by the department of financial institutions).

By Law Revision Committee.

To committee on **Privacy, Electronic Commerce and Financial Institutions**.

Senate Bill 451

Relating to: regulating large price-regulated telecommunications utilities, wholesale telecommunications service, small business telecommunications rates, telecommunications sales practices, and cross subsidization by small telecommunications providers; requiring mandatory credits for certain telecommunications customers; allowing the public service commission to order payments by certain telecommunications providers; requiring the public service commission to report on telecommunications competition; extending the time limit for emergency rule procedures; providing an exemption from emergency rule procedures; providing an exemption from rule-making procedures; granting rule-making authority; and making an appropriation.

By Senator Jauch.

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

Senate Bill 452

Relating to: the groundwater law and regulation of aquifer storage recovery systems.

By Senators Grobschmidt, Cowles and Hansen; cosponsored by Representatives Krawczyk, Plale, Meyerhofer, Montgomery, Powers and Ryba.

To committee on **Environmental Resources**.

REPORT OF COMMITTEES

The joint committee for **review of Administrative Rules** reports and recommends:

Senate Bill 453

Relating to: requirements for registering deer killed under the authority of a deer hunting license.

Introduction.

Ayes, 10 – Senators Robson, Grobschmidt, Hansen, Cowles and Welch. Representatives Grothman, Seratti, Gunderson, Turner and Hebl.

Noes, 0 – None.

To committee on **Environmental Resources**.

Senate Bill 454

Relating to: the beginning date authorized for the hunting of antlerless deer in October.

Introduction.

Ayes, 10 – Senators Robson, Grobschmidt, Hansen, Cowles and Welch. Representatives Grothman, Seratti, Gunderson, Turner and Hebl.

Noes, 0 – None.

To committee on **Environmental Resources**.

Judith Robson
Senate Chairperson

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

Assembly Bill 415

Relating to: trapping licenses issued to nonresidents.

Introduction and adoption of Senate amendment 1.

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

Noes, 0 – None.

Concurrence as amended.

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

Noes, 0 – None.

Jim Baumgart
Chairperson

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

Assembly Bill 166

Relating to: nonmoving traffic violations involving rented or leased motor vehicles.

Concurrence.

Ayes, 4 – Senators Breske, Grobschmidt, A. Lasee and Schultz.

Noes, 1 – Senator Baumgart.

Assembly Bill 217

Relating to: sales and taste samples of fruit-based intoxicating liquor for consumption on or off the premises where manufactured or rectified.

Concurrence.

Ayes, 4 – Senators Breske, Grobschmidt, A. Lasee and Schultz.

Noes, 1 – Senator Baumgart.

Assembly Bill 593

Relating to: The Type 1 motorcycle, moped, and motor bicycle safety program and making an appropriation.

Concurrence.

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

Noes, 0 – None.

Senate Bill 263

Relating to: special distinguishing registration plates associated with the efforts of the American Red Cross to provide assistance to families affected by the terrorist attacks of September 11, 2001, on New York City and Washington, D.C., and making an appropriation.

Introduction and adoption of Senate amendment 1.

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

Noes, 0 – None.

Passage as amended.

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

Noes, 0 – None.

Senate Bill 373

Relating to: the prohibition against underage persons entering or being on any premises operating under an alcohol beverage license.

Passage.

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

Noes, 0 – None.

Senate Bill 375

Relating to: miscellaneous changes to the insurance laws related to the confidentiality of personal information obtained in the course of administering a state insurance fund, the statute of limitations for bringing an action against the patients compensation fund, the applicability of a timeliness requirement for the payment of insurance claims for chiropractic services, an exception from a requirement to obtain consent to incorporate certain publications by reference in administrative rules, the type of property for which the loss amount is the insurance limits, the renewal date for viatical settlement brokers' licenses, eliminating the requirement to keep a separate account for surplus lines taxes, issuance of temporary licenses for intermediaries, specifying by rule the amount of stop-loss reinsurance that a town mutual must obtain, standards related to assisting unauthorized insurers, and defining extraordinary dividends for life insurers; and granting rule-making authority.

Introduction and adoption of Senate amendment 1.

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

Noes, 0 – None.

Introduction and adoption of Senate amendment 2.

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

Noes, 0 – None.

Passage as amended.

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

Noes, 0 – None.

Senate Bill 388

Relating to: the Type 1 motorcycle, moped, and motor bicycle safety program and making an appropriation.

Passage.

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

Noes, 0 – None.

Roger Breske
Chairperson

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

Assembly Bill 123

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

Concurrence.

Ayes, 5 – Senators George, Risser, Wirch, Huelsman and S. Fitzgerald.

Noes, 0 – None.

Assembly Bill 354

Relating to: powers, responsibilities, and appointment of court commissioners.

Concurrence.

Ayes, 5 – Senators George, Risser, Wirch, Huelsman and S. Fitzgerald.

Noes, 0 – None.

Assembly Bill 522

Relating to: failure to pay for gasoline or diesel fuel and suspension of operating privileges after conviction for theft of gasoline or diesel fuel and providing penalties.

Concurrence.

Ayes, 5 – Senators George, Risser, Wirch, Huelsman and S. Fitzgerald.

Noes, 0 – None.

REINEMANN, ROGER, of Mequon, as a member of the Judicial Commission, to serve for the interim term ending August 1, 2003.

Confirmation.

Ayes, 5 – Senators George, Risser, Wirch, Huelsman and S. Fitzgerald.

Noes, 0 – None.

Senate Bill 253

Relating to: payment of judgments in traffic cases and in municipal court and the suspension of operating privileges.

Passage.

Ayes, 5 – Senators George, Risser, Wirch, Huelsman and S. Fitzgerald.

Noes, 0 – None.

Senate Bill 278

Relating to: positions for the office of the state public defender, requiring quarterly reports, and making an appropriation.

Passage.

Ayes, 5 – Senators George, Risser, Wirch, Huelsman and S. Fitzgerald.

Noes, 0 – None.

Senate Bill 92

Relating to: notice to a victim of the right to make a statement at sentencing or disposition.

Passage.

Ayes, 5 – Senators George, Risser, Wirch, Huelsman and S. Fitzgerald.

Noes, 0 – None.

Gary George
Chairperson

The committee on **Privacy, Electronic Commerce and Financial Institutions** reports and recommends:

Senate Bill 365

Relating to: nondisclosure of certain information on credit and debit card receipts.

Passage.

Ayes, 5 – Senators Erpenbach, Jauch, Plache, S. Fitzgerald and Kanavas.

Noes, 0 – None.

Senate Bill 372

Relating to: recording and filing documents with the offices of register of deeds and the department of financial institutions.

Introduction and adoption of Senate amendment 1.

Ayes, 5 – Senators Erpenbach, Jauch, Plache, S. Fitzgerald and Kanavas.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Erpenbach, Jauch, Plache, S. Fitzgerald and Kanavas.

Noes, 0 – None.

Senate Bill 417

Relating to: regulating the negotiation and collection of demand drafts.

Passage.

Ayes, 5 – Senators Erpenbach, Jauch, Plache, S. Fitzgerald and Kanavas.

Noes, 0 – None.

Jon Erpenbach
Chairperson

The committee on **Universities, Housing, and Government Operations** reports and recommends:

Assembly Bill 134

Relating to: the amount of the exemption from income tax withholding requirements for employees of a county fair association.

Concurrence.

Ayes, 7 – Senators M. Meyer, Moore, Grobschmidt, Hansen, Ellis, Huelsman and Zien.

Noes, 0 – None.

Assembly Bill 208

Relating to: termination of a tenancy if notice given regarding drug or criminal gang activity.

Concurrence.

Ayes, 7 – Senators M. Meyer, Moore, Grobschmidt, Hansen, Ellis, Huelsman and Zien.

Noes, 0 – None.

Assembly Bill 412

Relating to: petition requirements for the creation of a town sanitary district.

Concurrence.

Ayes, 7 – Senators M. Meyer, Moore, Grobschmidt, Hansen, Ellis, Huelsman and Zien.

Noes, 0 – None.

Assembly Bill 589

Relating to: registration by certain hospitalized electors.

Concurrence.

Ayes, 6 – Senators M. Meyer, Moore, Grobschmidt, Hansen, Ellis and Zien.

Noes, 1 – Senator Huelsman.

Assembly Bill 769

Relating to: sales tax on motor vehicles purchased after a consumer receives a refund under a new motor vehicle warranty.

Concurrence.

Ayes, 7 – Senators M. Meyer, Moore, Grobschmidt, Hansen, Ellis, Huelsman and Zien.

Noes, 0 – None.

BROSMAN, DEANN L., of Appleton, as a member of the Real Estate Appraisers Board, to serve for the interim term ending May 1, 2003.

Confirmation.

Ayes, 7 – Senators M. Meyer, Moore, Grobschmidt, Hansen, Ellis, Huelsman and Zien.

Noes, 0 – None.

DYSLAND, REBECCA J., of Milwaukee, as a member of the Real Estate Board, to serve for the term ending July 1, 2005.

Confirmation.

Ayes, 7 – Senators M. Meyer, Moore, Grobschmidt, Hansen, Ellis, Huelsman and Zien.

Noes, 0 – None.

JOHNSON, NORBERT J., of Milton, as a member of the Accounting Examining Board, to serve for the term ending July 1, 2006.

Confirmation.

Ayes, 7 – Senators M. Meyer, Moore, Grobschmidt, Hansen, Ellis, Huelsman and Zien.

Noes, 0 – None.

KOLLMANSBERGER, RICHARD A., of Oconomowoc, as a member of the Real Estate Board, to serve for the term ending July 1, 2006.

Confirmation.

Ayes, 7 – Senators M. Meyer, Moore, Grobschmidt, Hansen, Ellis, Huelsman and Zien.

Noes, 0 – None.

Senate Bill 24

Relating to: prohibiting certain state agencies or any city, village, town, or county from using the word “Squaw” in the name of a public place, highway, or geographic feature.

Passage.

Ayes, 7 – Senators M. Meyer, Moore, Grobschmidt, Hansen, Ellis, Huelsman and Zien.

Noes, 0 – None.

Senate Bill 367

Relating to: repealing, consolidating, renumbering, amending and revising various provisions of ss. [10.62](#) to [10.82](#) of the statutes for the purpose of correcting conflicts between the listings in ss. [10.62](#) to [10.82](#) and the substantive statutes to which those sections refer (Revisor’s Correction Bill).

Passage.

Ayes, 7 – Senators M. Meyer, Moore, Grobschmidt, Hansen, Ellis, Huelsman and Zien.

Noes, 0 – None.

Senate Bill 368

Relating to: numbering unnumbered subchapter titles in the statutes (Revisor’s Revision Bill).

Passage.

Ayes, 7 – Senators M. Meyer, Moore, Grobschmidt, Hansen, Ellis, Huelsman and Zien.

Noes, 0 – None.

**State of Wisconsin
Ethics Board**

February 19, 2002

The Honorable, The Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

For more detailed information about these lobbyists and organizations and a complete list of organizations and people authorized to lobby the 2001 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us/>

Boxer, Barbara K **Commercial Finance Association**

Dilweg, Sean **Minergy**

Essie, Patrick **Minergy**

Fountain, J Marie **Wisconsin Hunting & Fishing Alliance**

Heins, Stephen **Orion Lighting & Energy Services**

Jablonski, Ann **Advantage Control Company LLC
D/B/A Curves for Women**

Potts, Michael **Orion Lighting & Energy Services**

Tyre, Scott **Aurora Health Care Inc**

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by organizations that employ lobbyists.

Sincerely,

ROTH JUDD
Director

ADVICE AND CONSENT OF THE SENATE

**State of Wisconsin
Office of the Governor**

February 7, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint CHRISTMAN, DR. BLANE, of Ladysmith, as a member of the Rural Health Development Council, to serve for the term ending July 1, 2007.

Sincerely,

SCOTT MCCALLUM
Governor

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

**State of Wisconsin
Office of the Governor**

February 7, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint RECORE, JANET K., of Wautoma, as a member of the Rural Health Development Council, to serve for the term ending July 1, 2007.

Sincerely,

SCOTT MCCALLUM
Governor

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

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

Senate Clearinghouse Rule 01-057

Relating to cheese grading.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, February 15, 2002.

Referred to committee on **Labor and Agriculture**, February 20, 2002.

Senate Clearinghouse Rule 01-058

Relating to pathogen tests on ready-to-eat dairy products.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, February 15, 2002.

Referred to committee on **Labor and Agriculture**, February 20, 2002.

Senate Clearinghouse Rule 01-087

Relating to flammable and combustible liquids.

Submitted by Department of Commerce.

Report received from Agency, February 18, 2002.

Referred to committee on **Environmental Resources**, February 20, 2002.

Senate Clearinghouse Rule 01-120

Relating to standards for vehicle equipment.

Submitted by Department of Transportation.

Report received from Agency, February 14, 2002.

Referred to committee on **Insurance, Tourism, and Transportation**, February 20, 2002.

Senate Clearinghouse Rule 01-138

Relating to child support incentive payments.

Submitted by Department of Workforce Development.

Report received from Agency, February 19, 2002.

Referred to committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform**, February 20, 2002.

Senate Clearinghouse Rule 02-006

Relating to stock in bank-owned banks.

Submitted by Department of Financial Institutions.

Report received from Agency, February 13, 2002.

Referred to committee on **Privacy, Electronic Commerce and Financial Institutions**, February 20, 2002.

Senate Clearinghouse Rule 02-022

Relating to stock in bank-owned banks.

Submitted by Department of Financial Institutions.

Report received from Agency, February 13, 2002.

Referred to committee on **Privacy, Electronic Commerce and Financial Institutions**, February 20, 2002.

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 255** offered by Senator Grobschmidt.

Senate substitute amendment 1 to **Senate Bill 258** offered by Senator Lazich.

**LEGISLATIVE REFERENCE BUREAU
CORRECTIONS**

CORRECTIONS IN:

2001 ASSEMBLY BILL 613

Prepared by the Legislative Reference Bureau
(February 11, 2002)

1. Page 2, line 1: substitute "2001" for "1200".

CORRECTIONS IN:

2001 SENATE BILL 126

Prepared by the Legislative Reference Bureau
(February 12, 2002)

2. Page 10, line 10: after "(1m)" insert "(intro.)".
3. Page 10, line 11: after "PLAN." insert "(intro.)".