



STATE OF WISCONSIN

Senate Journal

January 2002 Special Session

10:00 A.M.

FRIDAY, April 5, 2002

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, 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.

Absent – None.

Absent with leave – None.

The Senate stood for a moment of silent meditation.

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

SECOND READING AND AMENDMENTS OF ASSEMBLY JOINT RESOLUTIONS AND ASSEMBLY BILLS

Assembly Bill 1

Relating to: state finances and appropriations, constituting the governor's recommendations for correcting the imbalance between projected revenues and authorized expenditures.

Read a second time.

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

Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 1** offered by Senators Chvala, Risser, Moen and Burke.

Senator Panzer, with unanimous consent, asked that the Senate stand informal until 1:11 P.M..

1:10 P.M.

STOOD INFORMAL

1:11 P.M.

The Senate reconvened.

Senator Risser in the chair.

Senate amendment 3 to Senate substitute amendment 1 to **Assembly Bill 1** offered by Senator Moen.

Senate amendment 4 to Senate substitute amendment 1 to **Assembly Bill 1** offered by Senators George, Welch and Darling.

Senator Chvala, with unanimous consent, asked that Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 1** be placed after Senate amendment 4 to Senate substitute amendment 1 to **Assembly Bill 1**.

Senate amendment 1 to Senate amendment 3 to Senate substitute amendment 1 to **Assembly Bill 1** offered by Senator Moen.

Senator Baumgart moved rejection of Senate amendment 1 to Senate amendment 3 to Senate substitute amendment 1 to **Assembly Bill 1**.

The question was: Rejection of Senate amendment 1 to Senate amendment 3 to Senate substitute amendment 1 to **Assembly Bill 1**?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Baumgart, Burke, Cowles, Darling, Ellis, Erpenbach, S. Fitzgerald, Huelsman, Jauch, Kanavas, A. Lasee, Lazich, M. Meyer, Panzer, Risser, Robson, Roessler and Rosenzweig – 18.

Noes – Senators Breske, Chvala, Decker, George, Grobschmidt, Hansen, Harsdorf, Moen, Moore, Plache, Schultz, Shibilski, Welch, Wirch and Zien – 15.

Absent or not voting – None.

Rejected.

Senator Baumgart moved rejection of Senate amendment 3 to Senate substitute amendment 1 to **Assembly Bill 1**.

The question was: Rejection of Senate amendment 3 to Senate substitute amendment 1 to **Assembly Bill 1**?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Baumgart, Burke, Cowles, Darling, Ellis, Erpenbach, S. Fitzgerald, George, Huelsman, A. Lasee, Lazich, M. Meyer, Panzer, Plache, Risser, Robson, Roessler and Rosenzweig – 18.

Noes – Senators Breske, Chvala, Decker, Grobschmidt, Hansen, Harsdorf, Jauch, Kanavas, Moen, Moore, Schultz, Shibilski, Welch, Wirch and Zien – 15.

Absent or not voting – None.

Rejected.

Senator Chvala moved that Senate amendment 4 to Senate substitute amendment 1 to **Assembly Bill 1** be laid on the table.

The question was: Shall Senate amendment 4 to Senate substitute amendment 1 to **Assembly Bill 1** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 13; absent or not voting, 0; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Decker, Ellis, Erpenbach, Grobschmidt, Hansen, Jauch, A. Lasee, M.

Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler and Wirch – 20.

Noes – Senators Cowles, Darling, S. Fitzgerald, George, Harsdorf, Huelsman, Kanavas, Lazich, Rosenzweig, Schultz, Shibilski, Welch and Zien – 13.

Absent or not voting – None.

Tabled.

Senate amendment 1 to Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 1** offered by Senator Zien.

Senator Chvala moved that Senate amendment 1 to Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 1** be laid on the table.

The question was: Shall Senate amendment 1 to Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 1** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

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

Noes – Senators Darling, Ellis, S. Fitzgerald, George, Harsdorf, Huelsman, Kanavas, A. Lasee, Lazich, Panzer, Roessler, Rosenzweig, Schultz, Welch and Zien – 15.

Absent or not voting – None.

Tabled.

Senator Chvala, with unanimous consent, asked that the Senate stand informal until 2:04 P.M.

2:03 P.M.

STOOD INFORMAL

2:04 P.M.

The Senate reconvened.

Senator Risser in the chair.

Senate amendment 5 to Senate substitute amendment 1 to **Assembly Bill 1** offered by Senators Welch and George.

Senate amendment 6 to Senate substitute amendment 1 to **Assembly Bill 1** offered by Senator Welch.

Senator Chvala, with unanimous consent, asked that Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 1** be placed after Senate amendment 6 to Senate substitute amendment 1 to **Assembly Bill 1**.

Senator Welch, with unanimous consent, asked that Senate amendment 5 to Senate substitute amendment 1 to **Assembly Bill 1** be laid on the table.

Senator Welch, with unanimous consent, asked that Senate amendment 6 to Senate substitute amendment 1 to **Assembly Bill 1** be laid on the table.

Senator Chvala, with unanimous consent, asked that the Senate stand informal until 2:14 P.M.

2:06 P.M.

STOOD INFORMAL

2:14 P.M.

The Senate reconvened.

Senator Risser in the chair.

Senator Chvala, with unanimous consent, asked that the Senate recess until 2:40 P.M.

2:15 P.M.

RECESS

2:40 P.M.

The Senate reconvened.

Senator Risser in the chair.

Senator Lasee moved that the vote by which Senate amendment 3 to Senate substitute amendment 1 was rejected be reconsidered.

The question was: Rejection of Senate amendment 3 to Senate substitute amendment 1 to **Assembly Bill 1**?

Rejection refused.

The question was: Adoption of Senate amendment 3 to Senate substitute amendment 1 to **Assembly Bill 1**?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 11; absent or not voting, 0; as follows:

Ayes – Senators Breske, Darling, Decker, Ellis, S. Fitzgerald, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, Kanavas, A. Lasee, Lazich, Moen, Panzer, Roessler, Rosenzweig, Schultz, Shibilski, Welch, Wirch and Zien – 22.

Noes – Senators Baumgart, Burke, Chvala, Cowles, Erpenbach, George, M. Meyer, Moore, Plache, Risser and Robson – 11.

Absent or not voting – None.

Adopted.

Senator George moved that Senate amendment 4 to Senate substitute amendment 1 to **Assembly Bill 1** be taken from the table and taken up at this time.

The question was: Shall Senate amendment 4 to Senate substitute amendment 1 to **Assembly Bill 1** be taken from the table and taken up at this time?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

Ayes – Senators Cowles, Darling, Ellis, S. Fitzgerald, George, Harsdorf, Huelsman, Kanavas, A. Lasee, Lazich, Panzer, Roessler, Rosenzweig, Schultz, Shibilski, Welch and Zien – 17.

Noes – Senators Baumgart, Breske, Burke, Chvala, Decker, Erpenbach, Grobschmidt, Hansen, Jauch, M. Meyer, Moen, Moore, Plache, Risser, Robson and Wirch – 16.

Absent or not voting – None.

Taken up.

Senator Chvala, with unanimous consent, asked that the Senate stand informal until 2:55 P.M.

2:54 P.M.

STOOD INFORMAL

2:55 P.M.

The Senate reconvened.

Senator Risser in the chair.

Senator Chvala moved that Senate amendment 4 to Senate substitute amendment 1 to **Assembly Bill 1** be laid on the table.

The question was: Shall Senate amendment 4 to Senate substitute amendment 1 to **Assembly Bill 1** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

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

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, George, Harsdorf, Huelsman, Kanavas, A. Lasee, Lazich, Panzer, Roessler, Rosenzweig, Schultz, Welch and Zien – 16.

Absent or not voting – None.

Tabled.

Senator George, with unanimous consent, asked that Senate amendment 5 to Senate substitute amendment 1 to **Assembly Bill 1** be taken from the table and taken up.

Senator Chvala objected.

Senator George moved that Senate amendment 5 to Senate substitute amendment 1 to **Assembly Bill 1** be taken from the table and taken up.

The question was: Shall Senate amendment 5 to Senate substitute amendment 1 to **Assembly Bill 1** be taken from the table and taken up?

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

Ayes – Senators Ellis, S. Fitzgerald, George, Huelsman, Kanavas, A. Lasee, Lazich, Panzer, Roessler, Rosenzweig, Welch and Zien – 12.

Noes – Senators Baumgart, Breske, Burke, Chvala, Cowles, Darling, Decker, Erpenbach, Grobschmidt, Hansen, Harsdorf, Jauch, M. Meyer, Moen, Moore, Plache, Risser, Robson, Schultz, Shibilski and Wirch – 21.

Absent or not voting – None.

Refused to take up.

Senator George moved that Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 1** be laid on the table.

The question was: Shall Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 1** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes – Senators Cowles, Darling, Ellis, S. Fitzgerald, George, Harsdorf, Huelsman, Kanavas, A. Lasee, Lazich, Panzer, Roessler, Rosenzweig, Schultz, Welch and Zien – 16.

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

Absent or not voting – None.

Tabling refused.

Senator George moved to suspend the rules to take Senate amendment 6 to Senate substitute amendment 1 to **Assembly Bill 1** from the table and take up.

The question was: Shall the rules be suspended to take Senate amendment 6 to Senate substitute amendment 1 to **Assembly Bill 1** from the table and take up.

The ayes and noes were required and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes – Senators Darling, Ellis, S. Fitzgerald, George, Harsdorf, Huelsman, Kanavas, A. Lasee, Lazich, Panzer, Roessler, Rosenzweig, Schultz, Shibilski, Welch and Zien – 16.

Noes – Senators Baumgart, Breske, Burke, Chvala, Cowles, Decker, Erpenbach, Grobschmidt, Hansen, Jauch, M. Meyer, Moen, Moore, Plache, Risser, Robson and Wirch – 17.

Absent or not voting – None.

Refused to suspend the rules.

Senate amendment 2 to Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 1** offered by Senator Chvala.

Senator Welch moved rejection of Senate amendment 2 to Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 1**.

The question was: Rejection of Senate amendment 2 to Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 1**?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 18; absent or not voting, 0; as follows:

Ayes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Harsdorf, Huelsman, Kanavas, A. Lasee, Lazich, Panzer, Roessler, Rosenzweig, Schultz, Welch and Zien – 15.

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

Absent or not voting – None.

Rejection refused.

The question was: Adoption of Senate amendment 2 to Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 1**?

Adopted.

Senate amendment 3 to Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 1** offered by Senator Roessler.

Senator Chvala moved that Senate amendment 3 to Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 1** be laid on the table.

The question was: Shall Senate amendment 3 to Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 1** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

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

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, George, Harsdorf, Huelsman, Kanavas, A. Lasee, Lazich, Panzer, Roessler, Rosenzweig, Schultz, Welch and Zien – 16.

Absent or not voting – None.

Tabled.

The question was: Adoption of Senate amendment 2 to Senate substitute amendment 1 to **Assembly Bill 1**?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

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

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, George, Harsdorf, Huelsman, Kanavas, A. Lasee, Lazich, Panzer, Roessler, Rosenzweig, Schultz, Welch and Zien – 16.

Absent or not voting – None.

Adopted.

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

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 1

Read a third time.

The ayes and noes were required and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

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

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, George, Harsdorf, Huelsman, Kanavas, A. Lasee, Lazich, Panzer, Roessler, Rosenzweig, Schultz, Welch and Zien – 16.

Absent or not voting – None.

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**

Senators Chvala and Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the La Follette and Fond du Lac boys basketball teams.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the City of Fond du Lac on its celebration of 150 years.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Devin Rivera and his father Bob for Devin's participation in the State Spelling Bee this weekend.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Hmong and Laotian delegation for their courageous defense of their homeland and people from communism and their sacrifice on behalf of the U.S.

Senator Fitzgerald, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Steve Fitzgerald for being sworn in as the new U.S. Marshall for the 34th district.

Senator Zien, with unanimous consent, asked that when the Senate adjourn, it do so in honor of his wife Suzanne's birthday today.

Senator Zien, with unanimous consent, asked that when the Senate adjourn, it do so in honor of his daughter Lori's birthday on March 12.

Senator Baumgart, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Aldo Leopold.

ADJOURNMENT

Senator Chvala, with unanimous consent, asked that the Senate stand adjourn.

Adjourned.

5:27 P.M.