



STATE OF WISCONSIN

Senate Journal

Ninety–Second Regular Session

10:00 A.M.

TUESDAY, February 21, 1995

The Senate met.

The Senate was called to order by Senator Brian D. Rude President of the Senate.

The roll was called and the following Senators answered to their names:

Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Fitzgerald, George, Huelsman, Jauch, A.Lasee, LEEAN, Moen, Moore, Panzer, Petak, Plewa, C.Potter, Risser, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien – 32.

Absent – None.

Absent with leave – None.

The Senate stood for a moment of silent meditation.

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

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 76

Relating to: changes in the laws regulating fireworks and granting rule-making authority.

By Senators Weeden, LEEAN, Panzer, Zien, Breske, Chvala, Rosenzweig, Buettner and George; cosponsored by Representatives Lorge, Jensen, Boyle, Lehman, Harsdorf, Brandemuehl, Ott, Baldus, Wilder, Silbaugh, Hahn, Underheim, Ryba and Musser.

To committee on **Business, Economic Development and Urban Affairs**.

Senate Bill 77

Relating to: creating a juvenile justice code, granting rule-making authority, making appropriations and providing penalties.

By Senators Panzer, C. Potter, Huelsman, Rude, Buettner, Drzewiecki, Ellis, Fitzgerald, Petak, Farrow, Weeden, Rosenzweig, Schultz, Andrea, Darling, A. Lasee, Zien and Breske; cosponsored by Representatives Ladwig, Krug, Prosser, Travis, Foti, Carpenter, Kaufert, Notestein, Jensen, Klusman, Freese, Green, Brancel, Gunderson, Huebsch, Seratti, Linton, Krusick, Robson, Gard, Vrakas, Ourada, Meyer, Grobschmidt, Nass, Walker, Kelso, Kreuser, Ward, Plache, Baumgart, Ryba, Underheim, F. Lasee, Duff, Powers, Schneiders, Harsdorf, Brandemuehl, Ott, Hahn, Silbaugh, Ainsworth, Boyle, Musser, Lehman, Hoven, Porter, Olsen, Kreibich, Handrick, Ziegelbauer, Murat, Zukowski, Johnsrud, Owens, Lazich, Skindrud, Hutchison, Vander Loop, La Fave,

Reynolds, Coleman, Grothman, Lorge, Otte, Urban, Goetsch and Dobyms.

To committee on **Judiciary**.

Senate Bill 78

Relating to: the deductibility of federal impact aid to school districts.

By Senators Breske and Jauch; cosponsored by Representatives Handrick, Linton, Musser and Seratti.

To committee on **Education and Financial Institutions**.

Senate Bill 79

Relating to: child safety seats in taxicabs.

By Senators Plewa, Burke and Chvala; cosponsored by Representatives Plache, Urban, Ryba, Bock, Notestein, Hahn, Baldus, Bell, Morris–Tatum, Robson and Hanson.

To committee on **Transportation, Agriculture and Local Affairs**.

REPORT OF COMMITTEES

The committee on Judiciary reports and recommends:

Assembly Joint Resolution 12

Relating to: removing from the constitution unnecessary references to the masculine gender (2nd consideration).

Concurrence.

Ayes, 6 – Senators Huelsman, Petak, Darling, Risser, Adelman and Burke.

Noes, 1 – Senator Drzewiecki.

Assembly Joint Resolution 15

Relating to: permitting a judge to assume a nonjudicial office of public trust after vacating the judicial office during that term of office (2nd consideration).

Concurrence.

Ayes, 7 – Senators Huelsman, Petak, Drzewiecki, Darling, Risser, Adelman and Burke.

Noes, 0 – None.

Joanne Huelsman
Chairperson

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Senator Michael Ellis

February 21, 1995

To the Honorable the Senate:

Pursuant to Senate Rule 20, I have made the following appointment to a Senate Committee:

To the **State Building Commission**; Senator Fred Risser;

With regards to members of the minority party, the appointments reflect recommendations of that caucus.

Sincerely,

MICHAEL ELLIS, CHAIR
Committee on Senate Organization

**EXECUTIVE COMMUNICATIONS
CALENDAR OF FEBRUARY 21, 1995**

Senator Moen asked unanimous consent that the Senate stand recessed.

The Senate stood recessed.

10:27 A.M.

RECESS

11:32 A.M.

The Senate reconvened.

LEAVES OF ABSENCE

Senator Ellis, with unanimous consent, asked for a leave of absence for the balance of today's session for Senator Zien.

CROOKS, JUDGE N. PATRICK, of Green Bay, as a member of the Study Committee on Juvenile Justice Issues, to serve for the term ending at the pleasure of the Governor.

Read.

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

Ayes – Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Fitzgerald, George, Huelsman, Jauch, A. Lasee, Leean, Moen, Moore, Panzer, Petak, Plewa, C. Potter, Risser, Rosenzweig, Rude, Schultz, Weeden and Wineke – 31.

Noes – None.

Absent or not voting – Senator Zien – 1.

Confirmed.

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

The Committee on **Human Resources, Labor, Tourism, Veterans and Military Affairs** reports and recommends:

Senate Clearinghouse Rule 94–201

Relating to vocational rehabilitation benefits.

No action taken.

David Zien
Chairperson

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

CALENDAR OF FEBRUARY 21, 1995

Senate Joint Resolution 2

Relating to: supporting the veterans rehabilitation program.

Read.

The question was: Shall **Senate Joint Resolution 2** be adopted?

Adopted.

Senate Joint Resolution 4

Relating to: proclaiming February 1, 1995, National Girls and Women in Sports Day.

Read.

Senate amendment 1 to **Senate Joint Resolution 4** offered by Senator Burke.

The question was: Adoption of Senate amendment 1 to **Senate Joint Resolution 4**?

Adopted.

The question was: Shall **Senate Joint Resolution 4** be adopted?

Adopted.

Senate Bill 6

Relating to: stacking of motor vehicle insurance coverage and drive–other–car exclusions under motor vehicle policies.

Read a second time.

Senator Moore, with unanimous consent, asked to be made a coauthor of **Senate Joint Resolution 2**.

Senator Moore, with unanimous consent, asked to be made a coauthor of **Senate Joint Resolution 4**.

The question was: Adoption of Senate amendment 1 to **Senate Bill 6**?

Adopted.

Senate amendment 2 to **Senate Bill 6** offered by Senator Adelman.

The question was: Adoption of Senate amendment 2 to **Senate Bill 6**?

Senator Huelsman moved rejection of Senate amendment 2 to **Senate Bill 6**.

The question was: Rejection of Senate amendment 2 to **Senate Bill 6**?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 14; absent or not voting, 1; as follows:

Ayes – Senators Breske, Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Fitzgerald, Huelsman, A. Lasee, Leean, Panzer, Petak, Rosenzweig, Rude, Schultz and Weeden – 17.

Noes – Senators Adelman, Andrea, Burke, Chvala, Clausing, Decker, George, Jauch, Moen, Moore, Plewa, C. Potter, Risser and Wineke – 14.

Absent or not voting – Senator Zien – 1.

Rejected.

Senate amendment 3 to **Senate Bill 6** offered by Senator Decker.

The question was: Adoption of Senate amendment 3 to **Senate Bill 6**?

Senator Huelsman moved rejection of Senate amendment 3 to **Senate Bill 6**.

The question was: Rejection of Senate amendment 3 to **Senate Bill 6**?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 14; absent or not voting, 1; as follows:

Ayes – Senators Breske, Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Fitzgerald, Huelsman, A. Lasee, Leean, Panzer, Petak, Rosenzweig, Rude, Schultz and Weeden – 17.

Noes – Senators Adelman, Andrea, Burke, Chvala, Clausing, Decker, George, Jauch, Moen, Moore, Plewa, C. Potter, Risser and Wineke – 14.

Absent or not voting – Senator Zien – 1.

Rejected.

Ordered to a third reading.

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

Senate Bill 6

The question was: **Senate Bill 6** having been read three times, shall the bill pass?

The ayes and noes were required and the vote was: ayes, 19; noes, 12; absent or not voting, 1; as follows:

Ayes – Senators Andrea, Breske, Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Fitzgerald, Huelsman, A. Lasee, Leean, Panzer, Petak, C. Potter, Rosenzweig, Rude, Schultz and Weeden – 19.

Noes – Senators Adelman, Burke, Chvala, Clausing, Decker, George, Jauch, Moen, Moore, Plewa, Risser and Wineke – 12.

Absent or not voting – Senator Zien – 1.

Passed.

Senate Bill 13

Relating to: visitation privileges of grandparents and stepparents if one or both parents of a minor child are deceased.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 13**?

Adopted.

Ordered to a third reading.

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

Senate Bill 13

Read a third time and passed.

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

ANNOUNCEMENTS, ADJOURNMENT HONORS AND REMARKS UNDER SPECIAL PRIVILEGE

Senator Rude, with unanimous consent, asked that when the Senate adjourn today it do so in honor of Senator Ellis' birthday.

ADJOURNMENT

Senator Ellis, with unanimous consent, asked that the Senate adjourn until 10:00 A.M. Thursday, February 23.

Adjourned.

12:56 P.M.

Senate Enrolled Proposals

The Chief Clerk records:

Senate Joint Resolution 1

Report correctly enrolled on February 20, 1995

Senate Enrolled Proposals

The Chief Clerk records:

Senate Joint Resolution 3

Report correctly enrolled on February 21, 1995

Chief Clerk's Report

The Chief Clerk records:

Senate Joint Resolution 1

Senate Joint Resolution 3

Deposited in the Office of the Secretary of State on February 21, 1995.

LEGISLATIVE REFERENCE BUREAU CORRECTION

CORRECTIONS IN:

1995 SENATE BILL 39

Prepared by the Legislative Reference Bureau
(February 17, 1995)

1. Page 1, line 1: substitute "***to affect***" for "***to repeal***"; and delete "of the statutes".
2. Page 1, line 3: delete "of the statutes".

CORRECTIONS IN:

1995 SENATE JOINT RESOLUTION 3

Prepared by the Legislative Reference Bureau
(February 17, 1995)

1. Page 2, line 5: substitute "***assembly***" for "***Assembly***".