



# STATE OF WISCONSIN

# Senate Journal

## Ninety–Second Regular Session

12:00 P.M.

WEDNESDAY, April 5, 1995

The Senate met.

The Senate was called to order by Senator Brian Rude.

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 C. Potter 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 129

Relating to: certain submerged lands conveyed to the city of Racine for park, recreational and public facilities.

By Senators Petak, Andrea and Panzer; cosponsored by Representatives Ladwig, Turner, Porter, Plache and Kreuser.

To committee on **Environment and Energy**.

### REPORT OF COMMITTEES

The committee on **Environment and Energy** reports and recommends:

#### Assembly Bill 166

Relating to: the labeling of certain gasoline.

Concurrence.

Ayes, 5 – Senators Cowles, Panzer, Farrow, Burke and Clausing.

Noes, 0 – None.

Robert Cowles  
Chairperson

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

#### Assembly Bill 95

Relating to: limitations of liability for certain fire companies.

Concurrence.

Ayes, 7 – Senators Rosenzweig, Schultz, Huelsman, Buettner, Chvala, C. Potter and Moen.

Noes, 0 – None.

Peggy Rosenzweig  
Chairperson

### PETITIONS AND COMMUNICATIONS

#### State of Wisconsin Ethics Board

April 4, 1995

To the Honorable the Senate:

At the direction of s. 13.685(7), Wisconsin Statutes, I am furnishing you with the names of organizations recently registered with the Ethics Board that employ one or more individuals to affect state legislation or administrative rules, and notifying you of changes in the Ethics Board's records of licensed lobbyists and their employers. For each recently registered organization I have included the organization's description of the general area of legislative or administrative action that it attempts to influence and the name of each licensed lobbyist that the organization has authorized to act on its behalf.

#### Organizations recently registered:

Below are the names of organizations recently registered with the Ethics Board as employing one or more individuals to affect state legislation or administrative rules.

#### Arco Chemical Company

Subjects: Arco Chemical is a leading producer of MTBE. Current interests include reformulated gasoline, and the clean air act.

Anderson, Gary

#### Home Inspectors, WI Assoc. of

Subjects: WAHI will attempt to influence legislation and administrative rules regarding the practice of home inspection in Wisconsin.

Swandby, Janet R.

#### Pettit National Ice Center

Subjects: Regulation and taxation of sports facilities.

Cook, Sharon

Mitchell, Brian L.

#### Waukesha, City of

Subjects: Any legislation or administrative rule that may affect the present authority and powers of second class cities, as well as specific legislation or rules that may have an impact upon the City of Waukesha.

Jablonski, Ann L.

#### Organization's authorization of additional lobbyists:

The following organizations previously registered with the Ethics Board as employers of lobbyists have authorized to act on their behalf these additional licensed lobbyists:

#### American Methanol Institute

Peterson, Craig

**Financial Institutions, Ltd., Wisconsin League of**

Hanson, Richard

**Homecare Organization, Wisconsin**

Burns, Kathleen  
Stadler, Mary Jo

**Johnson Controls, Inc**

Graven, Mara A.

**Milwaukee Metropolitan Sewerage District**

Stitt, Donald K.

**Podiatric Medicine, Wisconsin Society of**

Graven, Mara A.

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 the organizations that employ lobbyists.

Sincerely,  
R. ROTH JUDD  
Executive Director

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

State of Wisconsin  
Revisor of Statutes Bureau

April 1, 1995  
To the Honorable, the Senate:

The following rules have been published:

<b>Clearinghouse Rules</b>	<b>Effective Date(s)</b>
<b>94- 29</b>	April 1, 1995
<b>94- 30</b>	April 1, 1995
<b>94- 31</b>	part eff. April 1, 1995
<b>94-142</b>	April 1, 1995
<b>94-156</b>	April 1, 1995
<b>94-171</b>	April 1, 1995
<b>94-191</b>	April 1, 1995
<b>94-198</b>	April 1, 1995

Sincerely,  
GARY L. POULSON  
Deputy Revisor

The Committee on **Environment and Energy** reports and recommends:

**Senate Clearinghouse Rule 94-179**

Relating to increased fees for.  
No action taken.

**Senate Clearinghouse Rule 94-184**

Relating to permits for.  
No action taken.

**Senate Clearinghouse Rule 94-209**

Relating to the waste tire removal and recovery program.  
No action taken.

Robert Cowles  
Chairperson

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**MESSAGES FROM THE ASSEMBLY**

By Charles Sanders, assistant chief clerk.

Mr. President:

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

**Assembly Joint Resolution 5**

Passed and asks concurrence in:

**Assembly Bill 26**

**Assembly Bill 101**

**Assembly Bill 148**

**Assembly Bill 201**

**Assembly Bill 205**

**Assembly Bill 213**

**Assembly Bill 214**

**Assembly Bill 215**

**Assembly Bill 265**

Concurred in:

**Senate Bill 52**

**Senate Bill 122**

Amended and concurred in as amended:

**Senate Bill 49**, Assembly amendments 1 and 3.

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**MESSAGES FROM THE ASSEMBLY  
CONSIDERED**

**Assembly Bill 101**

Relating to: reimbursing a law enforcement agency for certain expenses in drug violation investigations.

By Representatives Kreibich, Goetsch, Wilder, Lehman, Owens, Kaufert, Brandemuehl, Huber, Dobyns, Handrick, Walker, Olsen, Nass, Zukowski, Ladwig, Ziegelbauer, Silbaugh, Hahn, Schneiders, Meyer, Ainsworth, Gunderson, Albers, Seratti, Freese, Musser, Ott, Klusman and Vrakas; cosponsored by Senators Huelsman, Farrow, Buettner, Panzer and Fitzgerald.

Read first time and referred to committee on **Judiciary**.

**Assembly Bill 148**

Relating to: home detention programs.

By Representatives Coggs, Walker, Morris-Tatum, Bock, L. Young, Cullen, Goetsch, La Fave, Carpenter, Riley, Duff, Krug, R. Potter, Brandemuehl, Grobschmidt, Bell, Turner, Notestein, Lehman and Wasserman; cosponsored by Senators Farrow, Burke, Rosenzweig, Plewa, Breske, Drzewiecki and Fitzgerald.

Read first time and referred to committee on **State Government Operations and Corrections**.

**Assembly Bill 201**

Relating to: a training and employment services grant for employes being laid off from a business and making an appropriation.

By Representatives Walker, Vrakas, Jensen, Schneiders, Bock, Cullen, Bell, Ward, Krug, Vander Loop, Dobyns, Porter, Hanson, La Fave, Ladwig, Lehman, Hahn, Gunderson, Goetsch, Musser, F. Lasee and R. Young; cosponsored by Senators Rosenzweig, Farrow, Petak, Andrea, Zien, Darling and Moore.

Read first time and referred to committee on **Human Resources, Labor, Tourism, Veterans and Military Affairs**.

**Assembly Bill 205**

Relating to: various University of Wisconsin System reports.

By Representatives Kreibich, Ward, Hanson, Ladwig, Harsdorf, Grothman, Goetsch, Green, Vrakas and Owens; cosponsored by Senator Rude.

Read first time and referred to committee on **Education and Financial Institutions**.

**Assembly Bill 213**

Relating to: school district management restructuring programs.

By Representatives Coleman, Ward, Handrick, Hoven, Jensen, Grobschmidt, Hahn, Grothman, Ryba, Duff, Ainsworth, Nass, Dobyns, Foti, Harsdorf, Musser, Vrakas, Lehman, Goetsch and Gunderson; cosponsored by Senators Petak, Fitzgerald and Huelsman.

Read first time and referred to committee on **Education and Financial Institutions**.

**Assembly Bill 214**

Relating to: the attendance of school district administrators at an annual convention called by the state superintendent of public instruction.

By Representatives Coleman, Ward, Handrick, Hoven, Jensen, Grobschmidt, Hahn, Plache, Schneiders, Grothman, Ryba, Duff, Ainsworth, Nass, Robson, Dobyns, Foti, Harsdorf, Musser, Vrakas, Lehman, Kreibich, Goetsch and Gunderson; cosponsored by Senators Petak, Panzer and Huelsman.

Read first time and referred to committee on **Education and Financial Institutions**.

**Assembly Bill 215**

Relating to: the payment of salaries to school district employes during energy emergencies.

By Representatives Ward, Coleman, Goetsch, Jensen, Duff, Brandemuehl, Nass, Ainsworth, Olsen, Albers, Hahn, F. Lasee, Seratti, Grothman and Harsdorf; cosponsored by Senators Darling, Huelsman and Drzewiecki.

Read first time and referred to committee on **Education and Financial Institutions**.

**Assembly Bill 26**

Relating to: medical care for county jail prisoners.

By Representatives Ladwig, Ward, Gunderson, Handrick, Dobyns, Nass, Walker, Grothman, Skindrud, Owens, Freese, Powers, Goetsch, Kreibich, Duff, Zukowski, Ott, Vrakas, Jensen, Brancel, Hahn, Musser, Kelso, Gard, Porter, Underheim, Klusman, Green, Ainsworth, Olsen, Brandemuehl, Schneiders, Foti, Seratti, Otte, Harsdorf, Lazich, Silbaugh, Urban, Hutchison, Ziegelbauer, Wirch, Plache, Ryba, Krusick, Reynolds, Hoven, Kaufert, Johnsrud, Lehman, Turner and Ourada; cosponsored by Senators Petak, Drzewiecki, Rude, A. Lasee, Panzer, Farrow, Darling, Buettner, Andrea and Cowles.

Read first time and referred to committee on **State Government Operations and Corrections**.

**Assembly Bill 265**

Relating to: establishing a development opportunity zone.

By Representatives Kreibich, Zukowski, Musser, Plombon, Wilder, Baldus and Gronemus; cosponsored by Senators Zien, Rude, Moen, Petak, Schultz, Drzewiecki, Farrow and Clausing.

Read first time and referred to committee on **Business, Economic Development and Urban Affairs**.

**Assembly Joint Resolution 5**

Relating to: proclaiming May 19, 20 and 21, 1995, Syttende Mai Weekend.

By Representatives Silbaugh, Johnsrud, Ward, Coleman, Skindrud, Duff, Ott, Klusman, Underheim, Musser, Hahn, Urban, Freese, Dobyns, Owens, Grothman, Gronemus, Walker, Hanson, Grobschmidt, Baldus, Bock, Krug, Boyle, Wilder, Dueholm, Olsen, Zukowski, Kreibich, Lehman, Gunderson, Brandemuehl, Huebsch, Lazich, Ladwig and Hutchison; cosponsored by Senators Rude, Chvala, Moen, Leraan, Huelsman, Rosenzweig, Drzewiecki, Andrea, Risser, Plewa, Burke and Breske.

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

**Assembly Bill 21**

relating to: requesting federal waivers under the aid to families with dependent children and job opportunities and basic skills programs; limiting increases in aid to families with dependent children for families that have certain additional children; job orientation and job search requirements, participation requirements and sanctions under the job opportunities and basic skills program; establishing a program for publication of delinquent child support obligors; providing exemptions from emergency rule-making procedures; granting rule-making authority; and making appropriations.

The question was: Adoption of Senate amendment 19 to **Assembly Bill 21**?

Senator Buettner moved rejection of Senate amendment 19 to **Assembly Bill 21**.

The question was: Rejection of Senate amendment 19 to **Assembly Bill 21**?

Rejected.

The question was: Adoption of Senate amendment 20 to **Assembly Bill 21**?

Senator Buettner moved rejection of Senate amendment 20 to **Assembly Bill 21**.

The question was: Rejection of Senate amendment 20 to **Assembly Bill 21**?

Rejected.

The question was: Adoption of Senate amendment 21 to **Assembly Bill 21**?

Senator Buettner moved rejection of Senate amendment 21 to **Assembly Bill 21**.

The question was: Rejection of Senate amendment 21 to **Assembly Bill 21**?

Rejected.

The question was: Adoption of Senate amendment 22 to **Assembly Bill 21**?

Senator Buettner moved rejection of Senate amendment 22 to **Assembly Bill 21**.

The question was: Rejection of Senate amendment 22 to **Assembly Bill 21**?

The ayes and noes were demanded and the vote was: ayes, 23; noes, 9; absent or not voting, 0; as follows:

Ayes – Senators Andrea, Breske, Buettner, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Fitzgerald, Huelsman, A. Lasee, Leraan, Moen, Panzer, Petak, Plewa, C. Potter, Rosenzweig, Rude, Schultz, Weeden and Zien – 23.

Noes – Senators Adelman, Burke, Chvala, Clausing, George, Jauch, Moore, Risser and Wineke – 9.

Absent or not voting – None.

Rejected.

The question was: Adoption of Senate amendment 23 to **Assembly Bill 21?**

Senator Buettner moved rejection of Senate amendment 23 to **Assembly Bill 21.**

The question was: Rejection of Senate amendment 23 to **Assembly Bill 21?**

The ayes and noes were demanded and the vote was: ayes, 24; noes, 8; absent or not voting, 0; as follows:

Ayes – Senators Andrea, Breske, Buettner, Chvala, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Fitzgerald, Huelsman, A. Lasee, Leean, Moen, Panzer, Petak, Plewa, C. Potter, Rosenzweig, Rude, Schultz, Weeden and Zien – 24.

Noes – Senators Adelman, Burke, Clausing, George, Jauch, Moore, Risser and Wineke – 8.

Absent or not voting – None.

Rejected.

The question was: Adoption of Senate amendment 24 to **Assembly Bill 21?**

Senator Buettner moved rejection of Senate amendment 24 to **Assembly Bill 21.**

The question was: Rejection of Senate amendment 24 to **Assembly Bill 21?**

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 0; as follows:

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

Noes – Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Jauch, Moen, Moore, Plewa, C. Potter, Risser and Wineke – 15.

Absent or not voting – None.

Rejected.

The question was: Adoption of Senate amendment 25 to **Assembly Bill 21?**

Senator Buettner moved rejection of Senate amendment 25 to **Assembly Bill 21.**

The question was: Rejection of Senate amendment 25 to **Assembly Bill 21?**

The ayes and noes were demanded and the vote was: ayes, 23; noes, 9; absent or not voting, 0; as follows:

Ayes – Senators Andrea, Breske, Buettner, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Fitzgerald, Huelsman, A. Lasee, Leean, Moen, Panzer, Petak, Plewa, C. Potter, Rosenzweig, Rude, Schultz, Weeden and Zien – 23.

Noes – Senators Adelman, Burke, Chvala, Clausing, George, Jauch, Moore, Risser and Wineke – 9.

Absent or not voting – None.

Rejected.

The question was: Adoption of Senate amendment 26 to **Assembly Bill 21?**

Senator Buettner moved rejection of Senate amendment 26 to **Assembly Bill 21.**

The question was: Rejection of Senate amendment 26 to **Assembly Bill 21?**

The ayes and noes were demanded and the vote was: ayes, 24; noes, 8; absent or not voting, 0; as follows:

Ayes – Senators Andrea, Breske, Buettner, Chvala, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Fitzgerald, Huelsman, A. Lasee, Leean, Moen, Panzer, Petak, Plewa, C. Potter, Rosenzweig, Rude, Schultz, Weeden and Zien – 24.

Noes – Senators Adelman, Burke, Clausing, George, Jauch, Moore, Risser and Wineke – 8.

Absent or not voting – None.

Rejected.

The question was: Adoption of Senate amendment 27 to **Assembly Bill 21?**

Senator Buettner moved rejection of Senate amendment 27 to **Assembly Bill 21.**

The question was: Rejection of Senate amendment 27 to **Assembly Bill 21?**

The ayes and noes were demanded and the vote was: ayes, 23; noes, 9; absent or not voting, 0; as follows:

Ayes – Senators Adelman, Andrea, Buettner, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Fitzgerald, Huelsman, A. Lasee, Leean, Moen, Panzer, Petak, Plewa, C. Potter, Rosenzweig, Rude, Schultz, Weeden and Zien – 23.

Noes – Senators Breske, Burke, Chvala, Clausing, George, Jauch, Moore, Risser and Wineke – 9.

Absent or not voting – None.

Rejected.

The question was: Adoption of Senate amendment 28 to **Assembly Bill 21?**

Senator Buettner moved rejection of Senate amendment 28 to **Assembly Bill 21.**

The question was: Rejection of Senate amendment 28 to **Assembly Bill 21?**

Senator Moen asked unanimous consent that the Senate stand recessed.

The senate stood recessed.

2:38 P.M.

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## RECESS

4:06

The senate reconvened.

Senator Ellis, with unanimous consent, asked that the Senate return to the eighth order of business.

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## MESSAGES FROM THE ASSEMBLY

By Charles Sanders, assistant chief clerk.

Mr. President:

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

### **Assembly Joint Resolution 34**

Passed and asks concurrence in:

### **Assembly Bill 243**

Concurred in:

### **Senate Joint Resolution 17**

**MESSAGES FROM THE ASSEMBLY  
CONSIDERED**

**Assembly Bill 243**

Relating to: standards of need and benefits under the general relief program.

By Representatives Prosser, Krusick, Wasserman, Gunderson and Walker.

Read first time and referred to committee on **Health, Human Services and Aging.**

**Assembly Joint Resolution 34**

Relating to: the life and public service of Reuben La Fave.

By Representatives La Fave, Gard, Lorge, Travis, Schneider, Porter, Baldus, Prosser, Baumgart, Hasenohrl and Rutkowski; cosponsored by Senators Drzewiecki, Ellis, Risser, Andrea, A. Lasee, Plewa and C. Potter.

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

**ADJOURNMENT**

Senator Ellis, with unanimous consent, asked that the Senate adjourn until Thursday, April 6 at 10:00 A.M..

Adjourned.

4:00 P.M.

**AMENDMENTS OFFERED**

Senate amendment 32 to **Assembly Bill 21** offered by Senator Adelman.

Senate amendment 33 to **Assembly Bill 21** offered by Senator Clausing.

Senate amendment 34 to **Assembly Bill 21** offered by Senator Moore.

Senate amendment 35 to **Assembly Bill 21** offered by Senator Moore.

Senate amendment 36 to **Assembly Bill 21** offered by Senator Moore.

Senate amendment 37 to **Assembly Bill 21** offered by Senator Moore.

Senate amendment 38 to **Assembly Bill 21** offered by Senator Moore.

Senate amendment 39 to **Assembly Bill 21** offered by Senator Moore.

Senate amendment 40 to **Assembly Bill 21** offered by Senator Moore.

Senate amendment 41 to **Assembly Bill 21** offered by Senator Moore.

Senate amendment 42 to **Assembly Bill 21** offered by Senator Moore.

**LEGISLATIVE REFERENCE BUREAU  
CORRECTIONS**

**CORRECTIONS IN:**

**ASSEMBLY AMENDMENT 3,  
TO ASSEMBLY SUBSTITUTE  
AMENDMENT 1,  
TO 1995 ASSEMBLY BILL 56**

Prepared by the Legislative Reference Bureau  
(April 4, 1995)

In engrossing, the following correction was made:

- 1. Page 1, line 4: substitute "1am." for "1."