

STATE OF WISCONSIN

Senate Journal

Eighty-Eighth Regular Session

10:00 A.M.

THURSDAY, October 8, 1987

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

The senate stood for the prayer which was offered by Pastor Jim Stevens of Faith Baptist Church, Beloit.

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

By request of Senator Strohl, with unanimous consent, Senator Plewa was granted a leave of absence for today's session.

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

Senators Adelman, Andrea, Buettner, Chilsen, Chvala, Cowles Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Harsdorf, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, Moen, Norquist, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 32.

Absent — None.

Absent with leave — Senator Plewa — 1.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 360

Relating to the property tax exemption for recreational mobile homes.

By Senators Weeden, Lasee, Engeleiter, Andrea, Kreul and Chilsen; cosponsored by Representatives Holperin, Swoboda, Tregoning, Porter, Ladwig, Vergeront, Musser, Underheim and Robinson.

To Joint Survey committee on Tax Exemptions.

Senate Bill 361

Relating to integrating recent changes in federal law concerning age requirements for annuity benefits for certain participants in the Wisconsin retirement system and recent changes in federal law concerning social security coverage for part-time employees.

By Senator Jauch; cosponsored by Representative Volk.

To Joint Survey committee on Retirement Systems.

Senate Bill 362

Relating to technical changes affecting rights and benefits under the Wisconsin retirement system.

By Senator Jauch; cosponsored by Representative Volk.

To Joint Survey committee on Retirement Systems.

Senate Bill 363

Relating to actions for damages related to improvements to real property.

By Senators Van Sistine, Kincaid, Roshell, Weeden, Leean and Plewa; cosponsored by Representatives Hubler, Vanderperren, Grobschmidt, Tregoning, Bolle, Van Dreel, Schmidt, Goetsch, Vergeront and Wineke.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends the following nomination to committee for appointment by the Senate:

Mr. William Clare, of Withee, as the Senate's public member to the Radioactive Waste Review Board.

The question was: Shall the appointment be confirmed?

Confirmed.

Senate Joint Resolution 40

Relating to congratulating the City of Marinette on its 100th birthday.

Adoption:

Ayes, 5 -- Senators Risser, Strohl, Norquist, Engeleiter and Ellis;

Noes, 0 -- None.

Assembly Joint Resolution 46

Relating to memorializing congress to authorize funding for the Rail America National Railroad Museum.

Concurrence:

Ayes, 5 -- Senators Risser, Strohl, Norquist, Engeleiter and Ellis;

Noes, 0 -- None.

FRED A. RISSER
Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Bill 242

Relating to interstate city law enforcement agreements.

Introduction and adoption of senate amendment 1:

Ayes, 7 -- Senators Adelman, Feingold, Chvala, Lee, Lorman, Stitt and Buettner;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Adelman, Feingold, Chvala,
Lee, Lorman, Stitt and Buettner;
Noes, 0 -- None.

Senate Bill 273

Relating to drawing names for jury panels; filling permanent municipal judge vacancies; chief judges of judicial administrative districts; review of judge substitution requests; and clerk's fees for docketing judgments (requested as remedial legislation by the director of state courts).

Introduction and adoption of senate amendment 1:
Ayes, 7 -- Senators Adelman, Feingold, Chvala,
Lee, Lorman, Stitt and Buettner;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Adelman, Feingold, Chvala,
Lee, Lorman, Stitt and Buettner;

Noes, 0 -- None.

Senate Bill 291

Relating to offenses against animals and providing a penalty.

Passage:

Ayes, 7 -- Senators Adelman, Feingold, Chvala,
Lee, Lorman, Stitt and Buettner;

Noes, 0 -- None.

Senate Bill 293

Relating to increasing the number of circuit judges.

Adoption of senate amendment 1:

Ayes, 7 -- Senators Adelman, Feingold, Chvala,
Lee, Lorman, Stitt and Buettner;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Adelman, Feingold, Chvala,
Lee, Lorman, Stitt and Buettner;

Noes, 0 -- None.

Senate Bill 315

Relating to various changes in the code of ethics for state public officials.

Introduction and adoption of senate substitute amendment 1:

Ayes, 7 -- Senators Adelman, Feingold, Chvala,
Lee, Lorman, Stitt and Buettner;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Adelman, Feingold, Chvala,
Lee, Lorman, Stitt and Buettner;

Noes, 0 -- None.

Assembly Bill 19

Relating to forfeitures for alcohol beverages violations by underage persons.

Concurrence:

Ayes, 7 -- Senators Adelman, Feingold, Chvala,
Lee, Lorman, Stitt and Buettner;

Noes, 0 -- None.

Assembly Bill 71

Relating to burden of persuasion at competency hearings.

Concurrence:

Ayes, 7 -- Senators Adelman, Feingold, Chvala,
Lee, Lorman, Stitt and Buettner;

Noes, 0 -- None.

Assembly Bill 72

Relating to powers of court commissioners in proceedings supplementary to execution.

Concurrence:

Ayes, 7 -- Senators Adelman, Feingold, Chvala,
Lee, Lorman, Stitt and Buettner;

Noes, 0 -- None.

Assembly Bill 73

Relating to criminal trials in which a person pleads not guilty by reason of mental disease or defect.

Concurrence:

Ayes, 7 -- Senators Adelman, Feingold, Chvala,
Lee, Lorman, Stitt and Buettner;

Noes, 0 -- None.

Assembly Bill 136

Relating to deferred prosecution programs and operating a motor vehicle while under the influence of alcohol or drugs or both.

Introduction and adoption of senate amendment 1:

Ayes, 7 -- Senators Adelman, Feingold, Chvala,
Lee, Lorman, Stitt and Buettner;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 6 -- Senators Adelman, Feingold, Chvala,
Lee, Lorman, and Buettner;

Noes, 1 -- Senator Stitt.

Assembly Bill 163

Relating to water heater thermostat settings.

Concurrence:

Ayes, 5 -- Senators Adelman, Feingold, Chvala,
Lee, and Buettner;

Noes, 2 -- Senators Stitt and Lorman.

Assembly Bill 188

Relating to extending the coverage of the motor vehicle warranty law to leased motor vehicles.

Concurrence:

Ayes, 7 -- Senators Adelman, Feingold, Chvala,
Lee, Lorman, Stitt and Buettner;

Noes, 0 -- None.

Assembly Bill 268

Relating to sequestration of jurors in criminal trials.

Concurrence:

Ayes, 7 -- Senators Adelman, Feingold, Chvala,
Lee, Lorman, Stitt and Buettner;

Noes, 0 -- None.

Assembly Bill 276

Relating to arraignments.

Concurrence:

Ayes, 7 -- Senators Adelman, Feingold, Chvala,
Lee, Lorman, Stitt and Buettner;

Noes, 0 -- None.

Assembly Bill 283

Relating to the state law library (suggested as remedial legislation by the state law library).

Concurrence:

Ayes, 7 -- Senators Adelman, Feingold, Chvala, Lee, Lorman, Stitt and Buettner;

Noes, 0 -- None.

Assembly Bill 401

Relating to review of judge substitution requests in civil proceedings.

Concurrence:

Ayes, 6 -- Senators Adelman, Feingold, Chvala, Lee, Lorman and Buettner;

Noes, 1 -- Senator Stitt.

Assembly Bill 470

Relating to the salary of the state public defender.

Concurrence:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Lee and Lorman;

Noes, 2 -- Senators Stitt and Buettner.

LYNN S. ADELMAN
Chair

The committee on Agriculture, Health and Human Services reports and recommends:

Senate Joint Resolution 29

Relating to the inequity of medicare payments between rural and urban hospitals.

Adoption of senate amendment 1:

Ayes, 7 -- Senators Moen, Jauch, Feingold, Te Winkle, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Adoption as amended:

Ayes, 7 -- Senators Moen, Jauch, Feingold, Te Winkle, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Senate Joint Resolution 37

Relating to requesting the legislative council to study the need for regulation of persons who provide services which are the same as, or similar to, services provided by licensed psychologists.

Adoption:

Ayes, 7 -- Senators Moen, Jauch, Feingold, Te Winkle, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Senate Bill 134

Relating to the sale of farm machinery and equipment manufactured in prisons and providing a penalty.

Introduction and adoption of senate amendment 1:

Ayes, 7 -- Senators Moen, Jauch, Feingold, Te Winkle, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Moen, Jauch, Feingold, Te Winkle and Lorman;

Noes, 2 -- Senators Harsdorf and Rude.

Senate Bill 137

Relating to permitting vending facilities operated by or for the benefit of visually impaired persons to be located on property of a controlled-access highway.

Passage:

Ayes, 7 -- Senators Moen, Jauch, Feingold, Te Winkle, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Senate Bill 283

Relating to the certification and regulation of respiratory care practitioners by the medical examining board, creating a respiratory care practitioners examining council and granting rule-making authority.

Passage:

Ayes, 7 -- Senators Moen, Jauch, Feingold, Te Winkle, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Senate Bill 326

Relating to parking reserved for vehicles used by physically disabled persons, providing for enforcement councils and liability for violations reported by members of enforcement councils.

Passage:

Ayes, 7 -- Senators Moen, Jauch, Feingold, Te Winkle, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Assembly Bill 23

Relating to restricting the sale of human organs, granting rule-making authority and providing a penalty.

Introduction and adoption of senate amendment 1:

Ayes, 7 -- Senators Moen, Jauch, Feingold, Te Winkle, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 7 -- Senators Moen, Jauch, Feingold, Te Winkle, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Assembly Bill 65

Relating to milk container capacity.

Concurrence:

Ayes, 6 -- Senators Moen, Jauch, Feingold, Harsdorf, Lorman and Rude;

Noes, 1 -- Senator Te Winkle.

Assembly Bill 323

Relating to applying an exclusive contract provision of the law to associations of agricultural products producers.

Concurrence:

Ayes, 7 -- Senators Moen, Jauch, Feingold, Te Winkle, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Assembly Bill 362

Relating to making various changes in the farm mediation and arbitration program.

Concurrence:

Ayes, 7 -- Senators Moen, Jauch, Feingold, Te Winkle, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

HINES, DR. J.A., of Oxford, as a member of the Veterinary Examining Board, to serve for the term ending July 1, 1991.

Confirmation:

Ayes, 6 -- Senators Moen, Jauch, Feingold, Te Winkle, Harsdorf and Lorman;

Noes, 0 -- None.

HENSCHEL, ROBERT A., of Wauwatosa, as a member of the Dentistry Examining Board, to serve for the term ending July 1, 1991.

Confirmation:

Ayes, 6 -- Senators Moen, Jauch, Feingold, Te Winkle, Harsdorf and Lorman;

Noes, 0 -- None.

OLSEN, CLARK O., M. D., of Washburn, as a member of the Medical Examining Board, to serve for the term ending July 1, 1991.

Confirmation:

Ayes, 6 -- Senators Moen, Jauch, Feingold, Te Winkle, Harsdorf and Lorman;

Noes, 0 -- None.

RODNEY C. MOEN
Chair

The committee on Urban Affairs, Energy, Environmental Resources and Elections reports and recommends:

FORSTER, JOHN W., of Menasha, as a member of the Fox River Management Commission, to serve for the term ending March 1, 1990.

Confirmation:

Ayes, 6 -- Senators Lee, Chvala, Adelman, Norquist, Ellis and Lasee;

Noes, 0 -- None.

LOTHE, INGEBORG, of Poynette, as a member of the Waste Facility Siting Board, to serve for the term ending May 1, 1990.

Confirmation:

Ayes, 6 -- Senators Lee, Chvala, Adelman, Norquist, Ellis and Lasee;

Noes, 0 -- None.

Senate Bill 316

Relating to parking permits on mobile homes not located in licensed mobile home parks.

Passage:

Ayes, 6 -- Senators Lee, Chvala, Adelman, Norquist, Ellis and Lasee;

Noes, 0 -- None.

Senate Bill 327

Relating to the operating of parking systems and parking lots in 1st class cities.

Passage:

Ayes, 5 -- Senators Lee, Chvala, Adelman, Ellis and Lasee;

Noes, 0 -- None.

Assembly Bill 243

Relating to prohibiting the sale of certain beverage containers and providing a penalty.

Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Lee, Chvala, Adelman, Norquist and Ellis;

Noes, 1 -- Senator Lasee.

Concurrence as amended:

Ayes, 5 -- Senators Lee, Chvala, Adelman, Norquist and Ellis;

Noes, 1 -- Senator Lasee.

MORDECAI LEE
Chair

The committee on Labor, Business, Insurance, Veterans and Military Affairs reports and recommends:

Assembly Bill 355

Relating to establishing a minimum wage for certain employes.

Concurrence:

Ayes, 7 -- Senators Van Sistine, Roshell, Kincaid, Plewa, Te Winkle, Chilsen and Kreul;

Noes, 1 -- Senator Leean.

JEROME VAN SISTINE
Chair

PETITIONS AND COMMUNICATIONS

Senate Petition 24

A petition by 666 residents of the state of Wisconsin in opposition to the mandatory seat belt law and the motorcycle helmet law.

By Senator Weeden.

Read and referred to committee on Judiciary and Consumer Affairs.

State of Wisconsin
Office of the Secretary of State

October 6, 1987

To the Honorable the Senate

I have the honor to transmit to you the following information pursuant to s. 13.685(7):

Sincerely,
DOUGLAS LAFOLLETTE
Secretary of State

NEWLY REGISTERED LOBBYISTS AND THEIR PRINCIPALS:

BROZEK, MICHAEL F., 22 N. Carroll St., #200, Madison, WI 53703 (608) 251-3232

1) Control Data Corporation, Charles Marino, 1350 Avenue of the Americas, New York, NY 10019 (212) 887-1630 (this registration is specific to legislative monitoring, reporting and consultation to client/principal, October legislative session and pre-session committee action included.)

DRIESSEN, ANTHONY H., 660 E. Mason St., Milwaukee, WI 53202 (414) 271-5900

1) American Automobile Assn., Maureen Quinn, 433 W. Washington Ave., Madison, WI 53703 (608) 257-0711 (fair taxation of highway users; legislation on motor laws, insurance highway funding and construction; travel related issues; automobile laws and fees)

GERLACH, CHESTER, 131 W. Wilson St., Madison, WI 53703 (608) 255-9337

1) WI Fireworks Association, Gary Goyke, 22 N. Carroll St., Madison, WI 53703 (608) 251-5997 (any legislation related to fireworks)

FRANKE, HARRY F., 660 E. Mason St., Milwaukee, WI 53202 (414) 271-5900

1) American Automobile Assn., Maureen Quinn, 433 W. Washington Ave., Madison, WI 53202 (608) 257-0711 (fair taxation of highway users; legislation on motor laws, insurance; highway construction and funding; travel-related issues; automobile laws and fees)

HANDZEL, JR., HENRY J., 121 S. Pinckney St., Madison, WI 53703 (608) 255-8891

1) Wisconsin Wood Product Manufacturers, 6515 Grand Teton Plaza, Ste. 120, Madison, WI 53719 (608) 255-8891 (any function or activity of any branch, department or phase of federal, state or local government; agriculture, outdoors or environment; taxation; regulation of business, finance or insurance; or other topics pertaining to the general public health or welfare)

MAROTZ, ROBERT G., 4470 Imperial Dr., Brookfield, WI 53005 (414) 781-2261

WI State Brewers Association, 4470 Imperial Dr., Brookfield, WI 53005 (414) 781-2261 (everything affecting the brewing industry)

OTTE, CARL, 22 N. Carroll, Madison, WI 53703 (608) 251-5997

1) WI Fireworks Association, Gary Goyke, 22 N. Carroll, Madison, WI 53703 (608) 251-5997 (any legislation related to fireworks)

VARIOUS CHANGES

Cardinal Industries, Inc., new contact person and phone number: William Smith (614) 861-3211

MCI Communications, Inc., Street address should be: 1133 19th St., N.W.

WI Automatic Merchandising Council, new street address and city only: 7050 N. Industrial Loop, Greendale, WI 53129

WI Builders Association, new contact person only: Gerald J. Diemer

WI Society of Podiatric Medicine, new address, phone and contact person: Attn: Dr. Michael Jourdan, 1445 Merrill Ave., Wausau, WI 54401, phone: (715) 675-2321

STATE AGENCY CHANGES AND ADDITIONS

Administration, Dept. of, Attn: James R. Klauser, GEF 2, 7th Floor; James R. Klauser, Gerlad Whitburn, Richard Lorang, Nicholas Hurtgen, Richard G. Chandler, John Montgomery, Jerry Slack (state government)

Aging and Long Term Care, Board on, Attn: George Potaracke, 122 E. Dayton, Madison; George F. Potaracke (consumer affairs, health, human rights, insurance, regulation, licensing, social services)

Ag. Trade & Consumer Protection, Attn: Howard Richards, 801 W. Badger Rd., Madison; Howard C. Richards, Helene M. Nelson, Orlo R. Ehart, James L. Arts, Mary Gunderson (agriculture, consumer affairs, food, drugs, public domain, environment, regulation, licensing, state government, trade, commerce, counties, municipalities, health, industry)

Child Abuse and Neglect Prevention Board, Attn: Elaine Olson, 110 E. Main # 318, Madison; Elaine M. Olson (education, social services)

Commissioner of Banking, Attn: Jennifer McKenzie, Room 650, State Justice Bldg., Madison; Richard E. Galecki, Jennifer E. McKenzie (banking, consumer affairs)

Commissioner of Securities, Attn: Randall E. Schumann, 111 W. Wilson, Madison; Ulice Payne, Jr., Ann Marie Brady, Randall E. Schumann, Stephanie W. Thorn, Stephen K. Mueller (consumer affairs, human rights, partnerships, corporations, regulation, licensing, state government)

Community Development Finance Authority, Attn: Thomas Krajewski, 14 W. Mifflin, Ste. 312, Madison; Thomas G. Krajewski (state government)

Conservation Corps Board, Attn: William Brakken, 30 W. Mifflin, Ste. 406, Madison; William A. Brakken (public domain, environment, social services, state government)

Dane County Regional Planning Commission, Attn: Charles Montemayor, City Co. Bldg., Rm. 523, Madison; Charles Montemayor, Thomas Favour, William Lane, Thomas Smiley, Robert McDonald, Joan Foeste, Peter Nelson (agriculture, banking, consumer affairs, counties, municipalities, public domain, environment, state government, transportation)

Development, Dept. of, Attn: Bruno Mauer, 123 W. Washington Ave., Ste 950, Madison; Bruno Mauer, Richard Smith, Edith Borden, Louis Cornelius (counties, municipalities, industry, partnerships, corporation, public domain, environment, trade, commerce, taxation)

Director of State Courts, Attn: J. Denis Moran, 213 NE, Capitol; J. Denis Moran, Sheryl Gervasi (courts, procedures, criminal, penal, police, budget)

Educational Communications Board, Attn: Paul Norton, 3319 W. Beltline Hwy, Madison, WI

53713; Paul M. Norton, H. Ted Tobie, Larry Dickerson, James Batt, James Kissinger (education, state government)

Elections Board, Attn: Kevin Kennedy, 132 E. Wilson St., 3rd Floor, Madison; Kevin J. Kennedy, Kevin B. Cronin, Gail Shea (elections, ethics)

Employe Trust Funds, Dept. of, Attn: Doni Zintz, GEF 1, Rm. 171; David Stella, Gary I. Gates, Eric Stanchfield, Ed McClain, David Mills, Tom Korpady (counties, municipalities, insurance, state government, trust funds)

Employment Relations, Dept. of, Attn: David Whitcomb, 137 E. Wilson, Madison; John M. Tries, A. Henry Hempe, Constance P. Beck, Susan K. Christopher, Alfred Hunsicker, Gerald Hoddinott, Arely Gonnering, Alan G. Klitzkie, Dan Wallock (elections, ethics, state government, veterans)

Governor, Office of, Attn: Diane Harmelink, 115 East, Capitol; Diane Harmelink, Camille Stefan, Pat Osborne, William Jordahl, Raymond Taffora, W. Buck Marin, John Van Hollen (all areas)

Health & Social Services, Dept. of, Attn: Timothy F. Cullen, Room 663, WSSOB; Tim Cullen, Jeff Kunz, Jennifer Donnelly, John Manske, Pat Goodrich, Alan Fish, Roberta Kostrow, John Torphy, Jim O'Keefe, Steve Bablitch, Bob Margolies, Judy Norman-Nunnery, Mary Kilgore, Linda Belton, Jim Meier, John Huebscher, Claudette Wright-Fuller (counties, municipalities, courts, procedures, criminal, penal, police, education, family, food, drugs, health, human rights, insurance, regulation, licensing, social services, state government)

Historical Society, State, Attn: H. Nicholas Muller III, 816 State St., Madison (education)

Industry, Labor, Human Relations, Dept. of, Attn: John Coughlin, Room 401, GEF 1; John Coughlin, Mike Corry, Ray Allen, Don Stone (human rights, industry, regulation and licensing)

Judicial Council, Attn: James Fullin, Jr., Room 777, 25 W. Main St.; James L. Fullin, Jr. (consumer affairs, counties, municipalities, courts, procedures, criminal, penal, police, property rights, probate, state government)

Justice, Dept. of, 123 W. Washington Ave., Madison; Kathleen Falk, David Bartz (all areas)

Natural Resources, Dept. of, Attn: Martin Henert, P.O. Box 7921, Madison; C.D. Besadny, Paul H. Heinen, Joe Polasek, Michael Willman, Bernie McGaver (public domain, environment)

Public Defender Board & State Public Defender, 131 W. Wilson St., Madison; Richard J. Phelps, Judith P. Collins, Eileen A. Hirsch (counties, municipalities, courts, procedures, criminal, penal, police, family, human rights, social services, state government)

Public Instruction, Dept. of, Attn: Gary K. Johnson, GEF 3, Madison; Carl Carmichael, Steven Dold, Gary K. Johnson, Timothy Quinn, Carmen L. Stout (education)

Regulation and Licensing, Dept. of, Attn: Marlene Cummings, Room 173, 1400 E. Washington Ave., Madison; Marlene A. Cummings, Joyce D. Waldrop, Don Severson, William Dusso, Ramona Weakland Warden, John Young, Clete Hansen, Freddie Marsh-Lott (regulation, licensing)

Revenue, Dept. of, Attn: Karen A. Case, GEF 3; Karen A. Case, Mark D. Bugher, James R. Behrend, John Bilotti, Margaret Lund (taxation)

Secretary of State, Office of, Room 271, GEF 1; Jonathan Becker (state government, banking, partnership, corporations, lobby law)

Transportation, Dept. of, Attn: Ron Fiedler, 4802 Sheboygan Ave., Madison; Ronald R. Fiedler, Donald H. Jorgensen, Thomas Walker, James S. Thiel, L. Joseph Maassen, Steven J. Watters, Carl G. Johnson, Michael C. Moschkau (transportation)

UW Systems, Board of Regents, Attn: Ronald C. Bornstein, 1700 Van Hise Hall, 1220 Linden Dr., Madison; Ronald C. Bornstein, Harvey Breuscher, David Martin, Judith Ward, Harry Peterson, Mark Lederer, Keith Collins, H. Carl Mueller, Robert Novak, Mary Williams (education)

Veterans Affairs, Dept. of, 77 N. Dickinson St., Madison; Harvey Stower, Ted F. Fetting (veterans)

Vocational, Technical & Adult Education, Board of, Attn: John Kroll, P.O. Box 7874, Madison, WI 53707; Robert P. Sorenson, Edward Chin, Glenn Davison, John R. Kroll (education)

WHEDA, Attn: Richard Longabough, 1 S. Pinckney St., Ste. 500; Richard J. Longabough, Mary Anderson, Lee Martinson, Deborah Wunnicke, Chris Swain, Wyman Winston (agriculture, housing, bonding, economic development, laws which affect the authority)

Women's Council, Attn: Hannah Rosenthal, Room 512, 30 W. Mifflin St., Madison; Hannah Rosenthal (education, family, health, social services, state government)

By request of Senator Jauch, with unanimous consent, he withdrew his point of order relating to **Assembly Bill 462**.

The chair ruled the point of order raised by Senator Davis as moot.

Assembly Bill 462

Relating to the Wisconsin retirement system, allowing retired public employes to purchase state group health insurance coverage, fixed retirement investment trusts, transferring funds and making an appropriation.

The question was: Shall the bill be non-concurred in?

Senator Ellis raised the point of order that a three-fourths vote was needed to concur in the bill.

The chair took the point of order under advisement.

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 87-63

Relating to the purchase of shares of investment companies by commercial banks.

Submitted by Office of the Commissioner of Banking.

Report received from agency, October 8, 1987.

Referred to committee on Aging, Banking, Commercial Credit and Taxation, October 8, 1987.

The committee on Urban Affairs, Energy, Environmental Resources and Elections reports and recommends:

Senate Clearinghouse Rule 86-240

Relating to hazardous waste management.

No action taken.

MORDECAI LEE

Chair

The committee on Agriculture, Health and Human Services reports and recommends:

Senate Clearinghouse Rule 87-42

Relating to recreational and educational camps.

No action taken.

Senate Clearinghouse Rule 86-10

Relating to instructional hour and syllabus requirements in cosmetology schools.

No action taken.

Senate Clearinghouse Rule 86-63

Relating to sanitation standards and practice requirements.

No action taken.

Senate Clearinghouse Rule 86-174

Relating to the use of computerized systems to maintain prescription renewal information.

No action taken.

Senate Clearinghouse Rule 86-64

Relating to denial of license.

No action taken.

Senate Clearinghouse Rule 87-26

Relating to restrictions on cattle and American bison imported into this state from brucellosis class 'B' or 'C' states.

No action taken.

Senate Clearinghouse Rule 87-41

Relating to day care for children.

No action taken.

Senate Clearinghouse Rule 87-81

Relating to conversion of a nursing home or a distinct part of a nursing home to be an intermediate care facility for the mentally retarded (ICF/MR).

No action taken.

Senate Clearinghouse Rule 87-78

Relating to approval of ambulance attendant defibrillation demonstration projects.

No action taken.

Senate Clearinghouse Rule 87-40

Relating to access by inmates of adult correctional institutions and the Wisconsin resource center to information considered by the parole board.

No action taken.

Senate Clearinghouse Rule 87-14

Relating to work experience and job training pilot programs for AFDC recipients.

No action taken.

RODNEY C. MOEN

Chair

MESSAGE FROM THE ASSEMBLY

By Thomas T. Melvin, chief clerk.

Mr. President:

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

Assembly Bill 389

Assembly Bill 255

Assembly Bill 328

Adopted and asks concurrence in:

Assembly Joint Resolution 47

Assembly Joint Resolution 64

Concurred in:

Senate Bill 184

Amended and concurred in as amended:

Senate Bill 187, assembly substitute amendment 1

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Joint Resolution 47

Relating to commending the Wisconsin Veterans Home on its 100th anniversary.

By committee on Veterans and Military Affairs.

Read and referred to committee on Labor, Business, Insurance, Veterans and Military Affairs.

Assembly Joint Resolution 64

Relating to the life and public service of Nicholas J. Lesselyoung.

By Representative McEssy and all members of the assembly.

Read.

Considered as privileged and taken up.
Concurred in by unanimous rising vote.

Assembly Bill 255

Relating to exemptions from registration for certain securities transactions.

By Legislative Council.

Read first time and referred to committee on Economic Development, Financial Institutions and Fiscal Policies.

Assembly Bill 328

Relating to the restrictions on the location of branch banks.

By Representatives M. Coggs, Seery, Linton and Becker, cosponsored by Senators Lee and Ulichny.

Read first time and referred to committee on Aging, Banking, Commercial Credit and Taxation.

Assembly Bill 389

Relating to truancy, the release of children from custody and providing a penalty.

By Representatives Krusick, Potter, Barca, Bolle, Bradley, Deininger, Gruszynski, Hauke, Magnuson, Ourada, Porter, Schneiders and Tesmer, cosponsored by Senators Lee, Buettner, Andrea, Te Winkle and Ulichny.

Read first time and referred to committee on Education.

CALENDAR OF OCTOBER 8, 1987

Senate Bill 83

Relating to various changes in the organization of the department of military affairs and in certain provisions governing members of the Wisconsin national guard or state guard and revising penalties.

Read a second time.

Senate amendment 1 offered by Senator Leean.

The question was: Adoption of senate amendment 1?

By request of Senator George, with unanimous consent, **Senate Bill 83** was referred to the joint committee on Finance.

By request of Senator George, with unanimous consent, **Senate Bill 83** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Van Sistine asked unanimous consent that senate amendment 1 be placed after senate amendment 2.

Senator Leean objected.

Senate amendment 1 to senate amendment 1 offered by Senator Van Sistine.

The question was: Adoption of senate amendment 1 to senate amendment 1?

Senator Leean moved rejection of senate amendment 1 to senate amendment 1.

The question was: Rejection of senate amendment 1 to senate amendment 1?

The motion prevailed.

The question was: Adoption of senate amendment 1? Adopted.

Senate amendment 2 offered by Senator Van Sistine.

The question was: Adoption of senate amendment 2?

By request of Senator Van Sistine, with unanimous consent, senate amendment 2 was returned to the author.

Senator Van Sistine moved reconsideration of the vote by which senate amendment 1 was adopted.

The question was: Reconsideration of the vote by which senate amendment 1 was adopted?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 11; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Buettner, Chvala, Czarnecki, Feingold, George, Harsdorf, Helbach, Jauch, Kincaid, Kreul, Lee, Moen, Norquist, Risser, Roshell, Strohl, Te Winkle, Ulichny and Van Sistine — 21.

Noes — Senators Chilsen, Cowles, Davis, Ellis, Engeleiter, Lasee, Leean, Lorman, Rude, Stitt and Weeden — 11.

Absent or not voting — Senator Plewa — 1.

So the motion prevailed.

The question was: Adoption of senate amendment 1?

Senator Van Sistine moved reconsideration of the vote by which senate amendment 1 to senate amendment 1 was rejected.

The question was: Reconsideration of the vote by which senate amendment 1 to senate amendment 1 was rejected?

The ayes and noes were demanded and the vote was: ayes, 23; noes, 9; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Buettner, Chilsen, Chvala, Czarnecki, Feingold, George, Harsdorf, Helbach, Jauch, Kincaid, Kreul, Lee, Moen, Norquist, Risser, Roshell, Rude, Strohl, Te Winkle, Ulichny and Van Sistine — 23.

Noes — Senators Cowles, Davis, Ellis, Engeleiter, Lasee, Leean, Lorman, Stitt and Weeden — 9.

Absent or not voting — Senator Plewa — 1.

So the motion prevailed.

The question was: Rejection of senate amendment 1 to senate amendment 1?

The motion did not prevail.

The question was: Adoption of senate amendment 1 to senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 23; noes, 8; absent or not voting, 2; as follows:

Ayes — Senators Adelman, Andrea, Buettner, Chilsen, Chvala, Czarnezki, Feingold, George, Harsdorf, Helbach, Jauch, Kincaid, Kreul, Lee, Moen, Norquist, Risser, Roshell, Rude, Strohl, Te Winkle, Ulichny and Van Sistine — 23.

Noes — Senators Cowles, Davis, Engeleiter, Lasee, Leean, Lorman, Stitt and Weeden — 8.

Absent or not voting — Senators Ellis and Plewa — 2.

So the amendment was adopted.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Strohl, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 83

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 2; absent or not voting, 2; as follows:

Ayes — Senators Adelman, Andrea, Buettner, Chilsen, Chvala, Cowles, Czarnezki, Davis, Engeleiter, Feingold, George, Harsdorf, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Moen, Norquist, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 29.

Noes — Senators Leean and Lorman — 2.

Absent or not voting — Senators Ellis and Plewa — 2.

So the bill passed.

Senate Bill 124

Relating to making various changes in the laws governing hazardous waste, granting rule-making authority, providing penalties and making an appropriation.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator George, with unanimous consent, **Senate Bill 124** was referred to joint committee on Finance.

Senate Bill 153

Relating to establishing certain restrictions and safety requirements respecting the operation of all-terrain vehicles.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator George, with unanimous consent, **Senate Bill 153** was referred to joint committee on Finance.

Senate Bill 163

Relating to prohibiting the use of corporal punishment in public and private schools.

Read a second time.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

Adopted.

Senate amendment 2 to senate substitute amendment 1 offered by Senators Lorman, Rude, Leean, Weeden, Roshell, Stitt, Lasee, Cowles, Chilsen, Kreul and Harsdorf.

The question was: Adoption of senate amendment 2 to senate substitute amendment 1?

Senator Czarnezki moved rejection of senate amendment 2 to senate substitute amendment 1.

The question was: Rejection of senate amendment 2 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 16; absent or not voting, 2; as follows:

Ayes — Senators Adelman, Buettner, Chvala, Czarnezki, Feingold, George, Helbach, Jauch, Lee, Moen, Norquist, Risser, Strohl, Ulichny and Van Sistine — 15.

Noes — Senators Andrea, Chilsen, Cowles, Davis, Engeleiter, Harsdorf, Kincaid, Kreul, Lasee, Leean, Lorman, Roshell, Rude, Stitt, Te Winkle and Weeden — 16.

Absent or not voting — Senators Ellis and Plewa — 2.

So the motion did not prevail.

The question was: Adoption of senate amendment 2 to senate substitute amendment 1?

Senate amendment 1 to senate amendment 2 to senate substitute amendment 1 offered by Senator Czarnezki.

The question was: Adoption of senate amendment 1 to senate amendment 2 to senate substitute amendment 1?

Senator Lasee moved rejection of senate amendment 1 to senate amendment 2 to senate substitute amendment 1.

The question was: Rejection of senate amendment 1 to senate amendment 2 to senate substitute amendment 1?

The motion did not prevail.

The question was: Adoption of senate amendment 1 to senate amendment 2 to senate substitute amendment 1?

Adopted.

The question was: Adoption of senate amendment 2 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 14; absent or not voting, 1; as follows:

Ayes — Senators Andrea, Buettner, Chilsen, Cowles, Davis, Ellis, Engeleiter, Harsdorf, Kincaid, Kreul, Lasee, Lekan, Lorman, Roshell, Rude, Stitt, Te Winkle and Weeden — 18.

Noes — Senators Adelman, Chvala, Czarnezki, Feingold, George, Helbach, Jauch, Lee, Moen, Norquist, Risser, Strohl, Ulichny and Van Sistine — 14.

Absent or not voting — Senator Plewa — 1.

So the amendment was adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Senate substitute amendment 2 offered by Senator Harsdorf.

The question was: Adoption of senate substitute amendment 2?

Senator Czarnezki moved rejection of senate substitute amendment 2.

The question was: Rejection of senate substitute amendment 2?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 11; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Buettner, Chvala, Cowles, Czarnezki, Davis, Feingold, George, Helbach, Jauch, Lee, Moen, Norquist, Risser, Rude, Stitt, Strohl, Ulichny, Van Sistine and Weeden — 21.

Noes — Senators Chilsen, Ellis, Engeleiter, Harsdorf, Kincaid, Kreul, Lasee, Lekan, Lorman, Roshell and Te Winkle — 11.

Absent or not voting — Senator Plewa — 1.

So the motion prevailed.

Ordered to a third reading.

By request of Senator Strohl, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 163

Read a third time and passed.

Senate Bill 272

Relating to negotiations regarding siting of a solid or hazardous waste facility and the title of the administrator of the waste facility siting board (suggested as remedial legislation by the waste facility siting board).

Read a second time.

Ordered to a third reading.

By request of Senator Strohl, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 272

Read a third time and passed.

Senate Bill 292

Relating to the form of a county tract index.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Strohl, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 292

Read a third time and passed.

Assembly Bill 74

Relating to appointment of the law librarian in populous counties.

Read a second time.

Ordered to a third reading.

By request of Senator Strohl, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 74

Read a third time and concurred in.

By request of Senator Strohl, with unanimous consent, the rules were suspended and the Supplemental Calendar of October 8, 1987, was taken up at this time.

Senate Bill 259

Relating to state and local historic preservation programs, income and franchise tax benefits for historic preservation expenses, the property taxation of historic property and archaeological sites, establishing a state main street program, creating a council on main street programs granting rule-making authority, making appropriations and imposing a penalty.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 259** was referred to joint committee on Finance.

Senate Bill 285

Relating to establishing a state main street program, creating a council on main street programs and making an appropriation.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 285** was referred to joint committee on Finance.

Senate Bill 293

Relating to increasing the number of circuit judges.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 293** was referred to joint committee on Finance.

MOTIONS

By request of Senator Rude, with unanimous consent, he was made a co-sponsor of **Senate Bill 330**.

By request of Senator Te Winkle, with unanimous consent, **Senate Bill 265** was withdrawn from the Joint Survey committee on Tax Exemption and referred to the committee on Economic Development, Financial Institutions and Fiscal Policies.

State of Wisconsin
State Senate

To the Honorable Members of the Legislature:

Pursuant to Senate Rule 36(2) and Section 13.52 of the Wisconsin Statutes, the Co-chairs of the Joint Survey committee on Tax Exemptions shall prepare and submit a report in writing setting forth an opinion on the desirability of **Senate Bill 265** as a matter of public policy.

Sincerely,
FRED A. RISSER
Senate President

By request of Senator Buettner, with unanimous consent, she was made a co-sponsor of **Senate Bill 350**.

By request of Senator Lekan, with unanimous consent, he was made a co-sponsor of **Senate Bill 259** and **Senate Bill 285**.

By request of Senator Strohl, with unanimous consent, all action was ordered immediately messaged.

By request of Senator Rude, with unanimous consent, the senate adjourned in honor of Wisconsin Cooperatives.

AMENDMENTS OFFERED

Senate amendment 2 to **Senate Bill 242** by Senator Jauch.

Senate amendment 1 to senate amendment 2 to **Senate Bill 153** by Senator Rude.

Senate amendment 3 to **Senate Bill 153** by Senator Rude.

Senate amendment 4 to **Senate Bill 153** by Senators Lasee and Stitt.

Upon motion of Senator Strohl the senate adjourned until 10:00 Tuesday, October 13.

12:35 P.M.