

# STATE OF WISCONSIN

## Senate Journal

### Eighty-Eighth Regular Session

10:00 A.M.

TUESDAY, October 13, 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 Phil Barnhart of Chapel on the Hill, Lake Geneva.

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

#### LEAVE OF ABSENCE

By request of Senator Engeleiter, with unanimous consent, Senator Stitt 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, Czarneski, Davis, Ellis, Engeleiter, Feingold, George, Harsdorf, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Lekan, Lorman, Moen, Norquist, Plewa, Risser, Roshell, Rude, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 32.

Absent — None.

Absent with leave — Senator Stitt — 1.

#### INTRODUCTION OF RESOLUTIONS

##### Senate Joint Resolution 44

Relating to petitioning congress to regulate the commercial airline industry.

By Senators Jauch, Kincaid, Chvala, Moen, Risser, Feingold, Van Sistine and Roshell; cosponsored by Representatives Boyle, Medinger, Loftus, Becker, Carpenter, Young, M. Coggs, Hamilton and Bolle.

Read and referred to committee on Transportation, Tourism and Conservation.

#### INTRODUCTION OF BILLS

Read first time and referred:

##### Senate Bill 364

Relating to funding for state parks and recreation areas and making an appropriation.

By Senators Strohl, Kincaid, Jauch, Chvala, Feingold, Cowles, Kreul, Ulichny, Moen, Czarneski, Roshell, Risser, Rude, Helbach and Lee; cosponsored by

Representatives Holperin, Van Dreel, Boyle, Young, Robson, Notestein, Musser, Black, Johnsrud, Bock, Bell, Loftus, Wineke, Goetsch, Roberts, Gruszynski, Neubauer, Hubler, Antaramian, Zweck, Carpenter, Linton, M. Coggs, Mark Lewis, Looby, Schultz, Brandemuehl, Ourada, Zeuske, Margaret Lewis, Merkt, Foti, Rosenzweig and Radtke.

To committee on Transportation, Tourism and Conservation.

##### Senate Bill 365

Relating to changing the exemption from registration for common stock issued by a corporation.

By Senators Stitt, Engeleiter, Davis, Ellis, Lekan, Cowles and Weeden; cosponsored by Representatives Nelsen, Prosser, Vergeront, Farrow, Welch, York and Schmidt.

To committee on Economic Development, Financial Institutions and Fiscal Policies.

##### Senate Bill 366

Relating to the purchase and loan of textbooks to pupils attending public and private schools, granting rule-making authority and making an appropriation.

By Senators Plewa, Rude, Helbach, Andrea, Chilsen, Van Sistine, Lasee and Kincaid; cosponsored by Representatives Krusick, Hauke, Medinger, Ourada, Walling, Vanderperren, Underheim, Ladwig, Boyle, Vergeront, Goetsch, Johnsrud, Robson, Welch, Swoboda, Wood, Bolle, Schmidt, Holschbach and Hasenohrl.

To committee on Education.

##### Senate Bill 367

Relating to conditions of probation and making an appropriation.

By Senator Helbach; cosponsored by Representative Hasenohrl.

To committee on Judiciary and Consumer Affairs.

##### Senate Bill 368

Relating to bait dealers and granting rule-making authority.

By Senator Helbach; cosponsored by Representative Gruszynski.

To committee on Transportation, Tourism and Conservation.

##### Senate Bill 369

Relating to leaving a young child unattended and providing a penalty.

By Senator Helbach; cosponsored by Representative Gruszynski.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 370**

Relating to failing to aid a child victim of a crime and providing a penalty.

By Senator Helbach; cosponsored by Representative Gruszynski.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 371**

An act relating to sick leave conversion for Brian Meek.

By Senators Moen, Kincaid, Buettner, Roshell, Helbach and Rude; cosponsored by Representatives Medinger, Hasenohrl, Goetsch, Porter, Musser, Radtke, Van Gorden, Roberts and Robson.

To Joint Survey committee on Retirement Systems.

**Senate Bill 372**

Relating to wildlife damage claim payments.

By Senators Moen, Kincaid, Buettner and Davis; cosponsored by Representatives Brancel, Hasenohrl, Schultz, Goetsch, Musser, Radtke, Van Dree, Hamilton, Porter, Zeuske, Volk, Ourada, McEssy and Tregoning.

To committee on Transportation, Tourism and Conservation.

**Senate Bill 373**

An act relating to funding for a household hazardous waste program and making an appropriation.

By Senators Te Winkle, Strohl, Davis, Risser, Moen, Lee, Harsdorf, Norquist, Andrea, Chvala and Buettner; cosponsored by Representatives Black, Boch, Potter, Hasenohrl, Lepak, Neubauer, Bell, Barrett, Barca, Magnuson, Rosenzweig, Wineke, Hamilton, M. Coggs, Holperin, Grobschmidt, Carpenter, Zeuske, Robson, Roberts, Young, Holschbach, Van Dree and Johnsrud.

To committee on Urban Affairs, Energy, Environmental Resources and Elections.

**Senate Bill 374**

Relating to increasing the occupational tax on iron ore concentrates.

By Senator Jauch; cosponsored by Representative Boyle.

To committee on Aging, Banking, Commercial Credit and Taxation.

**Senate Bill 375**

Relating to appeals of property tax assessments and board of review decisions.

By Senators Ellis, Roshell, Lasee, Van Sistine, Buettner and Lorman; cosponsored by Representatives McEssy, Shoemaker, Tesmer, Radtke, Hamilton, Schneiders, Robson and Margaret Lewis, by request of Michael Paul.

To committee on Aging, Banking, Commercial Credit and Taxation.

**Senate Bill 376**

Relating to matching federal funds for the purchase of a public television translator station.

By Senator Helbach; cosponsored by Representative Schneider.

To committee on Education.

**Senate Bill 377**

Relating to creating a financial assistance program for the repair and maintenance of municipal dams and making an appropriation.

By Senators Andrea, Leean, Roshell, Weeden, Chilsen, Lorman, Buettner, Moen, Kreul and Harsdorf; cosponsored by Representatives Brancel, Shoemaker, Welch, Porter, Bradley, Ourada, Berndt, Musser, Farrow, Schmidt, Radtke, Goetsch, Zeuske, Schultz, Panzer, Huelsman, Bolle, Larson, Lepak, Boyle, Barca, Brandemuehl, Wood, Nelsen, Vergeront, Foti, Ladwig, Margaret Lewis, Volk, Paulson, Johnsrud, Ott, Tregoning, Walling, Prosser and Welch.

To Joint Survey committee on Debt Management.

**Senate Bill 378**

Relating to extension of statutes of limitations.

By Senators Van Sistine, Roshell, Kincaid, Kreul and Lorman; cosponsored by Representatives McEssy, Becker and Rosenzweig.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 379**

Relating to municipal court procedure, temporary reserve municipal judges and providing penalties.

By Senator Adelman; cosponsored by Representative Rutkowski.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 380**

Relating to changing the exemption from registration for common stock issued by a corporation.

By Senator Ulichny; cosponsored by Representative Fergus.

To committee on Economic Development, Financial Institutions and Fiscal Policies.

**Senate Bill 381**

Relating to nursing homes, authorizing additional employe positions for the board on aging and long-term care, granting rule-making authority, providing a penalty and making an appropriation.

By Senator Moen; cosponsored by Representative Robinson.

To committee on Agriculture, Health and Human Services.

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**COMMITTEE REPORTS**

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

**Senate Bill 382**

Relating to: employment and training programs for recipients of aid to families with dependent children and absent parents of children receiving aid to families with dependent children, medical assistance coverage of certain children and pregnant women, child support orders in cases involving children receiving aid to families with dependent children, incentives for the establishment

of paternity in certain cases, access to tax records for verification of eligibility for public assistance programs, income maintenance fraud and error reduction, income maintenance worker competency, default judgments in paternity cases, paternity determinations, child support and maintenance obligations, creating a development zone program, creating tax benefits in respect to development zones, granting rule-making authority and making appropriations.

By request of Governor Tommy G. Thompson.

Introduction:

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

Noes, 0 -- None.

RODNEY C. MOEN  
Chair

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

State of Wisconsin  
State Senate

To the Honorable Members of the Legislature:

Pursuant to Senate Rule 36(2) and Section 13.49 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 382** as a matter of public policy.

Sincerely,  
FRED A. RISSER  
Senate President

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

VASARELLA, CAROLE, of Cedarburg, as a member of the Veterans Affairs Board, to serve for the term ending May 1, 1993.

Confirmation:

Ayes, 8 -- Senators Van Sistine, Roshell, Kincaid, Plewa, Te Winkle, Chilsen, Kreul and Leean;

Noes, 0 -- None.

BAY, DENIS E., of Sturgeon Bay, as a member of the Board of Veterans Affairs, to serve for the term ending May 1, 1993.

Confirmation:

Ayes, 8 -- Senators Van Sistine, Roshell, Kincaid, Plewa, Te Winkle, Chilsen, Kreul and Leean;

Noes, 0 -- None.

VON HADEN, TERRY, of Madison, as a member of the Accounting Examining Board, to serve for the term ending July 1, 1991.

Confirmation:

Ayes, 8 -- Senators Van Sistine, Roshell, Kincaid, Plewa, Te Winkle, Chilsen, Kreul and Leean;

Noes, 0 -- None.

#### **Senate Bill 201**

Relating to insurance holding companies, forfeitures for violations of insurance laws and rules, segregated

accounts for financial guaranty insurance and granting rule-making authority.

Introduction and adoption of senate amendment 1:

Ayes, 8 -- Senators Van Sistine, Roshell, Kincaid, Plewa, Te Winkle, Chilsen, Kreul and Leean;

Noes, 0 -- None.

Passage as amended:

Ayes, 8 -- Senators Van Sistine, Roshell, Kincaid, Plewa, Te Winkle, Chilsen, Kreul and Leean;

Noes, 0 -- None.

#### **Senate Bill 246**

Relating to admission of information from patients compensation panel proceedings.

Introduction and adoption of senate substitute amendment 1:

Ayes, 8 -- Senators Van Sistine, Roshell, Kincaid, Plewa, Te Winkle, Chilsen, Kreul and Leean;

Noes, 0 -- None.

Passage as amended:

Ayes, 8 -- Senators Van Sistine, Roshell, Kincaid, Plewa, Te Winkle, Chilsen, Kreul and Leean;

Noes, 0 -- None.

#### **Senate Bill 337**

Relating to mandatory insurance policy coverage of mental disorders and alcohol and other drug problems, and diabetes.

Passage:

Ayes, 8 -- Senators Van Sistine, Roshell, Kincaid, Plewa, Te Winkle, Chilsen, Kreul and Leean;

Noes, 0 -- None.

#### **Assembly Bill 225**

Relating to allowing retired public employes to purchase state group health insurance coverage and making an appropriation.

Concurrence:

Ayes, 8 -- Senators Van Sistine, Roshell, Kincaid, Plewa, Te Winkle, Chilsen, Kreul and Leean;

Noes, 0 -- None.

JEROME VAN SISTINE  
Chair

The committee on Aging, Banking, Commercial Credit and Taxation reports and recommends:

#### **Senate Bill 148**

Relating to requiring the department of revenue to reveal information about income taxes withheld, and sales, use and fuel taxes collected, by local units of government and imposing a fee.

Introduction and adoption of senate amendment 1:

Ayes, 8 -- Senators Feingold, Plewa, Czarnezki, Kincaid, Jauch, Kreul, Buettner and Weeden;

Noes, 0 -- None.

Passage as amended:

Ayes, 8 -- Senators Feingold, Plewa, Czarnezki, Kincaid, Jauch, Kreul, Buettner and Weeden;

Noes, 0 -- None.

SILL, ELMER C., of Waupaca, as a member of the Board on Aging and Long Term Care, to serve for the term ending May 1, 1991.

Confirmation:

Ayes, 8 -- Senators Feingold, Plewa, Czarnezki, Kincaid, Jauch, Kreul, Buettner and Weeden;  
Noes, 0 -- None.

**Senate Bill 223**

Relating to an income and franchise tax exemption for compensation for well contamination and excluding that compensation from income in computing the homestead and farmland preservation credits.

Passage:

Ayes, 8 -- Senators Feingold, Plewa, Czarnezki, Kincaid, Jauch, Kreul, Buettner and Weeden;  
Noes, 0 -- None.

**Senate Bill 306**

Relating to counties' share of the real estate transfer fee.

Passage:

Ayes, 8 -- Senators Feingold, Plewa, Czarnezki, Kincaid, Jauch, Kreul, Buettner and Weeden;  
Noes, 0 -- None.

RUSS FEINGOLD  
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Department of Health and Social Services

October 1, 1987

To the Honorable the Legislature

I am hereby submitting the report regarding the Community Options Program (COP) required under Section 3024(12r) of 1987 Wisconsin Act 27. That section requires a report concerning the implementation of rules establishing fiscal procedures and standards for COP. Specific provisions to be established by rule are identified in Section 851m of 1987 Wisconsin Act 27.

The attached report provides background information, proposed draft rule language for each of the five specific requirements under Section 851m, a brief discussion of each draft section, and a model agreement between employer and supportive home care provider. The rule language is in preliminary draft form, and has been shared with counties, advocacy groups, the Department's Long-Term Support Advisory Committee, and other interested parties. Following extensive review, a rule is expected to be submitted by November 15, 1987.

Sincerely,  
TIMOTHY F. CULLEN  
Secretary

CALENDAR OF OCTOBER 13, 1987

By request of Senator Strohl, with unanimous consent, the appointments were considered enmasse.

DAVIS, ERROLL B., JR., of Madison, as a member of the Board of Regents, to serve for the term ending May 1, 1994.

Read.

EKLUND, SANDRA J., of Peshtigo, as a member of the Savings and Loan Review Board, to serve for the term ending May 1, 1989.

Read.

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

Read.

GAISWINKLER, ROBERT S., of Brookfield, as a member of the Savings and Loan Review Board, to serve for the term ending May 1, 1991.

Read.

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

Read.

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

Read.

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

Read.

NICHOLAS, ALBERT O., of Hartland, as a member of the Board of Regents, to serve for the term ending May 1, 1994.

Read.

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

Read.

PODEWILS, WILLIAM P., of Hales Corners, as a member of the Savings and Loan Review Board, to serve for the term ending May 1, 1991.

Read.

SCHRAUFNAGEL, NANCY, of Elroy, as a member of the Savings and Loan Review Board, to serve for the term ending May 1, 1991.

Read.

STOLL, LINUS M., of Green Bay, as a member of the State Board of Vocational, Technical and Adult Education to serve for the term ending May 1, 1993.

Read.

The question was: Shall the appointments be confirmed?

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

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

Absent — None.

Absent with leave — Senator Stitt.

So the appointments were confirmed.

### SENATE CLEARINGHOUSE ORDERS

#### Senate Clearinghouse Rule 87-85

Relating to the medical assistance program.

Submitted by Department of Health and Social Services.

Report received from agency, October 12, 1987.

Referred to committee on Agriculture, Health and Human Services, October 13, 1987.

#### Senate Clearinghouse Rule 87-128

Relating to administrative suspension of operating privilege for operating a motor vehicle with a blood alcohol concentration of 0.1% or more.

Submitted by Office of the Commissioner of Transportation.

Report received from agency, October 9, 1987.

Referred to committee on Transportation, Tourism and Conservation, October 13, 1987.

#### Senate Clearinghouse Rule 87-140

Relating to administrative suspension of operating privilege for operating a motor vehicle with a blood alcohol concentration of 0.1% or more.

Submitted by Department of Transportation.

Report received from agency, October 9, 1987.

Referred to committee on Transportation, Tourism and Conservation, October 13, 1987.

The committee on Education reports and recommends:

#### Senate Clearinghouse Rule 87-84

Relating to complaint resolution and appeals.

No action taken.

JOSEPH J. CZARNEZKI  
Chair

The committee on Aging, Banking, Commercial Credit and Taxation reports and recommends:

#### Senate Clearinghouse Rule 87-54

Relating to an upward revision of the occasional sale standards for nonprofit organizations.

No action taken.

RUSS FEINGOLD  
Chair

### MESSAGE FROM THE ASSEMBLY

By Thomas T. Melvin, chief clerk.

Mr. President:

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

#### Assembly Joint Resolution 67

Passed and asks concurrence:

Assembly Bill 132

Assembly Bill 232

Assembly Bill 416

Assembly Bill 450

Assembly Bill 513

Assembly Bill 514

### MESSAGE FROM THE ASSEMBLY CONSIDERED

#### Assembly Joint Resolution 67

Relating to proclaiming the month of October, 1987, as 'Learning Disabilities Month'.

By Representatives Robinson, Holperin, Wineke, Young, Prosser, Berndt, Rosenzweig, Bell, Bock, Wood, Black and Hubler, cosponsored by Senator Strohl.

Read and referred to committee on Senate Organization.

#### Assembly Bill 132

Relating to the hours during which businesses with licenses for the sale of alcohol beverages for consumption on the premises may remain open and may sell alcohol beverages.

By Representatives Robinson, Shoemaker, Mark Lewis, Carpenter, Hubler, Bolle, Fergus, Volk, Zweck, Schneiders, Lepak, Van Gorden, Musser, Ourada, Goetsch and Vergeront, cosponsored by Senators Moen and Van Sistine.

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

#### Assembly Bill 232

Relating to board of review meetings under county assessment systems.

By Representatives Barca, Porter, Antaramian, Neubauer and Hubler, cosponsored by Senators Andrea, Lee, Chvala, Ulichny and Roshell.

Read first time and referred to committee on Urban Affairs, Energy, Environmental Resources and Elections.

#### Assembly Bill 416

Relating to revising penalties related to the Wisconsin pollution discharge elimination system.

By Representatives Black, Berndt and Seery, cosponsored by Senator Lee, by request of Attorney General Donald Hanaway.

Read first time and referred to committee on Urban Affairs, Energy, Environmental Resources and Elections.

**Assembly Bill 450**

Relating to transfer of restaurant permits in certain circumstances.

By Representatives Gronemus, Zeuske, Holschbach, Looby, Tregoning, Goetsch, Shoemaker, Hamilton, Porter, Vanderperren, Bolle, Vergeront, Linton, Van Gorden, Hasenohrl, Foti, Van Dreel, Volk, Becker, Schneiders, Zweck, Musser, Boyle, Margaret Lewis and Radtke, cosponsored by Senators Van Sistine, Lasee and Kincaid.

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

**Assembly Bill 513**

Relating to school age parent program reporting requirements.

By Representatives Potter, York, Notestein, Krusick, Swoboda and Grobschmidt, cosponsored by Senators Czarnezki and Lorman.

Read first time and referred to committee on Education.

**Assembly Bill 514**

Relating to state superintendent of public instruction approval of continuing education programs for persons licensed by the state superintendent and granting rule-making authority.

By Representatives Potter, York, Notestein, Swoboda and Grobschmidt, cosponsored by Senators Czarnezki and Lorman.

Read first time and referred to committee on Education.

CALENDAR OF OCTOBER 13, 1987

**Senate Joint Resolution 23**

Relating to selecting a lieutenant governor as the gubernatorial candidate's running mate (first consideration).

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Adelman moved rejection of **Senate Joint Resolution 23**.

The question was: Rejection of **Senate Joint Resolution 23**.

The ayes and noes were demanded and the vote was: ayes, 14; noes, 18; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Chvala, Cowles, Czarnezki, Feingold, Jauch, Kreul, Moen, Norquist, Plewa, Risser, Roshell, Strohl and Te Winkle — 14.

Noes — Senators Andrea, Buettner, Chilsen, Davis, Ellis, Engeleiter, George, Harsdorf, Helbach, Kincaid, Lasee, Lee, Leean, Lorman, Rude, Ulichny, Van Sistine and Weeden — 18.

Absent or not voting — Senator Stitt — 1.

So the motion did not prevail.

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

Ordered to a third reading.

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

**Senate Joint Resolution 23**

Read a third time.

The ayes and noes were required and the vote was: ayes, 19; noes, 13; absent or not voting, 1; as follows:

Ayes — Senators Buettner, Chilsen, Davis, Ellis, Engeleiter, George, Harsdorf, Helbach, Kincaid, Lasee, Lee, Leean, Lorman, Plewa, Roshell, Rude, Ulichny, Van Sistine and Weeden — 19.

Noes — Senators Adelman, Andrea, Chvala, Cowles, Czarnezki, Feingold, Jauch, Kreul, Moen, Norquist, Risser, Strohl and Te Winkle — 13.

Absent or not voting — Senator Stitt — 1.

So the joint resolution was adopted.

**Senate Joint Resolution 29**

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

Read.

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

The question was: Shall the joint resolution be adopted?

Adopted.

**Senate Joint Resolution 40**

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

Read.

Adopted.

**Senate Bill 19**

Relating to granting creditable military service to members of the military reserve.

Read a second time.

Senate amendment 1 offered by Senator Davis.

The question was: Adoption of senate amendment 1?

Senator Feingold moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 10; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Buettner, Chvala, Czarnezki, Feingold, George, Harsdorf, Helbach, Jauch, Kincaid, Kreul, Lee, Moen, Norquist, Plewa, Risser, Roshell, Strohl, Te Winkle, Ulichny and Van Sistine — 22.

Noes — Senators Chilsen, Cowles, Davis, Ellis, Engeleiter, Lasee, Leraan, Lorman, Rude and Weeden — 10.

Absent or not voting — Senator Stitt — 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 19**

Read a third time and passed.

**Senate Bill 114**

Relating to permitting the direct return of an unpaid check to the bank in which first deposited.

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 114**

Read a third time and passed.

**Senate Bill 134**

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

Read a second time.

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

Senate amendment 2 offered by Senator Harsdorf.

The question was: Adoption of senate amendment 2?

Senator Helbach moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

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

Ayes — Senators Andrea, Buettner, Chvala, Cowles, Czarnezki, Ellis, Feingold, George, Helbach, Jauch, Kincaid, Lee, Lorman, Moen, Norquist, Plewa, Risser, Roshell, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 23.

Noes — Senators Adelman, Chilsen, Davis, Engeleiter, Harsdorf, Kreul, Lasee, Leraan and Rude — 9.

Absent or not voting — Senator Stitt — 1.

So the motion prevailed.

Senate amendment 3 offered by Senator Adelman.

The question was: Adoption of senate amendment 3?

Senator Helbach moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3? The motion did not prevail.

The question was: Adoption of senate amendment 3?

The ayes and noes were demanded and the vote was: ayes, 9; noes, 22; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Chilsen, Cowles, Davis, Feingold, Harsdorf, Kreul, Lasee and Rude — 9.

Noes — Senators Andrea, Buettner, Chvala, Czarnezki, Ellis, George, Helbach, Jauch, Kincaid, Lee, Leraan, Lorman, Moen, Norquist, Plewa, Risser, Roshell, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 22.

Absent or not voting — Senator Stitt — 1.

So the amendment failed to be adopted.

Senate amendment 4 offered by Senators Helbach and Rude.

The question was: Adoption of senate amendment 4? Adopted.

Senate amendment 5 offered by Senator Kreul.

The question was: Adoption of senate amendment 5?

Senator Helbach moved rejection of senate amendment 5.

The question was: Rejection of senate amendment 5? The motion prevailed.

Senate amendment 6 offered by Senator Chilsen.

The question was: Adoption of senate amendment 6?

Senator Helbach raised the point of order that senate amendment 6 was not germane.

The chair ruled the point of order not well taken.

The question was: Adoption of senate amendment 6?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 20; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Buettner, Chilsen, Cowles, Davis, Ellis, Engeleiter, Feingold, Harsdorf, Kreul, Lasee and Leraan — 12.

Noes — Senators Andrea, Chvala, Czarnezki, George, Helbach, Jauch, Kincaid, Lee, Lorman, Moen, Norquist, Plewa, Risser, Roshell, Rude, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 20.

Absent or not voting — Senator Stitt — 1.

So the amendment failed to be 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 134**

Read a third time.

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

Ayes — Senators Andrea, Buettner, Chvala, Cowles, Czarnezki, Ellis, Feingold, George, Helbach, Jauch,

Lasee, Lee, Leean, Lorman, Moen, Norquist, Plewa, Roshell, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 23.

Noes — Senators Adelman, Chilsen, Davis, Engeleiter, Harsdorf, Kincaid, Kreul, Risser and Rude — 9.

Absent or not voting — Senator Stitt — 1.

So the bill passed.

**Senate Bill 210**

Relating to street width, sanitary conditions and the applicability of subdivision regulations to condominium developments and granting rule-making authority.

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 210**

Read a third time and passed.

**Senate Bill 218**

Relating to the definition of a pedestrian.

Read a second time.

The question was: Adoption of senate substitute 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 218**

Read a third time and passed.

**Senate Bill 241**

Relating to analysis of the impact of award of certain state contracts to prison industries.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator George, with unanimous consent, **Senate Bill 241** was referred to joint committee on Finance.

**Senate Bill 242**

Relating to interstate city law enforcement agreements.

Read a second time.

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

The question was: Adoption of senate amendment 2? Adopted.

Ordered to a third reading.

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

**Senate Bill 242**

Read a third time.

By request of Senator George, with unanimous consent, **Senate Bill 242** was referred to committee on Judiciary and Consumer Affairs.

**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).

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Adelman, with unanimous consent, senate amendment 1 was laid on the table.

By request of Senator George, with unanimous consent, **Senate Bill 273** was referred to the joint committee on Finance.

By request of Senator George, with unanimous consent, **Senate Bill 273** was withdrawn from the joint committee on Finance and considered for action at this time.

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 273**

Read a third time and passed.

**Senate Bill 291**

Relating to offenses against animals and providing a penalty.

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 291**

Read a third time and passed.

**Senate Bill 327**

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

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 327** was referred to joint committee on Finance.

**Senate Bill 328**

Relating to exemptions from prior approval by the department of industry, labor and human relations of private sewage systems before the issuance of sanitary permits and granting rule-making authority.

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 328**

Read a third time and passed.

**Assembly Joint Resolution 46**

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

Read.

Concurred in.

**Assembly Bill 19**

Relating to forfeitures for alcohol beverages violations by underage persons.

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 19**

Read a third time and concurred in.

**Assembly Bill 23**

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

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.

**Assembly Bill 23**

Read a third time and concurred in as amended.

**Assembly Bill 47**

Relating to exempting a motor vehicle dealer from damages caused by the operation of an overweight vehicle.

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 47**

Read a third time and concurred in.

**Assembly Bill 65**

Relating to milk container capacity.

Read a second time.

Senate amendment 1 offered by Senator Davis.

The question was: Adoption of senate amendment 1?

Senator Lee moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

The motion did not prevail.

The question was: Adoption of senate amendment 1?

Senator Lee moved that senate amendment 1 be laid on the table.

The question was: Shall senate amendment 1 be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 16; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Chvala, Feingold, George, Helbach, Jauch, Kincaid, Lee, Moen, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine — 16.

Noes — Senators Buettner, Chilsen, Cowles, Czarnecki, Davis, Ellis, Engeleiter, Harsdorf, Kreul, Lasee, Leean, Lorman, Norquist, Rude, Te Winkle and Weeden — 16.

Absent or not voting — Senator Stitt — 1.

So the motion did not prevail.

The question was: Adoption of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Buettner, Chilsen, Cowles, Czarnecki, Davis, Ellis, Engeleiter, Feingold, Harsdorf, Jauch, Kreul, Lasee, Leean, Lorman, Norquist, Rude, Te Winkle and Weeden — 19.

Noes — Senators Andrea, Chvala, George, Helbach, Kincaid, Lee, Moen, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine — 13.

Absent or not voting — Senator Stitt — 1.

So the amendment was adopted.

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 65**

Read a third time and concurred in as amended.

**Assembly Bill 71**

Relating to burden of persuasion at competency hearings.

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 71**

Read a third time and concurred in.

**Assembly Bill 72**

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

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 72**

Read a third time and concurred in.

**Assembly Bill 73**

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

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 73**

Read a third time and concurred in.

**Assembly Bill 117**

Relating to the office of tax commissioner in 1st class cities.

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.

**Assembly Bill 117**

Read a third time and concurred in as amended.

**Assembly Bill 150**

Relating to law enforcement agency policies on the use of force and citizen complaint procedures.

Read a second time.

By request of Senator Strohl, with unanimous consent, **Assembly Bill 150** was laid on the table.

**Assembly Bill 213**

Relating to the age requirement for taking a motorcycle safety course in a vocational, technical and adult education school.

Read a second time.

Senate amendment 1 to assembly substitute amendment 1 offered by Senators Ellis and Engeleiter.

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

By request of Senator Andrea, with unanimous consent, **Assembly Bill 213** was placed at the foot of the calendar.

**Assembly Bill 268**

Relating to sequestration of jurors in criminal trials.

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 268**

Read a third time and concurred in.

**Assembly Bill 276**

Relating to arraignments.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 276**

Read a third time and concurred in.

**Assembly Bill 280**

Relating to common and unified school district procedure to borrow from the state trust fund.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 280**

Read a third time and concurred in.

**Assembly Bill 283**

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

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 283**

Read a third time and concurred in.

**Assembly Bill 323**

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

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 323**

Read a third time and concurred in.

**Assembly Bill 355**

Relating to establishing a minimum wage for certain employes.

Senate amendment 1 offered by Senator Ellis.

The question was: Adoption of senate amendment 1?

Senate substitute amendment 1 offered by Senators Engeleiter, Leean and Davis.

The question was: Adoption of senate substitute amendment 1?

Senator Chvala moved rejection of senate substitute amendment 1.

The question was: Rejection of senate substitute amendment 1.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 10; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Chilsen, Chvala, Czarnecki, Feingold, George, Helbach, Jauch, Kincaid, Lee, Moen, Norquist, Plewa, Risser, Roshell, Rude,

Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 22.

Noes — Senators Buettner, Cowles, Davis, Ellis, Engeleiter, Harsdorf, Kreul, Lasee, Llean and Lorman — 10.

Absent or not voting — Senator Stitt — 1.

So the motion prevailed.

Senate amendment 1 to senate amendment 1 offered by Senator Ellis.

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

Adopted.

The question was: Adoption of senate amendment 1?

Senator Chvala moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

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, Chvala, Czarnezki, Davis, Feingold, George, Helbach, Jauch, Kincaid, Lee, Moen, Norquist, Plewa, Risser, Roshell, Rude, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 23.

Noes — Senators Chilsen, Cowles, Ellis, Engeleiter, Harsdorf, Kreul, Lasee, Llean and Lorman — 9.

Absent or not voting — Senator Stitt — 1.

So the motion prevailed.

Senate amendment 2 offered by Senator Davis.

The question was: Adoption of senate amendment 2?

Senator Chvala moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

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, Chvala, Czarnezki, Feingold, George, Harsdorf, Helbach, Jauch, Kincaid, Lee, Moen, Norquist, Plewa, Risser, Roshell, Rude, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 23.

Noes — Senators Chilsen, Cowles, Davis, Ellis, Engeleiter, Kreul, Lasee, Llean and Lorman — 9.

Absent or not voting — Senator Stitt — 1.

So the motion prevailed.

Senate amendment 3 offered by Senator Chilsen.

The question was: Adoption of senate amendment 3?

Senator Chvala moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

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, Chvala, Czarnezki, Feingold, George, Helbach, Jauch, Kincaid, Lee, Moen, Norquist, Plewa, Risser, Roshell, Rude, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 21.

Noes — Senators Buettner, Chilsen, Cowles, Davis, Ellis, Engeleiter, Harsdorf, Kreul, Lasee, Llean and Lorman — 11.

Absent or not voting — Senator Stitt — 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.

### Assembly Bill 355

Read a third time.

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

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

Noes — Senators Buettner, Cowles, Davis, Ellis, Engeleiter, Lasee, Llean, Lorman and Rude — 9.

Absent or not voting — Senator Stitt — 1.

So the bill was concurred in.

### Assembly Bill 213

Relating to the age requirement for taking a motorcycle safety course in a vocational, technical and adult education school.

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.

### Assembly Bill 213

Read a third time and concurred in as amended.

By request of Senator Strohl, with unanimous consent, **Senate Bill 242** was withdrawn from committee on Judiciary and Consumer Affairs and laid on the table.

By request of Senator Strohl, with unanimous consent, the Senate returned to the second and third orders of business.

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INTRODUCTION OF RESOLUTIONS

**Senate Joint Resolution 45**

Relating to the life and public service of Robert S. Travis, Sr.

By Senators Chilsen and Kreul.

Read.

Considered as privileged and taken up.

Adopted by unanimous rising vote.

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INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 383**

Relating to the amount designated by individuals for the Wisconsin election campaign fund.

By Senators Czarnecki, Lee, Moen, Cowles, Te Winkle, Feingold, Risser, Chvala and Strohl; cosponsored by Representatives Carpenter, Barrett, Black, Potter, Neubauer, Travis, Clarenbach, Seery, Bock, Fortis, Gruszynski, Schmidt, Roberts, Krug, Magnuson, Young, Hamilton, Robson, Ourada and Becker.

Read first time and referred to committee on Judiciary and Consumer Affairs.

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MOTIONS

By request of Senator Strohl, with unanimous consent, **Senate Bill 31** was withdrawn from committee on Aging, Banking, Commercial Credit and Taxation and referred to committee on Judiciary and Consumer Affairs.

By request of Senator Strohl, with unanimous consent, **Senate Joint Resolution 31** was withdrawn from committee on Senate Rules and referred to committee on Judiciary and Consumer Affairs.

By request of Senator Strohl, with unanimous consent, **Assembly Bill 410** was withdrawn from committee on Senate Rules and referred to committee on Transportation, Tourism and Conservation.

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

Senator Andrea asked unanimous consent that **Senate Bill 31** be withdrawn from committee on Judiciary and Consumer Affairs and referred to committee on Housing, Government Operations and Cultural Affairs.

Senator Adelman objected.

Senator Andrea asked unanimous consent that **Senate Bill 31** be withdrawn from committee on Judiciary and Consumer Affairs and referred to committee on Senate Rules.

Senator Strohl objected.

Senator Andrea moved that **Senate Bill 31** be withdrawn from committee on Judiciary and Consumer Affairs and referred to committee on Senate Rules.

The question was: Shall **Senate Bill 31** be withdrawn from committee on Judiciary and Consumer Affairs and referred to committee on Senate Rules?

By request of Senator Roshell, with unanimous consent, the senate recessed until 4:20 P.M.

3:50 P.M.

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RECESS

4:20 P.M.

The senate reconvened.

By request of Senator Andrea, with unanimous consent, he withdrew his motion to withdraw **Senate Bill 31** from committee on Judiciary and Consumer Affairs.

Senator Chilsen asked unanimous consent that **Senate Bill 31** be withdrawn from committee on Judiciary and Consumer Affairs and referred to committee on Agriculture, Health and Human Services.

Senator Strohl objected.

Senator Chilsen asked unanimous consent that **Senate Bill 31** be withdrawn from committee on Judiciary and Consumer Affairs and referred to committee on Urban Affairs, Energy, Environmental Resources and Elections.

Senator Strohl objected.

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AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 183** by Senator Czarnecki.

Senate amendment 2 to **Senate Bill 241** by Senator Cowles.

Upon motion of Senator Strohl the senate adjourned until 10:00 A.M. Thursday, October 15.

4:39 P.M.