

STATE OF WISCONSIN

Senate Journal

Eighty-Eighth Regular Session

10:00 A.M.

TUESDAY, February 9, 1988

The senate met.

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

By request of the Chair, with unanimous consent, the calling of the roll was dispensed with.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 53

Relating to the county office of surveyor (first consideration).

By Senators Plewa, Weeden, Andrea, Lee, Chvala, Helbach, Risser, Chilsen and Leean; cosponsored by Representatives Medinger, Wineke, Neubauer, Thompson, Notestein, Ott, Roberts, Linton, Johnsrud and Junkermann, by request of Wisconsin Counties Association.

Read first time and referred to committee on Housing, Government Operations and Cultural Affairs.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 504

Relating to changing the maximum finance charge permitted in certain open-end credit plans.

By Senators Feingold, Chvala, Strohl, Lee, Jauch, Plewa and Risser; cosponsored by Representatives Travis, Young, Seery, Carpenter, Robson, Fortis, Becker, Wood and Clarenbach.

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

Senate Bill 505

Relating to changing the maximum finance charge permitted in certain open-end credit plans that do not use a seller credit card.

By Senators Feingold, Strohl, Lee, Kreul, Chvala, Weeden, Plewa, Andrea, Jauch and Risser; cosponsored by Representatives Fortis, Holperin, Young, Robson, Clarenbach, Seery, Carpenter, Wineke and Wood.

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

Senate Bill 506

Relating to establishing a correctional institution in the city of Waupun.

By Senators Lorman, Buettner, Weeden, Andrea, Engeleiter, Chilsen and Stitt; cosponsored by

Representatives Goetsch, Welch, Panzer, Margaret Lewis, Vergeront, Walling, Tregoning, Prosser, Radtke and Lepak.

To committee on Agriculture, Health and Human Services.

Senate Bill 507

Relating to requiring nurse membership on the governing bodies of certain hospitals.

By Senators Strohl, Czarnecki, Rude, Chilsen and Risser; cosponsored by Representatives Robson, Loftus, Kunicki, Bell, Shoemaker, Fortis, Seery, Zweck, M. Coggs, Junkermann, Hasenohrl, Boyle, Krusick, Barrett, Nelsen, Becker and Carpenter.

To committee on Agriculture, Health and Human Services.

Senate Bill 508

Relating to establishing a nursing student loan program, granting rule-making authority and making an appropriation.

By Senators Strohl, Moen, Chilsen, Czarnecki, Ulichny and Risser; cosponsored by Representatives Robson, Loftus, Robinson, Schneider, Margaret Lewis, Bell, Neubauer, Barrett, Shoemaker, Rosenzweig, Zweck, M. Coggs, Fortis, Underheim, Seery, Van Dreel, Junkermann, Hasenohrl, Barca, Bock, Boyle, Notestein, Krusick, Becker, Black, Carpenter, Kunicki and Medinger.

To committee on Education.

Senate Bill 509

An act relating to providing for a study on nursing education.

By Senators Strohl, Moen, Czarnecki, Rude, Chilsen, Cowles and Risser; cosponsored by Representatives Robson, Loftus, Grobschmidt, Barca, Robinson, Schneider, Margaret Lewis, Bell, Kunicki, Barrett, Shoemaker, Rosenzweig, Zweck, M. Coggs, Underheim, Fortis, Seery, Van Dreel, Junkermann, Hasenohrl, Neubauer, Volk, Bock, Carpenter, Becker, Boyle, Krusick and Nelsen.

To committee on Education.

Senate Bill 510

Relating to establishing a nursing incentive grant program, creating a council on nursing incentive grants, granting rule-making authority and making an appropriation.

By Senators Strohl, Moen, Chilsen, Van Sistine, Cowles, Ulichny, Czarnecki and Risser; cosponsored by Representatives Robson, Loftus, Robinson, Bell, Neubauer, Van Dreel, Barrett, Seery, Fortis, Holperin,

Zweck, Shoemaker, Junkermann, Hasenohrl, Krusick, Coleman, Notestein, Becker, Black and Carpenter.

To committee on Agriculture, Health and Human Services.

Senate Bill 511

An act relating to direct expenditure of \$4,288.03 from moneys appropriated to the department of transportation for payment of a claim against the state made by GTE MTO Inc.

By Senator George; cosponsored by Representative Schneider, by request of State Claims Board.

To joint committee on Finance.

COMMITTEE REPORTS

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Bill 79

Relating to sexual assault.

Introduction and adoption of Senate amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

Lynn S. Adelman
Chair

The committee on Education reports and recommends:

Senate Joint Resolution 8

Relating to abolishing, over a 10-year period, the use of the property tax for school operations (first consideration).

Adoption:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach, Moen, Jauch, Harsdorf and Rude;

Noes, 1 -- Senator Lorman.

Assembly Bill 11

Relating to disclosing a dependent adult pupil's records to the pupil's parents.

Introduction and adoption of Senate amendment 1:

Ayes, 5 -- Senators Czarnezki, Adelman, Helbach, Jauch and Lorman;

Noes, 3 -- Moen, Harsdorf and Rude.

Concurrence as amended:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach, Moen, Jauch, Lorman and Rude;

Noes, 1 -- Senator Harsdorf.

Assembly Bill 12

Relating to school district notification of child delinquency adjudications.

Introduction and adoption of Senate amendment 1:

Ayes, 8 -- Senators Czarnezki, Adelman, Helbach, Moen, Jauch, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 8 -- Senators Czarnezki, Adelman, Helbach, Moen, Jauch, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Joseph Czarnezki
Chair

The joint committee on Finance reports and recommends:

Senate Bill 39

An act to direct expenditure of \$7,247.63 from the general fund for payment of a claim against the state made by Richard and Susan Stoltz.

Adoption of Senate amendment 1:

Ayes, 12 -- Senators George, Roshell, Helbach, Chvala, Stitt and Davis Representatives Schneider, Travis, M. Coggs, Bell, Holperin and Panzer;

Noes, 1 -- Prosser.

Passage as amended:

Ayes, 13 -- Senators George, Roshell, Helbach, Chvala, Stitt and Davis Representatives Schneider, Travis, M. Coggs, Bell, Holperin Prosser and Panzer;

Noes, 0 -- None.

Senate Bill 42

An act to direct expenditure of \$2,202.54 from the general fund for payment of a claim against the state made by A. William Pollman.

Passage:

Ayes, 12 -- Senators George, Roshell, Helbach, Chvala, Stitt and Davis Representatives Schneider, Travis, M. Coggs, Bell, Holperin and Prosser;

Noes, 1 -- Senator Panzer.

Senate Bill 43

An act to direct expenditure of \$33,360 from the general fund for payment of a claim against the state made by Lester Rada.

Passage:

Ayes, 15 -- Senators George, Roshell, Helbach, Chvala, Andrea, Stitt and Davis Representatives Schneider, Kunicki, Travis, M. Coggs, Bell, Holperin, Prosser and Panzer;

Noes, 0 -- None.

Senate Bill 203

Relating to crimes and civil offenses against children and providing penalties.

Adoption of Senate amendment 3:

Ayes, 13 -- Senators George, Roshell, Helbach, Chvala, Andrea, Stitt and Davis Representatives Schneider, Travis, Bell, Holperin, Prosser and Panzer;

Noes, 0 -- None.

Adoption of Senate amendment 4:

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Ayes, 15 -- Senators George, Roshell, Helbach, Chvala, Andrea, Stitt and Davis Representatives Schneider, Kunicki, Travis, M. Coggs, Bell, Holperin, Prosser and Panzer;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 5:

Ayes, 13 -- Senators George, Roshell, Helbach, Chvala, Andrea, Stitt and Davis Representatives Schneider, Travis, Bell, Holperin Prosser and Panzer;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 6:

Ayes, 14 -- Senators George, Roshell, Helbach, Chvala, Andrea, Stitt and Davis Representatives Schneider, Kunicki, Travis, Bell, Holperin, Prosser and Panzer;

Noes, 0 -- None.

Passage as amended:

Ayes, 15 -- Senators George, Roshell, Helbach, Chvala, Andrea, Stitt and Davis Representatives Schneider, Kunicki, Travis, M. Coggs, Bell, Holperin, Prosser and Panzer;

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.

Adoption of Senate amendment 1:

Ayes, 14 -- Senators George, Roshell, Helbach, Chvala, Andrea, Stitt and Davis Representatives Schneider, Travis, M. Coggs, Bell, Holperin, Prosser and Panzer;

Noes, 0 -- None.

Passage as amended:

Ayes, 11 -- Senators George, Roshell, Helbach, Chvala and Andrea Representatives Schneider, M. Coggs, Bell, Holperin, Prosser and Panzer;

Noes, 3 -- Senators Stitt and Davis Representative Travis.

Senate Bill 352

Relating to outpatient mental health treatment of minors 14 years of age or older.

Passage:

Ayes, 14 -- Senators George, Roshell, Chvala, Andrea, Stitt and Davis Representatives Schneider, Kunicki, Travis, M. Coggs, Bell, Holperin, Prosser and Panzer;

Noes, 0 -- None.

Senate Bill 357

Relating to the creation of a board on health care information and of an office of health care information in the subunit of the department of health and social services having responsibility for health, granting rule-making authority, providing penalties and making appropriations.

Indefinite postponement:

Ayes, 8 -- Senators George, Roshell, Helbach, Stitt and Davis Representatives Schneider, Holperin and Panzer;

Noes, 6 -- Senators Chvala and Andrea Representatives Travis, M. Coggs, Bell and Prosser.

Gary R. George

Co-chair

Marlin Schneider

Co-chair

The committee on Transportation, Tourism and Conservation reports and recommends:

Senate Bill 471

Relating to neighborhood watch signs.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 6 -- Senators Kincaid, Roshell, Andrea, Kreul, Rude and Weeden;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Kincaid, Roshell, Andrea, Kreul, Rude and Weeden;

Noes, 0 -- None.

Senate Bill 494

Relating to contract or franchise agreements between motor vehicle dealers and manufacturers, distributors or importers.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 6 -- Senators Kincaid, Roshell, Andrea, Kreul, Rude and Weeden;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Kincaid, Roshell, Andrea, Kreul, Rude and Weeden;

Noes, 0 -- None.

Assembly Bill 282

Relating to special registration plates for retired members of the national guard.

Concurrence:

Ayes, 7 -- Senators Kincaid, Roshell, Moen, Andrea, Kreul, Rude and Weeden;

Noes, 0 -- None.

Lloyd Kincaid

Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin

Department of Health and Social Services

February 1, 1988

To the Honorable the Senate:

Pursuant to Chapter 50.096(2m), the Department of Health and Social Services is submitting to you the attached report specifying those rules promulgated by the Department of Health and Social Service concerning

nursing homes that have been repeatedly violated in 1986 and 1987 and that have resulted in Class "A" or Class "B" violation.

Sincerely,
TIMOTHY F. CULLEN
Secretary

Referred to Agriculture, Health and Human Services.

State of Wisconsin
The University of Wisconsin System
February 4, 1988

To the Honorable the Senate:

Section 20.923(5), Wis. Stats., requires that the Board of Regents assign specified titled positions to salary ranges in whatever manner the board determines. The board is required to file a report annually with the Governor and the Legislature.

Sincerely,
WALLACE LEMON
Associate Vice President

State of Wisconsin
Office of the Secretary of State
February 3, 1988

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:

BLUMENFELD, MICHAEL H., 16 N. Carroll St., Ste. 200, Madison, WI 53703 (608) 257-1888

1) Milwaukee Jewish Federation, Inc., Attn: Robert Aronson, Exec. VP, 1360 N. Prospect Ave., Milwaukee, WI 53202 (414) 271-8338 (education, family, food and drugs, health, human rights, regulation and licensing, social services, taxation, other issues related to social and economic justice)

BOYER, DENNIS, 5 Odana Ct., Madison, WI 53719 (608) 271-8850

1) AFSCME council 11, Sandra L. Bloomfield, 5 Odana Ct., Madison, WI 53719 (608) 271-8850 (state and local government, employment relations, state budgetary matters)

GERRARD, M. WILLIAM, 15 N. Pinckney St., Ste. 102, Madison, WI 53703 (608) 258-3700

1) First Boston Corporation, Tower Forty Nine, 12 E. 49th St., New York, NY 10017 (212) 909-2000 (pass legislation to permit the Board of Commissioner of Public Lands to broaden their investment opportunities)

2) Hometown, Inc., John Day, 1518 E. North Ave., Milwaukee, WI 53201 (414) 276-9311 (petroleum clean-up)

GOYKE, GARY R., 22 N. Carroll St., Madison, WI 53703 (608) 251-5997

1) Richard Duchossois, Euclid and Wilkie Roads, Arlington Heights, IL 60007 (312) 255-4300 (all general areas of legislative and administrative action which relate to pari-mutuel horse racing in Wisconsin)

GRAVES, VIRGINIA L., 44 E. Mifflin St., Ste. 301, Madison, WI 53703 (608) 255-4440

1) Association of Wisconsin HMOs, Mark Moody, c/o Network Health Plan, 100 W. Lawrence St., Appleton, WI 54911 (414) 738-4000 (legislative and administrative actions pertaining to HMOs and the Health Care Industry in General)

HILBERT, LISA, 16 N. Carroll St., Rm. 200, Madison, WI 53703 (608) 255-5522

1) Motor Cycle Industry Council, Melvin R. Stahl, 123 S. Jefferson Davis Hwy, Arlington, VA 22202 (703) 521-0444 (franchises)

JABLONSKI, ANN, 22 N. Carroll, Madison, WI 53703 (608) 251-5997

1) Dearborn Wholesale Grocers, Inc., Steve Edwards, 2801 S. Western Ave, Chicago, IL 60608 (312) 254-4300 (general areas of legislative and administrative action or rules related to the business of the corporation, including the Depts. of Agriculture and Revenue)

KILLIAN, RICHARD, P.O. BOX 1029, Neenah, WI 54956 (414) 725-9133

1) Assn of WI Snowmobile Clubs, Inc., P.O. BOX 1029, Neenah, WI 54956 (414) 725-9133 (snowmobile legislation and government administration of this sport)

OTTE, CARL, 22 N. Carroll St., Madison, WI 53703 (608) 251-5997 (608) 257-3000

1) Dearborn Wholesale Grocers, Inc., Steve Edwards, 2801 S. Western Ave, Chicago, IL 60608 (312) 254-4300 (general areas of legislative and administrative action or rules related to the business of the corporation, including the Depts. of Agriculture and Revenue)

PALEY, NOAH, c/o Murphy & Desmond, S.C., 2 E. Mifflin St., P.O. BOX 2038, Madison, WI 53701-2038

1) Fair Liquidation of Waste (Flow), 3805 S. Casper Dr., P.O. BOX 28, New Berlin, WI 53151 (414) 797-2441 (all areas affecting the Milwaukee Metropolitan Sewerage District and system and the construction, operation, management and financing thereof)

PARYS, RONALD G., 206 E. Olin Ave., Ste. 106, Madison, WI 53713 (608) 251-2320

1) Ladbroke DRC, William J. Bork, 28001 Schoolcraft, Livonia, MI 48150-2288 (313) 525-7303 (Parimutuel betting)

TARANTO, MINDY, 5 Odana Ct., Madison, WI 53719 (608) 271-8850

1) AFSCME Council 11, Sandy Bloomfield, 5 Odana Ct., Madison, WI 53719 (608) 271-8850 (state and local government, employment relations, state budgetary matters)

VAN METER, NANCY, c/o Wisconsin FNHP, 6525 W. Bluemound Rd., Milwaukee, WI 53213 (414) 475-6065

1) WI Federation of Nurses & Health Professionals, AFT. AFL-CIO, Candice Owley, Pres., 6525 W. Bluemound Rd., Milwaukee, WI 53213 (414) (health care, nursing labor, public employee, and any other issues which may affect the organization and its members)

ZIMMERMAN, PAUL SCOTT, 14 S. Carroll St., Madison, WI 53703 (608) 257-3000

1) National Farmers Organization, Attn: Dennis Jelle, 825 Water St., Sauk City, WI 53583 (608) 643-3341 (any legislation directly or indirectly affecting farmers including taxation)

NAME CHANGES and OTHER MISC. CHANGES:

GTE MTO Inc. changes name to: GTE North Incorporated.

St. Luke's Hospital, Inc. changes its name to: St. Luke's Medical Center, Inc.

New Address for Lake State Lumber Association: c/o John Zirkel, Pres., P.O. BOX 1600, Elk Grove Village, IL 60009

TERMINATION OF LOBBYIST LICENSES:

Hough, James E. terminated as of January 29, 1988 for Rexnord, Inc.

Letzing, Sybil terminated as of February 1, 1988 for General Electric Company.

Peshek, Peter terminated as of February 1, 1988 for General Electric Company.

Miller, Frederick H. terminated as of February 3, 1988 for The Vollrath Company.

Shiman, Gail terminated as of January 29, 1988 for WI Wholesale Beer Distributors Assn.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

January 21, 1988

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint TIMOTHY K. SIZE of Madison to the Health Facilities Authority, pursuant to the statute governing, to serve an interim term to expire June 30, 1990.

Respectfully,
TOMMY THOMPSON
Governor

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

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 87-130

Relating to grants for prevention of adolescent pregnancy.

Submitted by Adolescent Pregnancy Prevention Services Board.

Report received from agency, February 5, 1988.

Referred to committee on Agriculture, Health and Human Services, February 9, 1988.

The committee on Housing, Government Operations and Cultural Affairs reports and recommends:

Senate Clearinghouse Rule 86-161

Relating to rules of the division of merit recruitment and selection in the department of employment relations. No action taken.

Senate Clearinghouse Rule 86-162

Relating to rules of the secretary of the department of employment relations.

No action taken.

John R. Plewa
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 564
Assembly Bill 775
Assembly Bill 443
Assembly Bill 583
Assembly Bill 634
Assembly Bill 647

Adopted and asks concurrence in:

Assembly Joint Resolution 87

Amended and concurred in as amended:

Senate Bill 362, assembly amendment 1

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Bill 564

Relating to medical assistance coverage, health insurance coverages, day care services in schools and compulsory school attendance.

By Legislative Council.

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

Assembly Bill 775

Relating to designating ginseng as the state export root.

By Representatives Zweck and Robinson, cosponsored by Senator Chilsen.

Read first time and referred to committee on Housing, Government Operations and Cultural Affairs.

Assembly Bill 443

Relating to distribution of names of persons whose operating privileges have been denied; registration of motor bicycles; mailing orders of revocation and suspension; the definition of pedestrian; former prisoner of war registration plates; highway-related cost data audits; and authorizing state motor vehicle inspectors to enforce laws relating to all-terrain vehicles (suggested as remedial legislation by the department of transportation).

By Law Revision Committee.

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

Assembly Bill 583

Relating to automobile registration lists.

By Representatives Vanderperren, Hasenohrl, Volk, Mark Lewis, Musser, Hubler, Boyle, McEssy, Bradley, Brandemuehl, Van Gorden and Bolle, cosponsored by Senator Kincaid.

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

Assembly Bill 634

Relating to the requirements of operators of certain vehicles used to provide pupil transportation.

By Representatives Tregoning and Clarenbach.

Read first time and referred to committee on Education.

Assembly Bill 647

Relating to the disposal of yard waste.

By Representatives Black, Welch, Wineke, Young, Hasenohrl, Holschbach, Shoemaker, Goetsch, Magnuson, Robson, Travis, Johnsrud and Gruszynski, cosponsored by Senators Davis and Risser.

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

Assembly Joint Resolution 87

Relating to the life and public service of Justice Connor T. Hansen.

By Representatives Radtke, Prosser, Hauke, Margaret Lewis and Larson, cosponsored by Senator Lorman.

Read and referred to committee on Senate Organization.

AMENDMENTS OFFERED

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 290** by Senator Lee.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 150

Senate Amendment 1.

1. Page 1, line 3: substitute "2m" for "1m".

Assembly Bill 115

Assembly Substitute Amendment 2.

1. Page 2, line 16: substitute "is" for "and".

Assembly Bill 189

Assembly Substitute Amendment 1.

1. Page 1, line 4: after "(6)" insert "QUALIFIED LANDOWNER."

Assembly Substitute Amendment 2.

1. Page 1, line 4: after "(6)" insert "QUALIFIED LANDOWNER."

Assembly Bill 564

1. Page 7, line 18: delete "(a) to (c)".

Assembly Bill 647

Assembly Substitute Amendment 1.

1. Page 1, line 4: substitute "DEFINITIONS" for "DEFINITION."

Assembly Joint Resolution 87

1. Page 2, line 3: substitute "David" for "Peter".

Upon motion of the president of the senate the senate adjourned until 10:00 A.M. Thursday, February 11.

10:01 A.M.