

STATE OF WISCONSIN

Senate Journal

Eighty-Ninth Regular Session

10:00 A.M.

THURSDAY, January 26, 1989

The senate met.

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

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

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

Absent — Senator Ulichny — 1.

Absent with leave — None.

The senate stood for a moment of silent prayer.

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

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends:

Senate Resolution 3

Relating to miscellaneous changes in the senate rules. Introduction:

Ayes, 5 -- Senators Risser, Strohl, Helbach, Ellis and Rude;

Noes, 0 -- None.

Read and referred to committee on Senate Organization.

Fred A. Risser
Chair

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

Senate Joint Resolution 1

Relating to abolishing the offices of secretary of state and state treasurer (first consideration).

Adoption:

Ayes, 4 -- Senators Plewa, Ulichny, Burke and Lorman;

Noes, 2 -- Senators Van Sistine and Rude.

Senate Bill 4

Relating to disturbing burial sites on public land.

Passage:

Ayes, 6 -- Senators Plewa, Ulichny, Van Sistine, Burke, Lorman and Rude;

Noes, 0 -- None.

John R. Plewa
Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Joint Resolution 11

Relating to the veto procedure for appropriation bills (2nd consideration).

Adoption:

Ayes, 4 -- Senators Adelman, Feingold, Chvala and Stitt;

Noes, 1 -- Senator Buettner.

Senate Bill 11

Relating to suspension, revocation or cancellation of a motor vehicle operator's license.

Introduction of Senate amendment 1:

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

Noes, 0 -- None.

Introduction and adoption of Senate amendment 1 to Senate amendment 1:

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

Noes, 0 -- None.

Adoption of Senate amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

Lynn S. Adelman
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Senate Sergeant At Arms

January 12, 1989

To the Honorable the Legislature

I hereby appoint Rosemary Niespodziani as Assistant Sergeant at Arms of the Senate, giving her all powers as are derived from and inherent in said position and to perform the duties and functions of the office in the absence of the Sergeant at Arms.

Sincerely,
DANIEL B. FIELDS
Senate Sergeant At Arms

State of Wisconsin
Legislative Audit Bureau

January 25, 1989

To the Honorable the Legislature

We have completed an evaluation of workload changes in the income maintenance program as requested by the Joint Legislative Audit Committee. The Department of Health and Social Services is responsible for statewide management of the program, but counties, with 1,459 employes, are responsible for determining whether applicants for one of several public assistance programs are eligible for aid.

As a result of numerous federal and state program changes since 1982, staff time needed to effectively process a case has increased. The increased complexity of cases, combined with frustration with the State's computer system and communication by state staff have created considerable dissatisfaction among many county workers. These concerns have led the Department to request \$12.3 million in the 1989-91 biennial budget for a variety of initiatives, including \$10 million which counties could use to hire more staff or reduce expenditure of funds from county sources.

It can be questioned, however, whether substantially increasing county staff is essential, at this time, to address the program's problems. The results of a Department workload study will not be available until a year from now, which should provide a better indication of staffing needs. Moreover, our analysis indicates that factors other than staff shortages have been a more significant cause of the program's problems. In particular, a consensus exists that improving the State's computer system should be considered a high priority, which should increase considerably staff efficiency and reduce program errors.

As an alternative to approving the Department's entire staffing request, we have: 1) reviewed other budget options available to the Legislature to address program problems; and 2) recommended to the Department ways to improve program management.

We appreciate the courtesy and cooperation provided to us by Department staff and by county program managers and employes. The Department's response is Appendix III.

Sincerely,
Dale Cattanaeh
State Auditor

State of Wisconsin
Department of Industry,
Labor and Human Relations

November 30, 1988

To the Honorable the Legislature

In accordance with s. 3030(2) of Act 27, Laws of 1987, we are pleased to provide a report on our joint activities toward establishing uniform information systems for employment, training and income maintenance programs. This report gives the history and

current status of information sharing as well as some of the barriers which impede program implementation. It also provides an opportunity to talk about the future, both here and in other states.

While it is always difficult to coordinate separate agency and jurisdictional needs, expectations and resources, we believe we are working toward the kind of relationship needed to meet current and future information needs of state employment, training and income maintenance programs.

We look forward to your comments.

Sincerely,
JOHN T. COUGHLIN
Secretary
Department of Industry,
Labor and Human Relations
PATRICIA A. GOODRICH
Secretary
Department of Health
and Social Services

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 88-202

Relating to the Wisconsin job opportunity business subsidy program (WisJOBS).

Submitted by Department of Industry, Labor and Human Relations.

Report received from agency, January 25, 1989.

Referred to committee on Labor, Business, Insurance, Veterans' and Military Affairs, January 26, 1989.

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 3

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 3

Relating to the life and public service of Glenn R. Davis.

By Representatives Huelsman, Duff, Farrow, Foti, Lepak, Schneiders and Wimmer, cosponsored by Senators Stitt and Rude.

Read.

Considered as privileged and taken up.

The question was: Concurrence?

Senator Strohl, with unanimous consent, asked that the entire body of the Senate be listed as co-sponsors of **Assembly Joint Resolution 3**

Concurred in by unanimous rising vote.

CALENDAR OF JANUARY 26, 1989

Senate Joint Resolution 9

Relating to state income tax credits or refunds for property or sales taxes due in this state (2nd consideration).

Read a second time.

Senate substitute amendment 1 to **Senate Joint Resolution 9** offered by Senator Adelman.

The question was: Adoption of senate substitute amendment 1?

Senator Chvala moved rejection of senate substitute amendment 1.

Senator Strohl, with unanimous consent, asked that Senator Ulichny be granted a leave of absence until 11:00 A.M.

The question was: Rejection of senate substitute 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 Andrea, Buettner, Burke, Chvala, Czarnecki, Feingold, George, Helbach, Jauch, Kincaid, Lee, Leraan, Moen, Plewa, Risser, Shoemaker, Strohl, Te Winkle and Van Sistine — 19.

Noes — Senators Adelman, Chilsen, Cowles, Davis, Ellis, Engeleiter, Kreul, Lasee, Lorman, Roshell, Rude, Stitt and Weeden — 13.

Absent or not voting — Senator Ulichny — 1.
Rejected.

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 9

Read a third time.

The ayes and noes were required and the vote was: ayes, 23; noes, 10; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Buettner, Burke, Chvala, Czarnecki, Engeleiter, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lee, Leraan, Moen, Plewa, Risser, Rude, Shoemaker, Strohl, Te Winkle, Van Sistine and Weeden — 23.

Noes — Senators Adelman, Chilsen, Cowles, Davis, Ellis, Lasee, Lorman, Roshell, Stitt and Ulichny — 10.

Absent or not voting — None.

Adopted

Senator Helbach in the Chair at 10:47 A.M.

Senate Joint Resolution 11

Relating to the veto procedure for appropriation bills (2nd consideration).

Read a second time.

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 11

Read a third time.

The ayes and noes were required and the vote was: ayes, 22; noes, 11; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Burke, Chvala, Czarnecki, Davis, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lee, Moen, Plewa, Risser, Roshell, Shoemaker, Strohl, Te Winkle, Ulichny and Van Sistine — 22.

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

Absent or not voting — None.

Adopted.

Senate Bill 5

Relating to the membership of the Milwaukee river revitalization council.

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 5

Read a third time and passed.

Senate Bill 11

Relating to suspension, revocation or cancellation of a motor vehicle operator's license.

Read a second time.

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

By request of Senator George, with unanimous consent, **Senate Bill 11** was referred to the joint committee on Finance.

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

By request of Senator Strohl, with unanimous consent, the senate recessed until 11:19 A.M.

11:07 A.M.

RECESS

11:19 A.M.

The senate reconvened.

By request of the Chair, with unanimous consent, the Senate returned to the fourth order of business.

COMMITTEE REPORTS

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

Senate Bill 6

Relating to increasing payment for certain facilities that provide care to medical assistance recipients with respect to certain direct care costs, active treatment and operating deficits and making an appropriation.

Passage:

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

Noes, 0 -- None.

Rodney C. Moen
Chair

The joint committee on Finance reports and recommends:

Senate Bill 7

Relating to making permanent the requirement that certain motor vehicle operators and passengers use safety belts.

Passage with emergency statement attached:

Ayes, 9 -- Senators George, Chvala, Czarnezki and Davis and Representatives Kunicki, Travis, Bell, Panzer and Nelsen;

Noes, 6 -- Senators Roshell, Andrea and Leean and Representatives Coggs, Holperin and Hubler.

Gary R. George
Co-chair

Walter Kunicki
Co-chair

Senator Strohl, with unanimous consent, asked to take up the supplemental calendar.

Senate Bill 6

Relating to increasing payment for certain facilities that provide care to medical assistance recipients with respect to certain direct care costs, active treatment and operating deficits and making an appropriation.

Read a second time.

Senator George, with unanimous consent, asked that **Senate Bill 6** be referred to the joint committee on Finance.

Senate Bill 7

Relating to making permanent the requirement that certain motor vehicle operators and passengers use safety belts

Read a second time.

Senate amendments 1, 2 and 3 to **Senate Bill 7** offered by Senator Te Winkle.

The question was: Adoption of senate amendment 1?

Senator Czarnezki 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, 16; noes, 17; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Buettner, Burke, Chvala, Czarnezki, Davis, Feingold, George, Jauch, Lee, Plewa, Risser, Shoemaker, Strohl, Ulichny and Weeden — 16.

Noes — Senators Andrea, Chilsen, Cowles, Ellis, Engeleiter, Helbach, Kincaid, Kreul, Lasec, Leean, Lorman, Moen, Roshell, Rude, Te Winkle and Van Sistine — 16.

Absent or not voting — Senator Stitt --- 1.

Rejection refused.

The question was: Adoption of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 18; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Cowles, Ellis, Engeleiter, Kincaid, Kreul, Lasec, Leean, Lorman, Moen, Roshell, Rude, Stitt, Te Winkle and Van Sistine — 15.

Noes — Senators Adelman, Buettner, Burke, Chilsen, Chvala, Czarnezki, Davis, Feingold, George, Helbach, Jauch, Lee, Plewa, Risser, Shoemaker, Strohl, Ulichny and Weeden — 18.

Absent or not voting — None.

Adoption refused.

Senate amendment 1 to senate amendment 2 to **Senate Bill 7** offered by Senator Czarnezki.

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

Senator Te Winkle moved rejection of senate amendment 1 to senate amendment 2.

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

Senator Risser 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, 13; noes, 20; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Buettner, Burke, Chvala, Czarnezki, Feingold, George, Lee, Plewa, Risser, Strohl, Ulichny and Weeden — 13.

Noes — Senators Chilsen, Cowles, Davis, Ellis, Engeleiter, Helbach, Jauch, Kincaid, Kreul, Lasec, Leean, Lorman, Moen, Roshell, Rude, Shoemaker, Stitt, Te Winkle and Van Sistine -- 19.

Absent or not voting — Senator Andrea — 1.

Rejection refused.

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

The ayes and noes were demanded and the vote was: ayes, 15; noes, 18; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Cowles, Ellis, Helbach, Kincaid, Kreul, Lasee, Leean, Lorman, Moen, Roshell, Rude, Stitt, Te Winkle and Van Sistine — 15.

Noes — Senators Adelman, Buettner, Burke, Chilsen, Chvala, Czarnezki, Davis, Engeleiter, Feingold, George, Jauch, Lee, Plewa, Risser, Shoemaker, Strohl, Ulichny and Weeden — 18.

Absent or not voting — None.

Rejection refused.

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

Adopted.

Senate amendment 2 to senate amendment 2 offered by Senator Te Winkle.

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

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

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

The ayes and noes were demanded and the vote was: ayes, 14; noes, 19; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Buettner, Burke, Chilsen, Chvala, Czarnezki, Feingold, George, Lee, Plewa, Risser, Strohl, Ulichny and Weeden — 14.

Noes — Senators Andrea, Cowles, Davis, Ellis, Engeleiter, Helbach, Jauch, Kincaid, Kreul, Lasee, Leean, Lorman, Moen, Roshell, Rude, Shoemaker, Stitt, Te Winkle and Van Sistine — 19.

Absent or not voting — None.

Rejection refused.

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

Adopted.

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

The question was: Adoption of senate amendment 3?

Senator Czarnezki moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

Senator Te Winkle, with unanimous consent, asked that senate amendment 3 be returned to the author.

Senate amendment 4 to Senate Bill 7 offered by Senators Rude and Kreul.

The question was: Adoption of senate amendment 4?

Senator Czarnezki moved rejection of senate amendment 4.

The question was: Rejection of senate amendment 4? Rejected.

Senate amendment 5 to Senate Bill 7 offered by Senators Shoemaker and Te Winkle.

The question was: Adoption of senate amendment 5?

Senator Risser moved rejection of senate amendment 5.

The question was: Rejection of senate amendment 5?

Rejection refused.

The question was: Adoption of senate amendment 5?

The ayes and noes were demanded and the vote was: ayes, 11; noes, 22; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Ellis, George, Kreul, Leean, Lorman, Moen, Roshell, Rude, Shoemaker and Te Winkle — 11.

Noes — Senators Adelman, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnezki, Davis, Engeleiter, Feingold, Helbach, Jauch, Kincaid, Lasee, Lee, Plewa, Risser, Stitt, Strohl, Ulichny, Van Sistine and Weeden — 22.

Absent or not voting — None.

Adoption refused.

Senate substitute amendment 1 to Senate Bill 7 offered by Senator Adelman.

The question was: Adoption of senate substitute amendment 1?

Senator Te Winkle moved rejection of senate substitute amendment 1.

The question was: Rejection of senate substitute amendment 1?

Rejected.

Senate amendment 6 to Senate Bill 7 offered by Senator Te Winkle.

The question was: Adoption of senate amendment 6? Senator Te Winkle, with unanimous consent, asked that senate amendment 6 be returned to the author.

Senate amendment 7 to Senate Bill 7 offered by Senator Leean.

The question was: Adoption of senate amendment 7?

Senator Czarnezki moved rejection of senate amendment 7.

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The question was: Rejection of senate amendment ??

The ayes and noes were demanded and the vote was:
ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Buettner, Burke, Chilsen, Chvala, Czarnetzki, Davis, Feingold, George, Jauch, Kincaid, Lee, Plewa, Risser, Shoemaker, Strohl, Ulichny and Van Sistine — 19.

Noes — Senators Cowles, Ellis, Engeleiter, Helbach, Kreul, Lasec, Loran, Lorman, Moen, Roshell, Rude, Stitt, Te Winkle and Weeden — 14.

Absent or not voting — None.
Rejected.

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 7

Read a third time.

The ayes and noes were required and the vote was:
ayes, 20; noes, 13; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Buettner, Burke, Chilsen, Chvala, Czarnetzki, Davis, Engeleiter, Feingold, George, Helbach, Jauch, Lee, Loran, Plewa, Risser, Strohl, Ulichny, Van Sistine and Weeden — 20.

Noes — Senators Andrea, Cowles, Ellis, Kincaid, Kreul, Lasec, Lorman, Moen, Roshell, Rude, Shoemaker, Stitt and Te Winkle — 13.

Absent or not voting — None.
Passed.

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

upon the motion of Senator Strohl the senate adjourned until 10:00 A.M. Tuesday, January 31.

12:25 P.M.