

STATE OF WISCONSIN

Senate Journal

Eighty-Ninth Regular Session

10:00 A.M.

TUESDAY, May 23, 1989

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 BILLS

Read first time and referred:

Senate Bill 204

Relating to qualification for unemployment compensation benefits during certain labor disputes.

By Senator Van Sistine; cosponsored by Representatives Holschbach and Schmidt.

To committee on Labor, Business, Insurance, Veterans' and Military Affairs.

Senate Bill 205

Relating to the renaming of First Capitol state park.

By Senator Kreul; cosponsored by Representative Tregoning.

To committee on Transportation, Conservation and Mining.

Senate Bill 206

Relating to creating a McGruff house program and criminal history searches.

By Senators Buettner, Burke, Cowles, Czarnecki and Lorman; cosponsored by Representatives Krusick, Musser, Rohan, Schneiders, Ott, Moore, Lahn, Goetsch, Baldus, Panzer, Huelsman, Walling, Lehman, Boyle, Bolle, Lorge, Schmidt, Tregoning, Klusman and Underheim.

To committee on Judiciary and Consumer Affairs.

Senate Bill 207

Relating to cancellation of marks registered with the secretary of state or registers of deeds.

By Senators Buettner, Van Sistine, Kreul, Lorman and Cowles; cosponsored by Representatives Bolle, Gard, Turba, Lehman, Vanderperren, Zeuske, Moore, Musser, Baldus, Barca, Johnsrud, Underheim, Lahn, Goetsch, Klusman, Ladwig, Rosenzweig, Radtke, Vergeront and Brancel.

To committee on Housing, Government Operations and Cultural Affairs.

Senate Bill 208

Relating to authorizing town boards to fill the offices of town clerk and town treasurer and the combined office of town clerk and town treasurer by appointment.

By Senator Moen, by request of Town of Washington, Eau Claire County.

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

COMMITTEE REPORTS

The committee on Educational Financing, Higher Education and Tourism reports and recommends:

BARRY, JONATHAN B., of Madison, as a member of the Board of Vocational, Technical and Adult Education, to serve for the term ending May 1, 1995.

Confirmation:

Ayes, 6 -- Senators Jauch, Shoemaker, Lee, Moen, Weeden and Cowles;

Noes, 0 -- None.

ELLIOTT, JAMES N., of Milwaukee, as a member of the Board of Vocational, Technical and Adult Education, to serve for the term ending May 1, 1995.

Confirmation:

Ayes, 6 -- Senators Jauch, Shoemaker, Lee, Moen, Weeden and Cowles;

Noes, 0 -- None.

GELATT, CHARLES DANIEL, JR., of La Crosse, as a member of the University of Wisconsin System Board of Regents, to serve for the term ending May 1, 1996.

Confirmation:

Ayes, 6 -- Senators Jauch, Shoemaker, Lee, Moen, Weeden and Cowles;

Noes, 0 -- None.

GORDON, THOMAS J., of Bayfield, as a member of the Board of Vocational, Technical and Adult Education, to serve for the term ending May 1, 1995.

Confirmation:

Ayes, 6 -- Senators Jauch, Shoemaker, Lee, Moen, Weeden and Cowles;

Noes, 0 -- None.

Senate Joint Resolution 41

Relating to the 100th anniversary of the university of Wisconsin-Madison's college of agricultural and life sciences.

Adoption:

Ayes, 6 -- Senators Jauch, Shoemaker, Lee, Moen, Weeden and Cowles;

Noes, 0 -- None.

Assembly Bill 91

Relating to admission requirements for vocational, technical and adult education schools.

Concurrence:

Ayes, 6 -- Senators Jauch, Shoemaker, Lee, Moen,
Weeden and Cowles;
Noes, 0 -- None.

Robert Jauch
Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

CULLEY, LYNDIA, of Superior, as a member of the Public Defender Board, to serve for the term ending May 1, 1992.

Confirmation:

Ayes, 5 -- Senators Adelman, Feingold, Chvala,
Stitt and Buettner;
Noes, 0 -- None.

IBARRA, DAGOBERTO, of Waukesha, as a member of the Public Defender Board, to serve for the term ending May 1, 1992.

Confirmation:

Ayes, 5 -- Senators Adelman, Feingold, Chvala,
Stitt and Buettner;
Noes, 0 -- None.

MC CRORY, MARC, of Janesville, as a member of the Public Defender Board, to serve for the term ending May 1, 1992.

Confirmation:

Ayes, 5 -- Senators Adelman, Feingold, Chvala,
Stitt and Buettner;
Noes, 0 -- None.

MORGAN, JAMES R., of Madison, as a member of the Ethics Board, to serve for the term ending May 1, 1995.

Confirmation:

Ayes, 5 -- Senators Adelman, Feingold, Chvala,
Stitt and Buettner;
Noes, 0 -- None.

Senate Bill 64

Relating to the issuance of subpoenas by attorneys in contested cases before state agencies.

Introduction and 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

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

Senate Joint Resolution 20

Relating to memorializing congress to make equitable changes in federal dairy policy.

Adoption:

Ayes, 7 -- Senators Moen, Te Winkle, Feingold,
Jauch, Shoemaker, Lorman and Weeden;
Noes, 0 -- None.

Senate Bill 129

Relating to reimbursement of expenses for employees of juvenile correctional facilities.

Passage:

Ayes, 7 -- Senators Moen, Te Winkle, Feingold,
Jauch, Shoemaker, Lorman and Weeden;
Noes, 0 -- None.

Senate Bill 139

An act relating to reports by the department of health and social services to the legislature on activities to maximize medicare reimbursement to nursing homes.

Passage:

Ayes, 7 -- Senators Moen, Te Winkle, Feingold,
Jauch, Shoemaker, Lorman and Weeden;
Noes, 0 -- None.

Senate Bill 153

Relating to membership of the state emergency response commission.

Introduction and adoption of Senate amendment 1:

Ayes, 7 -- Senators Moen, Te Winkle, Feingold,
Jauch, Shoemaker, Lorman and Weeden;
Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Moen, Te Winkle, Feingold,
Jauch, Shoemaker, Lorman and Weeden;
Noes, 0 -- None.

Assembly Joint Resolution 30

Relating to observing the week of July 24 to 30, 1989, as Lyme Disease Awareness Week.

Concurrence:

Ayes, 7 -- Senators Moen, Te Winkle, Feingold,
Jauch, Shoemaker, Lorman and Weeden;
Noes, 0 -- None.

Rodney C. Moen
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Legislative Council

May 19, 1989

To the Honorable the Legislature:

I am pleased to transmit to you the following report to the 1989 Legislature on legislation introduced by the Legislative Council:

RL 89-5 -- Legislation on Interstate Sales and Use Taxes (1989 Senate Bills 181 and 182)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available, on request.

in the Legislative Council offices, Room 147 North, State Capitol.

Sincerely,
BONNIE REESE
Executive Secretary

State of Wisconsin
Legislative Audit Bureau

May 18, 1989

To the Honorable the Legislature:

We have completed a financial and compliance audit of the University of Wisconsin-Parkside's student financial assistance programs as required by federal regulations and as requested by the University of Wisconsin System. We also included the state grants in our awards testing for compliance with state statutes as requested by the Wisconsin Higher Educational Aids Board. Our audit period was July 1, 1986, through June 30, 1988.

The first and second sections of our report contain the University's student financial assistance programs' financial statements and the related independent auditor's opinion. The third and fourth sections contain the auditor's statement on internal control systems and statement on compliance, as well as our comments on internal control deficiencies and findings of noncompliance. The fifth section contains our comments on the status of the recommendations made during the prior audit conducted by University of Wisconsin-System Internal Audit.

Except for questioned costs of \$1,563 and minor compliance errors, we found University of Wisconsin-Parkside administered the student financial assistance programs as required by federal regulations and state statutes. The primary area of noncompliance was state grant awards. A calculation error in the Wisconsin Higher Education Grant awards for three students resulted in overawards totaling \$1,338. In addition, we found two ineligible students who received Undergraduate Minority Retention Grants from general purpose revenues totaling \$1,200, which we did not question because no grantor funds were involved.

We appreciate the courtesy and cooperation extended to us by the University of Wisconsin-Parkside staff during our audit. The University's comments on individual audit findings are within the body of our report, and its overall response is the Appendix.

Sincerely,
DALE CATTANACH
State Auditor

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 88-194

Relating to establishment of volatile organic compound emission limitations for fire truck and emergency response vehicle manufacturing.

Submitted by Department of Natural Resources.

Report received from agency, May 19, 1989.
Referred to committee on Urban Affairs, Environmental Resources, Utilities and Elections, May 23, 1989.

Senate Clearinghouse Rule 88-203

Relating to definitions, examinations, licensure, practice related to veterinary schools, consulting permits, standards of practice, unprofessional conduct and certification for animal technicians.

Submitted by Department of Regulation and Licensing.

Report received from agency, May 22, 1989.

Referred to committee on Agriculture, Health and Human Services, May 23, 1989.

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

Senate Clearinghouse Rule 88-17

Relating to well driller and pump installer registration.

No action taken.

Mordecai Lee
Chair

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

Senate Clearinghouse Rule 88-200

Relating to advertisements, representations and solicitations of life insurance policies and annuity contracts.

No action taken.

Senate Clearinghouse Rule 89-29

Relating to eliminating the requirement that property and casualty insurers file with the commissioner an annual listing of all approved forms.

No action taken.

Jerome Van Sistine
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 32

Passed and asks concurrence in:

Assembly Bill 89
Assembly Bill 231
Assembly Bill 249
Assembly Bill 263
Assembly Bill 267

Concurred in:

Senate Bill 72

Assembly recedes from its position on:

Senate Joint Resolution 21, assembly amendment 1

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Joint Resolution 32

Relating to designating 'Wisconsin Volunteer Emergency Personnel Week'.

By Representatives Klusman, Vergeront, Potter, Radtke, Van Gorden, Volk, Lehman, Plache, Ott, Lepak, Porter, Robson, Zweck, Turba, Ladwig, Duff, Coleman, Musser, Deininger, Loucks, Baldus, Schultz, Lorge, Zeuske, Barca, Underheim, Lahn, Prosser, Hamilton, Vanderperren, Farrow, Brandemuehl, Huelsman, Schneiders, Boyle, Harsdorf, Rosenzweig, Brancel, Gard and Lewis, cosponsored by Senators Buettner, Cowles, Andrea, Lasee, Lorman, Van Sistine and Weeden.

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

Assembly Bill 89

Relating to issuance of permits for the transportation of oversize loads of road construction materials on certain highways.

By Representatives Linton, Boyle, Zweck, Holperin, Volk and Hubler, cosponsored by Senator Jauch.

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

Assembly Bill 231

Relating to permitting the transportation of iron ore concentrates and alloyed iron in vehicles exceeding weight and length limitations.

By Representatives Vanderperren, Holperin and Boyle, cosponsored by Senators Van Sistine, Andrea, Cowles and Kreul.

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

Assembly Bill 249

Relating to domestic abuse incidents and providing penalties.

By Representatives Krug, Huber, Lautenschlager, Huelsman, Notestein, Radtke, Barca, Schneiders, Holschbach, Rosenzweig, Fergus, Vergeront, Boyle, Brandemuehl, Carpenter, Klusman, Stower, Bock and Rohan, cosponsored by Senators Ulichny, Buettner and Kreul.

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

Assembly Bill 263

An act to repeal, renumber, amend, reenact and revise various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of officers and institutions, correcting and clarifying references, renumbering for better location and arrangement, eliminating unnecessary and obsolete provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

By Law Revision Committee.

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

Assembly Bill 267

Relating to securing loads of junk or scrapped vehicles.

By Representatives Vanderperren, Boyle, Bolle, Plache, Brandemuehl, Musser, Van Dreef, Baldus, Carpenter, Gard, Goetsch, Hamilton, Schmidt, Stower, Walling and Zeuske, cosponsored by Senators Kincaid, Van Sistine, Andrea, Kreul, Cowles and Burke.

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

The Chair, with unanimous consent, asked that the Senate adjourn until 10:00 A.M. Thursday, May 25.

10:02 A.M.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 107** offered by Senator Roshell.