

STATE OF WISCONSIN

Senate Journal

Eighty-Ninth Regular Session

10:00 A.M.

Tuesday, January 23, 1990

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, Barrett, Berndt, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Ellis, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasec, Lekan, Moen, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 31.

Absent — Senators Farrow and Lorman — 2.

Absent with leave — None.

LEAVE OF ABSENCE

Senator Ellis, with unanimous consent, asked that Senator Farrow be granted a leave of absence for today's session.

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

The senate stood for the prayer which was offered by Pastor Dave Hein of Concordia United Methodist Church in Prairie du Sac.

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

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 67

Relating to commemorating the 10-year anniversary of the dedication of the Jacob F. Friedrick Center and the 65-year anniversary of the founding of the School for Workers at the University of Wisconsin-Extension.

By Senators Strohl, Chvala, Van Sistine, Rude, Risser, Burke, Kreul, Czarnecki, Kincaid, Plewa, Helbach, Moen, Ellis, Andrea, George, Barrett, Feingold and Te Winkle; cosponsored by Representatives Holschbach, Krug, Barca, Grobschmidt, Seery, Fortis, Rutkowski, Antaramian, Rohan, Holperin, S. Coggs, R. Potter, Notestein and Loftus.

To committee on Educational Financing, Higher Education and Tourism.

Senate Joint Resolution 68

Relating to constructing a state memorial in honor of law enforcement officers and fire fighters who have lost their lives in the line of duty.

By Senators Te Winkle, Plewa, Burke, Moen, Ulichny, Van Sistine, Andrea, Czarnecki, Barrett, Rude and Cowles; cosponsored by Representatives Grobschmidt, Krusick, Bell, Lautenschlager, Moore, Rohan, Huber, Roberts, Boyle, Plache, Vanderperren, Medinger, Carpenter, Wimmer, Radtke, Musser, R. Potter, Lahn, Lorge, Turba, Van Gorden, Zien, Harsdorf and Lewis.

To committee on Housing, Government Operations and Cultural Affairs.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 416

Relating to the requirements for a lump sum payment of retirement benefits under the Wisconsin retirement system.

By Senator Ellis, by request of Tom and LaNore Ziolkowski.

To Joint Survey committee on Retirement Systems.

Senate Bill 417

AN ACT to direct expenditure of \$21,954.29 from the general fund for payment of a claim against the state made by Donald Strahota.

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

To joint committee on Finance.

Senate Bill 418

AN ACT to direct expenditure of \$34,648.97 from the general fund for payment of a claim against the state made by Andrew Bath.

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

To joint committee on Finance.

Senate Bill 419

Relating to the qualifications of plumbing supervisors appointed by common councils of 2nd or 3rd class cities.

By Senators Davis, Kreul, Lasec and Farrow; cosponsored by Representatives Duff and Brandemuehl.

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

State of Wisconsin
Office of the Secretary of State

January 22, 1990

COMMITTEE REPORTS

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

Senate Bill 311

Relating to employment relations for members of the university of Wisconsin system academic staff.

Passage:

Ayes, 4 -- Senators Jauch, Czarnecki, Moen and Helbach;

Noes, 2 -- Senators Cowles and Weeden.

Senate Bill 314

Relating to the observance of April 22 as environmental awareness day in public schools.

Passage:

Ayes, 6 -- Senators Jauch, Czarnecki, Moen, Helbach, Cowles and Weeden;

Noes, 0 -- None.

Assembly Bill 585

Relating to authorizing the director of the vocational, technical and adult education system to appoint an executive assistant and making an appropriation.

Concurrence:

Ayes, 6 -- Senators Jauch, Czarnecki, Moen, Helbach, Cowles and Weeden;

Noes, 0 -- None.

Robert Jauch

Chair

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

Senator Barrett as Chair of the Joint Survey Committee on Tax Exemptions and as a member of the Agriculture, Corrections, Health and Human Services Committee, Education, Economic Development, Financial Institutions and Fiscal Policies Committee and Joint Committee on Audit.

Senators Jauch and Berndt to the Rural Economic Development Board.

Fred A. Risser

Chair

The question was: Confirmation of the nominations?

Confirmed.

PETITIONS AND COMMUNICATIONS

To the Honorable the Senate

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

If you have any questions concerning this transmittal, please contact Teresa Walker, Lobbyist Specialist, at (608) 266-5503.

NEWLY REGISTERED LOBBYISTS AND THEIR PRINCIPALS:

Edward L. Blume January 17, 1990, 521 Elmside Blvd., Madison WI 53704; (608) 249-0019.

1) American Managed Care Pharmacy Assn. Delbert D. Konnor, Pharm MS, Exec. VP; 2300 9th St., Ste. 210, Arlington VA 22204.

Subjects: Pharmacy regulation, especially of mail service pharmacies; the practice of pharmacy; any function or activity of any branch, department or phase of federal, state, or local government; regulation of business, finance, pharmacy, or insurance; or other topics pertaining to the general public health or welfare.

Bill Broydrick January 17, 1990, 600 E. Mason, Milwaukee WI 53202; (414)224-9393.

1) Assn. of Milwaukee County State Prosecutors Jon Reddin; 821 W. State St., Milwaukee WI 53233; (414) 278-4645.

Subjects: Any matter affecting the organization in any way by any state agency, or the legislature.

Cynthia Broydrick January 17, 1990, 600 E. Mason, Milwaukee WI 53202; (414)224-9393.

1) Assn. of Milwaukee County State Prosecutors Jon Reddin; 821 W. State St., Milwaukee WI 53233; (414) 278-4645.

Subjects: Any matter affecting the organization in any way by any state agency, or the legislature.

John R. Day January 18, 1990, 508 Michigan National Tower, Lansing MI 48933; (517)377-5368.

1) General Motors Corp. J. Edward Berry; 3044 W. Grand Blvd., Rm. 11-142A, Detroit MI 48202; (313)556-2986.

Subjects: All legislation, regulation and executive issues that impact General Motors Corp.

Anthony H. Driessen January 16, 1990, 411 E. Wisconsin Ave., Milwaukee WI 53202; (414)277-5000.

1) Procter & Gamble Co. Lavatus V. Powell, Asso. Dir.-State & Local Government Relations; 1 Procter & Gamble Plaza, Cincinnati OH 45202; (513)983-4845.

Subjects: Environmental and taxation issues.

Gary R. Goyke January 19, 1990, 22 N. Carroll St., Madison WI 53703; (608) 251-5997.

1) Jack Lenavitt 840 Spitzer Bldg., Toledo OH 43612; (419)241-1225.

Subjects: All matters relating to parimutuel racing.

Lisa Hilbert January 18, 1990, 16 N. Carroll St., 200, Madison WI 53703; (608)255-5522.

1) Medco Containment Services, Inc. Robert D. Marotta; 1900 Pollitt Dr., Fair Lawn NJ 07410; (614)462-5400.

Subjects: All areas relating to pharmacy.

Stephen J. Hiniker January 18, 1990, PO Box 721, Madison WI 53701; (608)244-3471.

1) WI Environmental Decade, Inc. William Davis, Pres.; 14 W. Mifflin, Ste. 5, Madison WI 53703; (608)251-7020.

Subjects: Recycling legislation.

Ellen D. Holden, 301 N. Broadway St., De Pere WI 54115; (800) 456-7879.

1) American Medical Security Ellen Holden or Patricia Schauer; 301 N. Broadway St., De Pere WI 54115; (800)456-7879.

Subjects: Insurance.

Carol L. Kelso January 16, 1990, 2231 N. Quincy St., Green Bay WI 54302; (414) 432-4893.

1) Green Bay Metropolitan Sewerage District 2231 N. Quincy St., Green Bay WI 54302; (414)432-4893.

Subjects: Wastewater management and environmental issues.

Kerry Korpi January 18, 1990, 4034 Cherokee Dr., Madison WI 53711; (608) 233-5813.

1) AFSCME Council 11 Sandra L. Bloomfield; 5 Odana Ct., Madison WI 53719; (608)271-8850.

Subjects: State and local government, collective bargaining, retirement and all other employment related issues.

Barry McNulty January 17, 1990, 16 N. Carroll St., Madison WI 53703; (608) 255-0566.

1) Assn. of Milwaukee County State Prosecutors Jon Reddin; 821 W. State St., Milwaukee WI 53233; (414) 278-4645.

Subjects: Any matter affecting the organization in any way by any state agency, or the legislature.

Lynn Morgan January 17, 1990, %Waste Management of WI, W124 N8925 Boundary Rd., Menomonee Falls WI 53051; (414)259-1110 & (612)784-8349.

1) Waste Management of WI William R. Katzman; W124 N8925 Boundary Rd., Menomonee Falls WI 53051; (414)359-1110.

Subjects: Environmental, transportation and all other state issues affecting the principal.

Ruthann Nelson January 19, 1990, 22 N. Carroll St., Madison WI 53703; (608) 251-5997.

1) Jack Lenavitt 840 Spitzer Bldg., Toledo OH 43612; (419)241-1225.

Subjects: All matters relating to parimutuel racing.

Carl Otte January 18, 1990, 22 N. Carroll St., Madison WI 53703; (608) 251-5997.

1) WI Commercial Fishermen, Inc. Glory Hermes; 3324 Glendale Ave., Green Bay WI 54313; (414)434-2022.

Subjects: Commercial fishing industry.

JoAnna Richard January 17, 1990, 16 N. Carroll St., Madison WI 53703; (608) 255-0566.

1) Assn. of Milwaukee County State Prosecutors Jon Reddin; 821 W. State St., Milwaukee WI 53233; (414) 278-4645.

Subjects: Any matter affecting the organization in any way by any state agency, or the legislature.

Owen Schwerdtfeger January 18, 1990, %American Family Insurance Group, 3099 E. Washington Ave., Madison WI 53783; (608)249-2111.

1) American Family Insurance Group Robert L. Kennedy, Jr.; 3099 E. Washington Ave., Madison WI; (608)249-2111.

Subjects: Matters pertaining to property and casualty insurance.

Stephen J. Spiegel January 18, 1990, 508 Michigan National Tower, Lansing MI 48933; (517)377-5368.

1) General Motors Corp. J. Edward Berry; 3044 W. Grand Blvd., Rm. 11-142A, Detroit MI 48202; (313)556-2986.

Subjects: All legislation, regulation and executive issues that impact General Motors Corp.

Peter J. Theo January 16, 1990, 1 S. Pinckney St., Ste. 600, Madison WI 53703; (608)251-5000.

1) Creative Resource Ventures, Ltd. Robert T. Glebs; 6411 Mineral Point Rd., Madison WI 53705; (608)276-6082.

Subjects: All matters related to waste disposal and landfill siting.

Paul E. Thorndsgard January 16, 1990, %Green Bay Metropolitan Sewerage Dist., 2231 N. Quincy St., Green Bay WI 54302; (414)432-4893.

1) Green Bay Metropolitan Sewerage District 2231 N. Quincy St., Green Bay WI 54302; (414)432-4893.

Subjects: Wastewater management and environmental issues.

F. Nicholas Willard January 17, 1990, %Retired Persons Serv., Inc., 600 Montgomery St., Ste. 800, Alexandria VA 22314; (703)684-0244 X 709.

1) Retired Persons Services, Inc. F. Nicholas Willard, Dir., Govt. Aff.; 500 Montgomery St., Ste. 800, Alexandria VA 22314; (703)684-0244.

Subjects: Retail pharmacy, both legislative and regulatory proceedings.

TERMINATION OF LOBBYIST LICENSES:

Bill Broydrick terminated as of January 17, 1990 for Assn. of Milwaukee County Attorneys.

Cynthia Broydrick terminated as of January 17, 1990 for Assn. of Milwaukee County Attorneys.

Sharon Cook terminated as of January 17, 1990 for M & I Marshall & Ilsley Bank.

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Timothy D. Lawless terminated as of January 16, 1990 for Metropolitan Milwaukee Assn. of Commerce.

Barry Mc Nulty terminated as of January 17, 1990 for Assn. of Milwaukee County Attorneys.

Patrick J. Nugent terminated as of January 16, 1990 for MCI Communications Corp.

JoAnna Richard terminated as of January 17, 1990 for Assn. of Milwaukee County Attorneys.

TERMINATION OF PRINCIPALS:

Group Health Cooperative of South Central WI terminated as of January 18, 1990.

M & I Marshall & Hsley Bank terminated as of January 17, 1990.

AMENDMENT TO PRINCIPAL INFORMATION:

PRINCIPAL OLD NAME: Rehabilitation Facilities of WI, Inc.

PRINCIPAL NEW NAME: Rehabilitation of WI, Inc.

LOBBYIST: Robert Lewein

DATE: January 18, 1990

PRINCIPALS STRICKEN FROM RECORD :

PRINCIPAL: WI Academy of Physician Assistants

DATE: January 12, 1990

CESSATION OF PRINCIPAL RESCINDED:

PRINCIPAL: WI Coalition for Advocacy, Inc.

ADDRESS & CONTACT PERSON: Lynn Breedlove, Exec. Dir., 16 N. Carroll St., Ste. 400, Madison WI 53703

TELEPHONE NUMBER: (608)267-0214

DATE: January 18, 1990

LOBBYISTS: Lynn Breedlove, Thomas Dixon, Roy Froemming & Dianne Greenley

ADDRESS & TELEPHONE NUMBER: Same as Principal's

Sincerely,
DOUGLAS LAFOLLETTE
Secretary of State

State of Wisconsin
Department of Health and Social Services
January 16, 1990

To the Honorable the Legislature:

Enclosed for transmittal to the appropriate standing committees is the proposed legislation to consolidate all provisions concerning employment and training for recipients of Aid to Families with Dependent Children. This fulfills the requirement under s.3023(16p) of 1989 Wisconsin Act 31.

Please feel free to contact me if you have any questions regarding the proposed legislation.

Sincerely,
PATRICIA A. GOODRICH

Secretary

Referred to committee on Agriculture, Corrections, Health and Human Services.

State of Wisconsin
Wisconsin Lottery Board

January 12, 1990

To the Honorable the Legislature:

RE: Quarterly Report of the Wisconsin Lottery Board

On behalf of the Chairman and Members of Lottery Board, I am herewith submitting for your consideration the July 1 - September 30, 1989 quarterly report of the Board, as required by S.565.37(3), Wis. Stats.

If there there are any questions or comments regarding this report, or additional information is necessary, please do not hesitate to contact me or the members of the Board, directly.

WILLIAM F. FLYNN, JR.
Executive Director

EXECUTIVE COMMUNICATIONS

CALENDAR OF JANUARY 23, 1990

Senator Strohl, with unanimous consent, asked that the appointments be taken up en masse.

BROWN, DENNIS G., of Waunakee, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1991.

DEVRIES, MARVIN, of Madison, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1993.

HOFFMAN, MELVYN G., of La Crosse, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the interim term ending July 1, 1991.

LUNDBERG, WILLIAM S., of Wisconsin Rapids, as a member of the Wisconsin State Riverway Board, to serve for the term ending May 1, 1990.

ROELLI, KATHY, of Gratiot, as a member of the Wisconsin State Riverway Board, to serve for the term ending May 1, 1992.

RUSSELL, MELVIN, of Milwaukee, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1993.

SHEFFERS, ROBERT, of Prescott, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1993.

JOURNAL OF THE SENATE [January 23, 1990]

TIFFENTHALER, JAMES E., of Milwaukee, as a member of the Lower Wisconsin State Riverway Board, to serve for the term ending May 1, 1991.

The question was: Confirmation of the appointments?

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes --- Senators Adelman, Andrea, Barrett, Berndt, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Ellis, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasec, Leean, Moen, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden -- 31.

Noes -- Senators -- 0.

Absent or not voting -- Senators Farrow and Lorman -- 2.

Confirmed.

SENATE CLEARINGHOUSE ORDERS

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

Senate Clearinghouse Rule 89-77

Relating to research funding.

No action taken.

Fred A. Risser
Chair

SECOND READING AND AMENDMENTS
OF SENATE JOINT RESOLUTIONS AND
SENATE BILLS

CALENDAR OF JANUARY 23, 1990

Senate Joint Resolution 61

Relating to expressing support for efforts to improve the nation's and our state's air transportation system.

Read.

Adopted.

Senate Bill 191

Relating to the regulation of respiratory care practitioners by the medical examining board and creating a respiratory care practitioners examining council.

Read a second time.

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 191

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 3; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Andrea, Barrett, Berndt, Buettner, Burke, Chilsen, Chvala, Cowles, Ellis, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasec, Leean, Moen, Plewa, Risser, Roshell, Rude, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden -- 28.

Noes -- Senators Czarnecki, Davis and Stitt -- 3.

Absent or not voting -- Senators Farrow and Lorman -- 2.

Passed.

Senate Bill 195

Relating to granting creditable military service for service in the merchant marine.

Read a second time.

Senate amendment 2 to **Senate Bill 195** offered by Senator Davis.

The question was: Adoption of senate amendment 2?

Senator Jauch 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, 20; noes, 11; absent or not voting, 2; as follows:

Ayes -- Senators Andrea, Barrett, Buettner, Burke, Chvala, Czarnecki, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasec, Moen, Plewa, Rude, Strohl, Te Winkle, Ulichny and Van Sistine -- 20.

Noes -- Senators Adelman, Berndt, Chilsen, Cowles, Davis, Ellis, Leean, Risser, Roshell, Stitt and Weeden -- 11.

Absent or not voting -- Senators Farrow and Lorman -- 2.

Rejected.

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 195

Read a third time.

The ayes and noes were required and the vote was: ayes, 25; noes, 6; absent or not voting, 2; as follows:

Ayes -- Senators Andrea, Barrett, Buettner, Burke, Chilsen, Chvala, Ellis, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasec, Leean, Moen, Plewa, Risser, Roshell, Rude, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden -- 25.

Noes -- Senators Adelman, Berndt, Cowles, Czarnecki, Davis and Stitt -- 6.

Absent or not voting -- Senators Farrow and Lorman -- 2.

Passed.

Senate Bill 198

Relating to a sales and use tax exemption for precious metal bullion and monetized bullion.

Read a second time.

Senator George, with unanimous consent, asked that **Senate Bill 198** be referred to joint committee on Finance.

Senate Bill 353

Relating to traffic signs and traffic control devices erected on private property where the public is invited to travel.

Read a second time.

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 353

Read a third time and passed.

Senate Bill 366

Relating to changing the dates on which certain budget procedures must be completed in a 1st class city.

Read a second time.

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 366

Read a third time and passed.

SECOND READING AND AMENDMENTS
OF ASSEMBLY JOINT RESOLUTIONS AND
ASSEMBLY BILLS

Assembly Bill 298

Relating to towing operations, abandoned vehicles and transporting occupants of disabled vehicles.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Strohl, with unanimous consent, asked that **Assembly Bill 298** be referred to committee on Transportation, Conservation and Mining.

Assembly Bill 452

Relating to tribal vital records and granting rule-making authority.

Read a second time.

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 452

Read a third time and concurred in.

Assembly Bill 533

Relating to increasing the secretary of state's filing fee for marks of ownership on containers and for brands of beverages, changing the effective period of registrations and registration renewals of marks and brands of

beverages, fees for filing certain documents with the secretary of state, changes to the laws regarding financing statements, the address requirements for incorporators, and certifications by the secretary of state (suggested as remedial legislation by the secretary of state).

Read a second time.

Senator George, with unanimous consent, asked that **Assembly Bill 533** be referred to joint committee on Finance.

Senator George, with unanimous consent, asked that **Assembly Bill 533** be withdrawn from the joint committee on Finance and taken up.

Read a second time.

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the rules be suspended and that the resolution be considered for final action at this time.

Assembly Bill 533

Read a third time.

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, Barrett, Berndt, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Ellis, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lekan, Lorman, Moen, Plewa, Riser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 32.

Noes — None.

Absent or not voting — Senator Farrow — 1.

Concurred in.

Senator Strohl, with unanimous consent, asked that all action be ordered immediately messaged.

ADJOURNMENT

Senator Strohl, with unanimous consent, asked that the Senate adjourn until 9:00 A.M. Thursday, January 25.

10:40 A.M.

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 379** offered by Senator George.

Senate substitute amendment 1 to **Senate Bill 252** offered by Senators Davis and Barrett; by request of the Badger State Cemetery Association, Wisconsin Cemetery Officials, Wisconsin Catholic Conference, and 622 Attorney General Donald Hanaway.

GUESTS

During today's session, the following visitors honored the senate with their presence:

Janet and Walter Meier, Donald and Jeannine Everett, Martha Spaulding, Margaret Watring, Jerry O. and Elinore Covelli, and Madeline R. Watring of Kenosha, Ruth A. Pallamolla of Racine and Patricia A. Parker of Union Grove.