

STATE OF WISCONSIN  
**Senate Journal**  
Eighty-Ninth Regular Session

Tuesday, February 6, 1990

10:00 A.M.

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, Chvala, Cowles, Czarnecki, Davis, Ellis, Farrow, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasec, Lecan, Lorman, Moen, Plewa, Risser, Roshell, Rude, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 31.

Absent — Senators Chilsen and Stitt — 2.

Absent with leave — None.

The senate stood for a moment of silent meditation.

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

#### LEAVE OF ABSENCE

Senator Ellis, with unanimous consent, asked that Senator Stitt be granted a leave of absence until 12:30 P.M.

#### INTRODUCTION OF RESOLUTIONS

##### **Senate Joint Resolution 72**

Relating to urging the state attorney general to investigate and prosecute violations of section 100.18 (1) of the Wisconsin statutes by alternative-to-abortion services.

By Senators Te Winkle, Chvala, Ulichny and Strohl; cosponsored by Representatives Young, Notestein, Clarenbach, Zweck, Boyle, Bock, Plache, M. Coggs, Black, Travis, Wineke and Schmidt.

To committee on Judiciary and Consumer Affairs.

##### **Senate Joint Resolution 73**

Relating to memorializing congress to suspend war-related assistance to El Salvador.

By Senators Burke, Strohl, Feingold, Chvala, Czarnecki and Plewa; cosponsored by Representatives Boyle, Clarenbach, M. Coggs, Young, Notestein, Rohan, Zweck, Hamilton, Holschbach, Plache, Carpenter, Black, Baldus, Bock, R. Potter, Huber, Medinger, Seery, Fortis, Moore and Gruszynski.

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

#### INTRODUCTION OF BILLS

Read first time and referred:

##### **Senate Bill 436**

Relating to expanding the categories of migrant worker protected and assisted by law.

By Senators Burke, Lecan, Barrett, Buettner, Chvala, Czarnecki, Kincaid, Plewa and Te Winkle; cosponsored by Representatives Plache, Bock, Welch, Rohan, Robson, Black, Boyle, Carpenter, M. Coggs, Grobschmidt, Hasenohrl, Hinkfuss, Huber, Rutkowski, Medinger, Zweck, Moore and R. Potter.

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

##### **Senate Bill 437**

Relating to grain transactions and grain inspections, providing penalties and making appropriations.

By Senators Jauch, Rude and Moen; cosponsored by Representatives Boyle, Gronemus, Roberts and Medinger.

To committee on Agriculture, Corrections, Health and Human Services.

##### **Senate Bill 438**

Relating to the authority of a savings and loan institution to transact business on Sunday, maintain demand deposit accounts, furnish customer lists and locate limited offices.

By Senators Ulichny, Burke, Rude and Farrow; cosponsored by Representatives Fortis, Notestein, Young, R. Potter and Urban.

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

##### **Senate Bill 439**

Relating to requiring security from all dairy plant licensees, establishing a dairy plant security fund and making appropriations.

By Senators Van Sistine, Lasec, Te Winkle, Strohl, Roshell, Kincaid, Feingold, Burke, Jauch, Barrett, Kreul, Rude, Lecan and Cowles; cosponsored by Representatives Gronemus, Carpenter, Holschbach, Bolle, Medinger, Hamilton, Roberts, Van Driel, Baldus, Bock, Moore, Lorge, Klusman, Zien, Young and Gard.

To committee on Agriculture, Corrections, Health and Human Services.

##### **Senate Bill 440**

Relating to ozone-depleting substances, granting rule-making authority, providing a penalty and making an appropriation.

By Senators Cowles, Burke, Te Winkle, Ellis, Czarnecki, Kreul, Berndt, Chilsen and Risser; cosponsored by Representatives Black, Seery, Porter, Goetsch, Loftus, Carpenter, Roberts, Notestein, Musser, Antaramian, Lorge, Plache, Boyle, Van Dreel, Young, Fortis and R. Potter.

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

### COMMITTEE REPORTS

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

#### Assembly Bill 417

Relating to nutritional improvement programs for the elderly at university of Wisconsin centers and institutions, private institutions of higher education, vocational, technical and adult education districts and school districts, granting rule-making authority and making an appropriation.

Concurrence:

Ayes, 5 -- Senators Feingold, Burke, Moen, Buettner and Farrow;

Noes, 0 -- None.

Russell D. Feingold  
Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

#### Assembly Bill 446

Relating to cash deposits for defendants charged with crimes.

Introduction and adoption of Senate substitute amendment 1:

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

Noes, 0 -- None.

Concurrence as amended:

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

Noes, 0 -- None.

#### Assembly Bill 606

Relating to uniform traffic citations.

Introduction and adoption of Senate amendment 1:

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

Noes, 0 -- None.

Introduction and adoption of Senate amendment 2:

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

Noes, 0 -- None.

Introduction and adoption of Senate amendment 3:

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

Noes, 0 -- None.

Concurrence as amended:

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

Noes, 0 -- None.

#### Senate Bill 127

Relating to penalties for violators of underage drinking laws.

Passage:

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

Noes, 1 -- Senator Buettner.

#### Senate Bill 235

Relating to garnishment of earnings of public officers and employees.

Adoption of Senate substitute 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.

#### Senate Bill 326

Relating to the release of helium balloons and providing a penalty.

Passage:

Ayes, 3 -- Senators Adelman, Feingold and Chvala;

Noes, 2 -- Senators Stitt and Buettner.

#### Senate Bill 379

Relating to imposing penalties for disposing of solid waste and discharging hazardous substances.

Adoption of Senate substitute 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.

#### Assembly Bill 4

Relating to authorizing a town board to adopt an ordinance imposing a civil forfeiture for contributing to truancy.

Concurrence:

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

Noes, 0 -- None.

#### Assembly Bill 159

Relating to reckless driving and providing penalties.

Concurrence:

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

Noes, 0 -- None.

#### Assembly Bill 316

Relating to issuance of a civil judgment for unpaid restitution.

Introduction and adoption of Senate amendment 1:

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

Noes, 0 -- None.

Concurrence as amended:

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

Lynn S. Adelman  
Chair

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

**Senate Bill 372**

Relating to state aid to school districts for merged  
attendance area programs and making an appropriation.

Introduction and adoption of Senate substitute  
amendment 1:

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

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Jauch, Moen, Helbach, Cowles  
and Weeden;

Noes, 1 -- Senator Czarnecki.

**Senate Bill 360**

Relating to providing debt service aid to school  
districts and making appropriations.

Passage:

Ayes, 5 -- Senators Jauch, Moen, Helbach,  
Czarnecki and Weeden;

Noes, 1 -- Senator Cowles.

**Senate Bill 400**

Relating to the Minnesota-Wisconsin student  
reciprocity agreement.

Passage:

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

Noes, 0 -- None.

**Assembly Bill 218**

Relating to discrimination against students in the  
university of Wisconsin system and the vocational,  
technical and adult education system and granting rule-  
making authority.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 431**

Relating to including information on sexual assault  
in orientation programs for university of Wisconsin  
system and vocational, technical and adult education  
students.

Concurrence:

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

Noes, 0 -- None.

**Senate Bill 298**

Relating to eliminating vocational, technical and  
adult education nonresident tuition for Wisconsin  
residents and making an appropriation.

Introduction and adoption of Senate amendment 1:

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

Noes, 0 -- None.

Introduction and adoption of Senate amendment 2:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

Robert Jauch  
Chair

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

ROONEY, JAMES F., of Racine, as a member of the  
Waterways Commission, to serve for the term ending  
March 1, 1994.

Confirmation:

Ayes, 6 -- Senators Risser, Chvala, Adelman,  
Burke, Lasee and Kreul;

Noes, 0 -- None.

STEVENSON, PAUL, of Winneconne, as a member of  
the Fox River Management Commission, to serve for  
the interim term ending March 1, 1992.

Confirmation:

Ayes, 6 -- Senators Risser, Chvala, Adelman,  
Burke, Lasee and Kreul;

Noes, 0 -- None.

CASTLE, MICHAEL J., of Oshkosh, as a member of  
the Wisconsin Waterways Commission, to serve for  
the term ending March 1, 1995.

Confirmation:

Ayes, 6 -- Senators Risser, Chvala, Adelman,  
Burke, Lasee and Kreul;

Noes, 0 -- None.

**Senate Bill 252**

Relating to the regulation of cemeteries, sales of  
cemetery lots, merchandise and mausoleum spaces,  
granting rule-making authority, providing a penalty and  
making an appropriation.

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

Ayes, 6 -- Senators Risser, Chvala, Adelman,  
Burke, Lasee and Kreul;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 2 to  
Senate substitute amendment 1:

Ayes, 6 -- Senators Risser, Chvala, Adelman,  
Burke, Lasee and Kreul;

Noes, 0 -- None.

Adoption of Senate substitute amendment 1:

Ayes, 6 -- Senators Risser, Chvala, Adelman,  
Burke, Lasee and Kreul;

Noes, 0 -- None.

Passage as amended:

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Ayes, 6 -- Senators Risser, Chvala, Adelman,  
Burke, Lasee and Kreul;  
Noes, 0 -- None.

**Senate Bill 341**

Relating to the transfer of cemetery property by a cemetery association or religious association.

Passage:

Ayes, 6 -- Senators Risser, Chvala, Adelman,  
Burke, Lasee and Kreul;  
Noes, 0 -- None.

**Senate Bill 382**

Relating to ozone-depleting refrigerant, granting rule-making authority, providing penalties and making appropriations.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 6 -- Senators Risser, Chvala, Adelman,  
Burke, Lasee and Kreul;  
Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Risser, Chvala, Adelman,  
Burke, Lasee and Kreul;  
Noes, 0 -- None.

**Assembly Bill 237**

Relating to reimbursements to local agencies for expenses incurred in hazardous substance discharge responses.

Introduction and adoption of Senate amendment 1:

Ayes, 6 -- Senators Risser, Chvala, Adelman,  
Burke, Lasee and Kreul;  
Noes, 0 -- None.

Introduction and adoption of Senate amendment 2:

Ayes, 6 -- Senators Risser, Chvala, Adelman,  
Burke, Lasee and Kreul;  
Noes, 0 -- None.

Concurrence as amended:

Ayes, 6 -- Senators Risser, Chvala, Adelman,  
Burke, Lasee and Kreul;  
Noes, 0 -- None.

**Assembly Bill 497**

Relating to wild plants of endangered or threatened species.

Concurrence:

Ayes, 6 -- Senators Risser, Chvala, Adelman,  
Burke, Lasee and Kreul;  
Noes, 0 -- None.

Fred A. Risser  
Chair

The committee on Senate Organization reports and recommends:

**Senate Resolution 6**

Relating to the membership of certain senate standing committees.

Introduction:

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

Noes, 0 -- None.

Fred A. Risser  
Chair

Senator Strohl, with unanimous consent, asked that **Senate Resolution 6** be taken up.

**Senate Resolution 6**

Relating to the membership of certain senate standing committees.

Read.

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, Chvala, Cowles, Czarnecki, Davis, Ellis, Farrow, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lecan, Lorman, Moen, Plewa, Risser, Roshell, Rude, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden -- 31.

Noes -- None.

Absent or not voting -- Senators Chilsen and Stitt - 2.

Adopted.

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

Senator Burke to the committee on Transportation, Conservation and Mining.

Senator Berndt to the committee on Educational Financing, Higher Education and Tourism and the committee on Transportation, Conservation and Mining.

Fred A. Risser  
Chair

The question was: Confirmation of the nominations?  
Confirmed.

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

PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Department of Justice

January 31, 1990

To the Honorable the Legislature:

Section 165.90 Wisconsin Statutes which provides aid for cooperative county-tribal law enforcement programs on a statewide basis was created by 1987 Wisconsin Act 326. Paragraph 165.90(5) specifies the Department of Justice shall annually report to the Governor, the Legislature and the American Indian Study Committee on the performance of these programs.

The report follows this letter. This report is available in the office of the Senate Chief Clerk.

Sincerely,  
DONALD J. HANAWAY  
Attorney General

State of Wisconsin  
Department of Health and Social Services  
February 1, 1990

To the Honorable the Legislature:

Section 3023(2g) of 1989 Wisconsin Act 121 directed the Department of Health and Social Service to submit to you, by February 1, 1990, a report on a study regarding the most suitable state department to administer youth services. Enclosed is that report.

I support the report's conclusion that youth services should remain in the Department of Health and Social Services, as directed by 1989 Wisconsin Acts 31 and 107. This Department looks forward to the opportunity of administering youth services programs within a single organization. I

Sincerely,  
PATRICIA A. GOODRICH  
Secretary

State of Wisconsin  
Department of Health and Social Services  
February 1, 1990

To the Honorable the Legislature:

Pursuant to 1987 Wisconsin Act 27, Section 3024(10r), the Department of Health and Social Service convened a Prison Overcrowding Task Force to study problems associated with the adult and juvenile justice systems. The Task Force included 22 members and began its work by first focussing upon the adult system which was experiencing the most growth and crowding. On behalf of the Task Force, the Department of Health and Social Service provided the Legislature with the requested report regarding adults in July 1989.

After concluding its work regarding adults, the Task Force turned its attention to the juvenile system. It met three times during the later half of 1989 and concluded by providing the Department with its recommendations which I am forwarding to the Legislature at this time.

In addition to the Task Force's Report, I am providing you with the response of the Department of Health and Social Services to the Task Force's recommendations. The Department's Response addresses both institutional and community juvenile justice issues.

I extend my gratitude to the men and women who diligently served as members on the Task Force, and I offer the Department's support of their efforts. I

Sincerely,  
PATRICIA A. GOODRICH  
Secretary

EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor

January 31, 1990

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint VICTOR MCHENRY of Milwaukee, as a member of the Pharmacy Examining Board pursuant to the statute governing, to serve for the term ending July 1, 1994.

Respectfully,  
TOMMY THOMPSON  
Governor

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

State of Wisconsin  
Office of the Governor

February 1, 1990

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JANE A. TRAVIS of Onalaska, as a member of the Board of Nursing pursuant to the statute governing, to serve for the term ending July 1, 1994.

Respectfully,  
TOMMY THOMPSON  
Governor

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

State of Wisconsin  
Office of the Governor

February 2, 1990

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint EDWARD F. LEONE of Milwaukee, as a member of the State Fair Park Board pursuant to the statute governing, to serve for the term ending May 1, 1995.

Respectfully,  
TOMMY THOMPSON  
Governor

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

CALENDAR OF FEBRUARY 6, 1990

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

JARVIS, JOHN, M. of Milwaukee, as a member of the Judicial Commission, to serve for the term ending August 1, 1992.

WISEMAN, CHRISTINE M., of Mequon, as a member of the Public Defender Board, to serve for the interim term ending May 5, 1991.

Read.

The question was: Confirmation of the appointments?

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, Farrow, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lekan, Lorman, Moen, Plewa, Risser, Roshell, Rude, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 32.

Noes None.

Absent or not voting — Senator Stitt — 1.

Confirmed.

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### SENATE CLEARINGHOUSE ORDERS

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

#### **Senate Clearinghouse Rule 89-140**

Relating to the operation of 'double bottoms' and certain other combination vehicles greater than 60 feet in overall length on the specified highway or highways between STH 11 near Brodhead and IH 90 near Beloit.

No action taken.

Lloyd Kincaid  
Chair

#### **Senate Clearinghouse Rule 89-112**

Relating to identification of the test provider used for the written portion of the physical therapy examination and the passing grade.

Submitted by Department of Regulation and Licensing.

Report received from agency, February 1, 1990.

Referred to committee on Agriculture, Corrections, Health and Human Services, February 6, 1990.

#### **Senate Clearinghouse Rule 89-170**

Relating to the sales and use tax treatment of telecommunication services.

Submitted by Department of Revenue.

Report received from agency, February 2, 1990.

Referred to committee on Aging, Banking, Commercial Credit and Taxation, February 6, 1990.

#### **Senate Clearinghouse Rule 89-173**

Relating to the expected conduct of youth on state or county aftercare supervision and procedures for dealing with violations of that conduct.

Submitted by Department of Health and Social Services.

Report received from agency, February 2, 1990.

Referred to committee on Agriculture, Corrections, Health and Human Services, February 6, 1990.

#### **Senate Clearinghouse Rule 89-174**

Relating to district board member appointments.

Submitted by Board of Vocational, Technical and Adult Education.

Report received from agency, February 1, 1990.

Referred to committee on Educational Financing, Higher Education and Tourism, February 6, 1990.

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### 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 86**  
**Assembly Joint Resolution 115**  
**Assembly Joint Resolution 116**

Passed and asks concurrence in:

**Assembly Bill 593**

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### MESSAGE FROM THE ASSEMBLY CONSIDERED

#### **Assembly Joint Resolution 86**

Relating to reasonable limits on state and local campaign expenditures (first consideration).

By Representatives Carpenter, Clarenbach, Gruszynski, Swoboda, Roberts, Harsdorf, Lautenschlager, Black, Robson, Potter, Travis, Musser, Zweck, Groschmidt, Hamilton, Stower, Bock, Hasenohrl, Holschbach, Seery and Boyle.

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

#### **Assembly Joint Resolution 115**

Relating to the life and public service of Sister Maureen Courtney.

By Representative Lautenschlager, cosponsored by Senator Barrett.

Read and referred to committee on Senate Organization.

Senator Strohl, with unanimous consent, asked that **Assembly Joint Resolution 115** be withdrawn from the committee on Senate Organization and taken up.

#### **Assembly Joint Resolution 115**

Relating to the life and public service of Sister Maureen Courtney.

By Representative Lautenschlager, cosponsored by Senator Barrett.

Read.

Concurred in.

#### **Assembly Joint Resolution 116**

Relating to commending Dan Brandenstein on his mission as Commander of the space shuttle, Columbia.

By Representatives Stower, Radtke, Huber, Welch, Loucks, Bolle, Vanderperren, Harsdorf, Swoboda, Van Dreef, R. Potter, Zweck, Medinger, Linton, Hubler.

Hinkfuss, Baldus, Holschbach, Musser, Lorge, Schmidt, Goetsch, Lehman, Oit, Walling, Klusman, Larson, Ourada, Lepak, Rosenzweig, Zeuske, Schneiders, Urban, Vergeront, Coleman, Van Gorden, Brandemuehl, Ladwig, Turba, Schultz, Lahn, Gard, Zien, Underheim, Huelsman, Duff, Clarenbach, Rohan, Young, Hamilton, Plache, S. Coggs, Moore, Notestein, Grobschmidt, Bock, Rutkowski, Carpenter and Holperin, cosponsored by Senators Lorman, Strohl, Risser, Van Sistine, Czarnecki, Ulichny, Plewa, Feingold, Kincaid, Helbach and Berndt.

Read and referred to committee on Senate Organization.

**Assembly Bill 593**

Relating to the study of the black bear as a predator of the white-tailed deer and making an appropriation.

By Representatives Travis, Linton, Gruszynski, Huber, Kunicki, Holperin, Boyle, Zweck, Stower, Medinger, Wineke and Lautenschlager, cosponsored by Senators Jauch and Helbach.

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

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**Assembly Bill 27**

Relating to jail and detention facility assessments.

Read.

The question was: Concurrence of assembly amendment 1 to senate amendment 1?

Senator Andrea moved non-concurrence of assembly amendment 1 to senate amendment 1.

The question was: Non-concurrence of assembly amendment 1 to senate amendment 1?

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, Barrett, Burke, Chvala, Czarnecki, Feingold, George, Helbach, Jauch, Kincaid, Plewa, Strohl, Te Winkle, Ulichny and Van Sistine — 16.

Noes — Senators Berndt, Buettner, Chilsen, Cowles, Davis, Ellis, Farrow, Kreul, Lasec, Lcean, Lorman, Moen, Risser, Roshell, Rude and Weeden — 16.

Absent or not voting — Senator Stitt — 1.

Non-concurrence refused.

The question was: Concurrence of assembly amendment 1 to senate amendment 1?

Senator George, with unanimous consent, asked that **Assembly Bill 27** be referred to the joint committee on Finance.

Senator Chilsen objected.

Senator Chilsen, with unanimous consent, withdrew his objection.

Senator Andrea objected.

Senator George, with unanimous consent, asked that **Assembly Bill 27** be placed at the foot of the calendar.

SECOND READING AND AMENDMENTS  
OF SENATE JOINT RESOLUTIONS AND  
SENATE BILLS

**Senate Bill 218**

Relating to records of executive action upon legislation.

Read a second time.

Ordered to a third reading.

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

Senator Ellis objected.

**Senate Bill 296**

Relating to changes to the uniform limited partnership act.

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 296**

Read a third time and passed.

**Senate Bill 337**

Relating to transfer on death security registration and nonprobate transfers at death.

Read a second time.

Senate amendment 1 to **Senate Bill 337** offered by Senator Davis.

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

Ordered to a third reading.

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

**Senate Bill 337**

Read a third time and passed.

**Senate Bill 360**

Relating to providing debt service aid to school districts and making appropriations.

Read a second time.

Senator George, with unanimous consent, asked that **Senate Bill 360** be referred to joint committee on Finance.

**Senate Bill 372**

Relating to state aid to school districts for merged attendance area programs and making an appropriation.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator George, with unanimous consent, asked that **Senate Bill 372** be referred to joint committee on Finance.

**Senate Bill 400**

Relating to the Minnesota-Wisconsin student reciprocity agreement.

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 400**

Read a third time and passed.

SECOND READING AND AMENDMENTS  
OF ASSEMBLY JOINT RESOLUTIONS AND  
ASSEMBLY BILLS

**Assembly Bill 33**

Relating to restitution in civil actions involving forfeitures.

Read a second time.

Senator Te Winkle, with unanimous consent, asked that **Assembly Bill 33** be placed at the foot of the calendar.

**Assembly Bill 168**

Relating to making the state fair park board independent of the department of agriculture, trade and consumer protection.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 168**

Read a third time.

Senator Moen, with unanimous consent, asked that **Assembly Bill 168** be placed at the foot of the calendar.

**Assembly Bill 208**

Relating to discharging a firearm near a mobile home or house trailer.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 208**

Read a third time and concurred in.

**Assembly Bill 210**

Relating to legal separation of spouses.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 210**

Read a third time and concurred in.

**Assembly Bill 220**

Relating to various changes in the regulation of psychologists by the psychology examining board and granting rule-making authority.

Read a second time.

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

Ordered to a third reading.

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

**Assembly Bill 220**

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, Farrow, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lekan, Lorman, Moen, Plewa, Risser, Roshell, Rude, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 32.

Noes — None.

Absent or not voting — Senator Stitt 1.

Concurred in as amended.

**Assembly Bill 352**

Relating to prohibiting interference with a multiunit dwelling resident's access to cable television service.

Read a second time.

Senate amendment 1 to **Assembly Bill 352** offered by Senator Adelman.

The question was: Adoption of senate amendment 1?

Senator Moen 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, 24; noes, 8; absent or not voting, 1; as follows:

Ayes — Senators Andrea, Barrett, Berndt, Buettner, Burke, Chilsen, Chvala, Czarnecki, George, Helbach, Jauch, Kincaid, Kreul, Lekan, Lorman, Moen, Plewa, Risser, Rude, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 24.

Noes — Senators Adelman, Cowles, Davis, Ellis, Farrow, Feingold, Lasee and Roshell — 8.

Absent or not voting — Senator Stitt 1.

Rejected.

Ordered to a third reading.



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

**Assembly Bill 352**

Read a third time and concurred in.

**Assembly Bill 433**

Relating to the recommendations made by planning councils under the special transfer program to reduce racial imbalance.

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 433**

Read a third time and concurred in.

**Assembly Bill 557**

Relating to probationary periods for state employees with physical disabilities.

Read a second time.

Senate amendment 1 to **Assembly Bill 557** offered by Senators Van Sistine and Plewa.

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

Ordered to a third reading.

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

**Assembly Bill 557**

Read a third time and concurred in as amended.

**Assembly Bill 27**

Relating to jail and detention facility assessments.

Read.

The question was: Concurrence of assembly amendment 1 to senate amendment 1?

Senator Andrea, with unanimous consent, asked that assembly amendment 1 to senate amendment 1 be laid on the table.

Tabled.

**Assembly Bill 33**

Relating to restitution in civil actions involving forfeitures.

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 33**

Read a third time and concurred in.

**Assembly Bill 168**

Relating to making the state fair park board independent of the department of agriculture, trade and consumer protection.

Concurred in.

ANNOUNCEMENTS AND REMARKS

Senator George, with unanimous consent, asked that the rules be suspended and that the senate return to the fourteenth order of business.

MOTIONS

Senator George, with unanimous consent, asked that Senator Burke be listed as a co-author of **Senate Joint Resolution 66**.

Senator Farrow, with unanimous consent, asked that she be listed as a co-author of **Senate Joint Resolution 66**.

Senator Strohl, with unanimous consent, asked that **Senate Joint Resolution 66** be withdrawn from the committee on Senator Organization and taken up.

**Senate Joint Resolution 66**

Relating to the public service of Rev. John P. Raynor, S.J.

Read.

Senator Barrett, with unanimous consent, asked that he be listed as a co-author of **Senate Joint Resolution 66**.

Adopted.

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 10:00 A.M. Thursday, February 8.

11:20 A.M.

AMENDMENTS OFFERED

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 300** offered by Senator Andrea.

Senate amendment 1 to **Senate Bill 198** offered by Senators Lecan and Helbach.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Senate Bill 408**

1. Page 2, line 22: after "(3)" insert "stating".

**Assembly Bill 38**

Assembly Substitute Amendment 1

1. Page 15, line 22: substitute "attending" for "attendency".

**Assembly Substitute Amendment 2**

1. Page 25, line 3: delete "sub." and substitute "'s.  
48.375".