

STATE OF WISCONSIN

Senate Journal

Ninetieth Regular Session

10:00 A.M.

Tuesday, February 25, 1992

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, Breske, Buettner, Burke, Chvala, Cowles, Czarnezki, Decker, Ellis, Farrow, Feingold, George, Helbach, Huelsman, Jauch, Lasee, Lekan, Lorman, Moen, Petak, Plewa, Potter, Risser, Roshell, Rude, Schultz, Stitt, Ulichny, Van Sistine and Weeden — 33.

Absent — None.

Absent with leave — None.

The Senate stood for the prayer which was offered by Pastor Le Harve Buck of Triumph the Church and Kingdom of God in Christ in Milwaukee.

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

Today before the Senate, former Senator Walter J. Chilsen, gave his farewell to the body.

Senator Risser, with unanimous consent, asked that the Senate recess until 11:02 A.M..

10:33 A.M.

RECESS

11:02 A.M.

The Senate reconvened.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 78

Relating to the life and public service of James Callan.

By Senators Burke, Barrett, Czarnezki, George, Ulichny and Plewa.

Read.

Considered as privileged and taken up.

Adopted by Unanimous rising vote.

Senate Joint Resolution 79

Providing for an advisory referendum on the question of expanding gambling in this state.

By Senators Stitt, Risser, Lekan, Moen, Lasee, Petak, Farrow, Schultz, Cowles, Huelsman and Lorman; cosponsored by Representatives Welch, Prosser, Lehman, Loucks, Vergeront, Radtke, Coleman, Rosenzweig, Lorge, Ladwig, Schneiders, Porter, Brandemuehl, Goetsch, Ainsworth, Klusman, Ott, Turba, Vrakas, Darling, Urban, Freese, Duff, Gard, Underheim, Jensen, Hahn, Van Gorden, Silbaugh, Nass, Albers, Zien and Harsdorf.

To committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 519

Relating to public service special prosecutors.

By Senators Barrett, Burke and Huelsman; cosponsored by Representatives Lautenschlager and Prosser.

To committee on Judiciary and Consumer Affairs.

Senate Bill 520

Relating to the reporting and investigation of child abuse or neglect and granting rule-making authority.

By Senators Huelsman, Burke, Farrow and Lorman; cosponsored by Representatives Young, Rosenzweig, Hahn, Lehman, Zien, Brancel, Ott, Darling, Underheim and Panzer.

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

Senate Bill 521

Relating to establishing a single-payer, publicly financed health care system for residents of this state, creating the department of health planning and finance, health policy board and regional health councils and establishing duties of the health policy board.

By Senators Feingold, Risser, Burke, Chvala, Plewa and Decker; cosponsored by Representatives Clarenbach, Fortis, Bock, Bolle, Reynolds, Hasenohrl, Holperin, Gruszynski, M. Coggs, Turner, Boyle, S. Coggs, Seery, Carpenter, Potter, Baldus, Roberts, Van Dreef and Hisrich.

To select committee on Health Care Access and Affordability.

Senate Bill 522

Relating to transporting logs by motor vehicles, trailers and semitrailers.

By Senator Decker; cosponsored by Representatives Reynolds, Schwartz, Vander Loop, Radtke, Kaufert,

Roberts, Van Gorden, Bock, Hough, Young, Klusman, Huber, Rohan, Moore, Lorge, Plache, Springer, Zien and Ott.

To committee on Transportation and Utilities.

**Senate Bill 523**

Relating to costs incurred by a public utility in a rate case.

By Senators Chvala, Decker and Czarnecki; cosponsored by Representatives Fortis, Seery, Boyle, Potter, Robson, Black and Van Dreel.

To committee on Transportation and Utilities.

**Senate Bill 524**

Relating to classifying auxiliary instructional employes as teachers under the Wisconsin retirement system.

By Senators Feingold, Burke, Chvala and Risser; cosponsored by Representatives Rohan, Fortis, Boyle and Travis.

To Joint Survey committee on Retirement Systems.

**Senate Bill 525**

Relating to contact restrictions following arrests for domestic abuse incidents.

By Senators Berndt, Potter, Huelsman, Petak and Ulichny; cosponsored by Representatives Harsdorf, Radtke, Boyle, Goetsch, Musser, Brandemuehl, Rosenzweig, Klusman, Zien, Robson, Panzer, Darling, Albers and Urban.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 526**

Relating to battery.

By Senators Berndt, Buettner, Breske, Lorman and Farrow; cosponsored by Representatives Loucks, Turba, Bell, Krug, Schneiders, Klusman, Brandemuehl, Goetsch, Musser, Reynolds, Vergeront, Panzer, Harsdorf, Freese, Ourada, Hisrich, Silbaugh and Zien.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 527**

Relating to excepting the Wisconsin veterans home at King from certain laws relating to review and approval of certain construction, capital expenditure, plans and specifications and conveyances, leases and subleases.

By Senators Breske, Van Sistine, Leraan, Jauch, Roshell, Potter, Buettner, Rude, Burke, Helbach, Plewa, Huelsman, Berndt, Farrow, Lasee, Schultz and Decker; cosponsored by Representatives Bolle, Schneider, Vander Loop, Gruszynski, Baldus, Hamilton, Van Gorden, Zien, Musser, Reynolds, Grobschmidt, Schwartz, Lorge, Harsdorf, Brandemuehl, Boyle, Turner, Van Dreel, Vergeront, Schneiders, Huber, Freese, Duff, Ourada, Kaufert, Hasenohrl, Urban, Deininger, Hahn, Stower, Brancel and Darling, by request of Department of Veterans Affairs and Department of Administration.

To committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

COMMITTEE REPORTS

REPORT OF JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

Appendix to Senate Bill 249

Public Policy Involved

The basic purpose of a retirement system is to provide income during the retirement years. National studies indicate that the majority of persons receiving a lump sum payment from a retirement system in lieu of monthly payments spend part or all of that lump sum payment for purposes other than retirement income. Federal statutes and IRS regulations place restrictions and penalties on premature distributions from retirement plans that are not rolled over into another retirement vehicle to discourage the spending of such funds for other purposes.

On the other hand, participants who terminate covered employment with relatively short service may qualify for monthly pensions that would not be meaningful in retirement planning. Recognizing this, WRS law requires a lump sum payment of very small monthly annuities (\$40 in 1992), based upon the present value of that annuity. In addition, WRS law permits employees with relatively small monthly annuity rights (\$40 to \$104 in 1992) to elect a lump sum payment of the present value of that annuity in lieu of monthly annuity payments. The current values of these thresholds (\$40 and \$104) are adjusted each year by the "salary index" as defined under Chapter 40, Stats. -- the annual percent increase in the average of total wages subject to Social Security withholding.

The rationale for the present levels of these thresholds is always subject to judgment questions and review. The present value levels may be too low relative to current salary levels and retirement income needs. The purpose of this bill is to substantially increase the mandated and permissible thresholds upon which monthly annuities would be paid in a lump sum to \$175 and \$250. This represents over a 400% increase in the present \$40 mandatory threshold, and a 240% increase in the present permissible threshold of \$104 per month. The present value of \$175 per month assuming 7.5% interest is \$23,400 at age 55, and \$19,663 at age 65. The present value of \$250 per month using a 7.5% interest assumption is \$33,422 at age 55 and \$28,090 at age 65. These relatively high lump sum values might encourage retiring participants to elect a lump sum payment for purposes other than retirement planning.

Other potential increases in these thresholds could be considered -as an example, \$100 and \$200 per month. The present values of \$100 per month using 7.5% interest is \$13,369 at age 55 and \$11,236 at age 65. The present values of \$200 per month using 7.5% interest is \$26,738 at age 55 and \$22,472 at age 65. These possible thresholds would represent approximately 100%

increases over the current thresholds of \$40 and \$104 and may be more rational as to retirement planning than those proposed in **Senate Bill 249**.

**Note:** As previously noted in this report, lump sum payments are calculated using the "assumed rate" of interest which is presently 7.5%, but is scheduled to increase to 8% effective October, 1992. This is a higher percentage than is defined under the "assumed benefit rate" which is set by statute at 5%. Accordingly, the present value of a monthly annuity which is paid in the form of monthly payments is higher than the present value of that same monthly annuity which is paid instead as a lump sum payment. This difference may or may not reflect good public policy. The difference in present values ranges between 21% and 27%, depending upon age at application.

Note further that the references to "1991" on lines 8 and 23 of page 2 should be changed if this bill progresses.

**Recommendation**

The Joint Survey Committee on Retirement Systems recommends the adoption of Senate Amendment LRBa2314/1, and if so amended, the Committee finds this legislation reflects good public policy and recommends its passage.

Senator Jauch                      Representative Grobschmidt  
Co-chair                              Co-chair

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

**REPORT OF JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS**

**Appendix to Senate Bill 403**

**Public Policy Involved**

The JSCRS is concerned only with the provisions of this legislation effecting public employee benefit programs. This legislation would have no material effect upon the retirement or fringe benefit programs administered by the DETF for public employees of this state.

**Recommendation**

The Joint Survey committee on retirement Systems is concerned only with the provision of this bill effecting the Wisconsin Retirement system. The committee finds that such provisions are good public policy and recommend their inclusion in this legislation.

Senator Jauch                      Representative Grobschmidt  
Co-chair                              Co-chair

Read and referred to committee on Urban Affairs, Environmental Resources and Elections

**REPORT OF JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS**

**Appendix to Senate Bill 483**

**Public Policy Involved**

The Group Insurance Board in conjunction with the Department of Administration and Department of Employment Relations recently contracted a special study by the Martin E. Segal Company to review the current health programs administered by the DETF, and to make recommendations for changes and improvements. The Segal Co. Report was published in December, 1991, and one of its major findings was significant lack of data for the standard and HMO health insurance plans that are available to state employees. The report, therefore, recommended that additional information be made available to the Department of Employee Trust Funds (DETF) for analysis purposes. Provisions in **Senate Bill 483** newly provide authority for the DETF Group Insurance Board to enter into contracts with public or private entities for purposes of analyzing health insurance statistics. This budget review bill also appropriates \$380,000 for the biennium to cover such contracts, plus additional appropriations to the DETF to cover two segregated positions under the group health plans. Presumably, these costs which will be charged against the health insurance trust funds will lead to future plan redesign and cost containments.

The changes contained in 1991 Wis. Act 31 relative to the sick leave conversion programs for certain state elected officials and state executives raise several policy and design questions. Looking at the salary index provisions for conversion purposes. Wis. Act 31 provided that sick leave would be converted at the salary that would have been payable had the state elected or executive official remained in service until termination. This raises some calculation questions because the positions may no longer be in existence 15 to 20 years into the future, and also issues as to longevity payments, promotions, etc., would have to be dealt with. Provisions of this bill would repeal the indexing process and, hence, remove these questions and also any related costs to such indexing.

State judges and justices commence their term of office on August 1 following election. However, the annual earnings period for purposes of calculating retirement benefits under the Wisconsin Retirement System (WRS) are based upon a calendar year for all participants other than teachers. Accordingly, earnings in the last calendar year of judicial employment would not normally qualify as one of the high years of earnings for retirement benefit purposes. This bill would tend to maximize the earnings received by judges for final average salary purposes. Because judges and justices cannot serve beyond their term of office without seeking reelection, the existing annual earnings period may be inequitable. On the other hand, this may set a precedent for other groups of participants under the WRS who may

have employment or contract periods that do not conform to a calendar year period.

**Note:** 1991 Wis. Act 31 provided that accumulated sick leave would be indexed based upon statutory salary for those elected officials who are prevented from getting a salary increase in their term of office. This legislation repeals that indexing and also establishes that the base pay rate shall be used instead of statutory salary. Statutory salary is used for purposes of calculating WRS retirement benefits, and it may be more equitable to also provide the calculation of sick leave credits based upon statutory salary. In addition, the repeal of the indexing process evidently is retroactive to January 1, 1992, and this may raise contractual questions relative to the effected state elected officials and executives who were actively employed between January 1, 1992 and the effective date of the repeal.

**Recommendation**

The Joint Survey committee on Retirement Systems is concerned only with the provisions of this bill effecting public employee benefit programs administered by the Department of Employee Trust Funds. The Committee recommends adoption of an amendment numbered LRBb2475/1, and if so amended, the Committee recommends the adoption and passage of those provisions effecting Employee Trust Fund programs.

Senator Jauch	Representative Grobschmidt
Co-chair	Co-chair

The committee on Judiciary and Consumer Affairs reports and recommends:

**IBARRA, DAGOBERTO**, of Milwaukee, as a member of the Public Defender Board, to serve for the term ending May 1, 1995.

Confirmation:

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

Noes, 0 -- None.

**McCRORY, MARC**, of Janesville, as a member of the Public Defender 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 450**

Relating to motor vehicle warranty adjustment programs and providing a penalty.

Passage:

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

Noes, 1 -- Senator Buettner.

**Senate Bill 353**

Relating to return of fingerprint and related records. Introduction and adoption of Senate substitute amendment 1:

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

Noes, 1 -- Senator Stitt.

Passage as amended:

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

Noes, 2 -- Senators Stitt and Buettner.

Lynn S. Adelman  
Chair

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

**Senate Bill 467**

Relating to payments to local governments for certain services provided to state facilities and making an appropriation.

Passage:

Ayes, 5 -- Senators Plewa, Ulichny, Burke, Rude and Huelsman;

Noes, 0 -- None.

**Assembly Bill 435**

Relating to disclosure of defects in residences before transfer.

Introduction and adoption of Senate amendment 1:

Ayes, 4 -- Senators Plewa, Burke, Rude and Huelsman;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 4 -- Senators Plewa, Burke, Rude and Huelsman;

Noes, 0 -- None.

John R. Plewa  
Chair

The committee on Transportation and Utilities reports and recommends:

**BUESTRIN, THOMAS H.**, of Mequon, as a member of the Regional Transportation Authority, to serve for the term ending December 11, 1994.

Confirmation:

Ayes, 7 -- Senators Barrett, Roshell, Moen, Ulichny, Breske, Lasee and Farrow;

Noes, 0 -- None.

**ROONEY, JAMES F.**, of Racine, as a member of the Regional Transportation Authority, to serve for the term ending December 11, 1994.

Confirmation:

Ayes, 7 -- Senators Barrett, Roshell, Moen, Ulichny, Breske, Lasee and Farrow;

Noes, 0 -- None.

**PELISEK, FRANK J.**, of Milwaukee, as a member of the Regional Transportation Authority, to serve for the term ending December 11, 1994.

Confirmation:

Ayes, 8 -- Senators Barrett, Roshell, Moen, Andrea, Ulichny, Breske, Lasee and Farrow;

Noes, 0 -- None.

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**BLOOMBERG, KATHRYN**, of Brookfield, as a member of the Regional Transportation Authority, to serve for the term ending December 11, 1994.

Confirmation:

Ayes, 8 -- Senators Barrett, Roshell, Moen, Andrea, Ulichny, Breske, Lasee and Farrow;  
Noes, 0 -- None.

**BOLDEN, JOHN R.**, of Milwaukee, as a member of the Regional Transportation Authority, to serve for the term ending December 11, 1994.

Confirmation:

Ayes, 8 -- Senators Barrett, Roshell, Moen, Andrea, Ulichny, Breske, Lasee and Farrow;  
Noes, 0 -- None.

**HUELSMAN, A. WILLIAM**, of Waukesha, as a member of the Regional Transportation Authority, to serve for the term ending December 11, 1994.

Confirmation:

Ayes, 8 -- Senators Barrett, Roshell, Moen, Andrea, Ulichny, Breske, Lasee and Farrow;  
Noes, 0 -- None.

**KENNY, LAWRENCE J.**, of Milwaukee, as a member of the Regional Transportation Authority, to serve for the term ending December 11, 1994.

Confirmation:

Ayes, 8 -- Senators Barrett, Roshell, Moen, Andrea, Ulichny, Breske, Lasee and Farrow;  
Noes, 0 -- None.

**NESHEK, MILTON E.**, of Elkhorn, as a member of the Regional Transportation Authority, to serve for the term ending December 11, 1994.

Confirmation:

Ayes, 8 -- Senators Barrett, Roshell, Moen, Andrea, Ulichny, Breske, Lasee and Farrow;  
Noes, 0 -- None.

**PRINCIPE, LOUISE**, of Kenosha, as a member of the Regional Transportation Authority, to serve for the term ending December 11, 1994.

Confirmation:

Ayes, 8 -- Senators Barrett, Roshell, Moen, Andrea, Ulichny, Breske, Lasee and Farrow;  
Noes, 0 -- None.

**TORINUS, JOHN B.**, of West Bend, as a member of the Regional Transportation Authority, to serve for the term ending December 11, 1994.

Confirmation:

Ayes, 8 -- Senators Barrett, Roshell, Moen, Andrea, Ulichny, Breske, Lasee and Farrow;  
Noes, 0 -- None.

**Senate Bill 438**

Relating to forfeitures for violations of local ordinances on vehicle size, weight or load.

Passage:

Ayes, 4 -- Senators Barrett, Roshell, Ulichny and Farrow;  
Noes, 3 -- Senators Moen, Breske and Lasee.

**Senate Bill 470**

Relating to authorizing the issuance of bonds for

mass transit purposes.

Passage:

Ayes, 6 -- Senators Barrett, Roshell, Moen, Ulichny, Breske and Farrow;  
Noes, 1 -- Senator Lasee.

**Senate Bill 501**

Relating to gas safety forfeitures and providing a penalty.

Passage:

Ayes, 6 -- Senators Barrett, Roshell, Moen, Ulichny, Breske and Farrow;  
Noes, 1 -- Senator Lasee.

**Assembly Bill 476**

Relating transporting loads of junk or scrapped vehicles.

Concurrence:

Ayes, 7 -- Senators Barrett, Roshell, Moen, Ulichny, Breske, Lasee and Farrow;  
Noes, 0 -- None.

**Assembly Bill 846**

Relating to pulsating or flashing headlamps on ambulances and fire department vehicles.

Concurrence:

Ayes, 7 -- Senators Barrett, Roshell, Moen, Ulichny, Breske, Lasee and Farrow;  
Noes, 0 -- None.  
Thomas Barrett  
Chair

The committee on Senate Organization reports and recommends:

**Senate Joint Resolution 75**

Relating to the life and public service of Joyce Erdman.

Adoption:

Ayes, 5 -- Senators Risser, Helbach, Chvala, Ellis and Rude;  
Noes, 0 -- None.

**Senate Joint Resolution 76**

Relating to congratulating Morris Andrews on his extraordinary accomplishments.

Adoption:

Ayes, 5 -- Senators Risser, Helbach, Chvala, Ellis and Rude;  
Noes, 0 -- None.  
Fred A. Risser  
Chair

The committee on Aging, Banking, Communications and Taxation reports and recommends:

**Senate Bill 469**

Relating to contracts between banks and savings and loan associations to provide financial services.

Introduction and adoption of Senate amendment 1:

Ayes, 5 -- Senators Feingold, Burke, Moen, Buettner and Petak;  
Noes, 0 -- None.  
Passage as amended:  
Ayes, 5 -- Senators Feingold, Burke, Moen, Buettner and Petak;

Noes, 0 -- None.

February 18, 1992

Russell D. Feingold  
Chair

**PETITIONS AND COMMUNICATIONS**

Senator Feingold, with unanimous consent, asked that **Assembly Bill 712** be withdrawn from committee on Higher Education and be referred to committee on Aging, Banking, Communications and Taxation.

Senator Helbach, with unanimous consent, asked that the entire membership of the Senate be listed as coauthors of **Senate Joint Resolution 76**.

Senator Helbach, with unanimous consent, asked that **Senate Bill 508** be withdrawn from committee on Agriculture, Corrections, Health and Human Services and be referred to committee on Judiciary and Consumer Affairs.

Senator Helbach, with unanimous consent, asked that **Senate Bill 136** be withdrawn from committee on Senate Organization and be referred to committee on Judiciary and Consumer Affairs.

Senator Helbach, with unanimous consent, asked that **Senate Bill 137** be withdrawn from committee on Senate Organization and be referred to committee on Judiciary and Consumer Affairs.

Senator Helbach, with unanimous consent, asked that **Senate Bill 138** be withdrawn from committee on Senate Organization and be referred to committee on Judiciary and Consumer Affairs.

State of Wisconsin  
Department of Health and Social Services  
January 1992

To the Honorable the Legislature:

Pursuant to the requirements of section 153.10(1), Wis. Stats., I am pleased to submit to the Governor and to the Legislature the quarterly *Health Care Data Report*. This report is based on hospital inpatient discharge data reported to the Office of Health Care Information by all operating general medical-surgical and specialty hospitals in Wisconsin for the second quarter of 1991 (*April - June*). It also contains selected outpatient surgery utilization and charge data from general medical-surgical hospitals and freestanding ambulatory surgery centers in Wisconsin during the same quarter.

This report fulfills the statutory requirement to report "in a manner that permits comparisons among hospitals ... the charges for up to 100 health care services or diagnostic-related groups selected by the office."

Sincerely,  
Gerald Whitburn  
Secretary

STATE OF WISCONSIN  
ETHICS BOARD

To the Honorable the Senate:

At the direction of s. 13.685 (7), Wisconsin Statutes, I am furnishing you with the following list of State Agencies and the names, titles and telephone numbers of their legislative liaisons:

**Waste Facility Siting Board**

Cronin, Patti Executive Director 608-267-7854

**Waukesha Co. District Attorney**

Bucher, Paul E. District Attorney 414-548-7076

Sincerely,  
R. Roth Judd  
Executive Director  
STATE OF WISCONSIN  
ETHICS BOARD

February 18, 1992

To the Honorable the Senate:

At the direction of s. 13.685(7), Wisconsin Statutes, I am furnishing you with the names of organizations recently registered with the Ethics Board as employing one or more individuals to affect state legislation or administrative rules. For each organization I have noted the general area of legislative or administrative action which the organization has described as the object of its lobbying activity and the name of each licensed lobbyist that the organization has authorized to act on its behalf.

**Hamilton Test Systems**

Subjects: Ozone regulation, clean air act issues

Cook, Sharon  
Mitchell, Brian

**Head Start Directors Association, Wisconsin**

Subjects: Affect all legislation and rules relating to the Head Start program.

Hilbert, Lisa

**Petroleum Equipment Contractors Association, Inc., Wisconsin**

Subjects: Any function or activity of any branch, department or phase of federal or state government; agriculture; environment; taxation; regulation of business, finance or insurance, or other topics pertaining to petroleum equipment.

Brozek, Michael

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by the organizations that employ lobbyists.

Sincerely,  
R. Roth Judd

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Executive Director  
STATE OF WISCONSIN  
ETHICS BOARD

February 18, 1992

To the Honorable the Senate:

At the direction of s. 13.685(7), Wisconsin Statutes, I am furnishing you with the following changes in the Ethics Board's records of licensed lobbyists and their employers.

**Organization's authorization of additional lobbyists:** The following organizations previously registered with the Ethics Board as employers of lobbyists have authorized to act on their behalf these additional licensed lobbyists:

**Aging Groups, Coalition of Wisconsin**

Abramson, Betsy

**Anvan Development Corp.**

Chrnclich, Joseph

**Archdiocese of Milwaukee**

Morgan, Marjorie

**Multistate Associates on behalf of CUC International**

White, Walter

**Organization's termination of lobbyists:** Each of the following organizations previously registered with the Ethics Board as the employer of a lobbyist has withdrawn, on the date indicated, its authorization for the lobbyist identified to act on the organization's behalf.

**Animal Health Institute**

Remsik, Jeffrey 1/1/92

**Archdiocese of Milwaukee**

Soika, Michael J. 8/1/91

**Center for Public Representation, Inc.**

Dicks, Helen Marks 1/1/92

**Green Bay Area Chamber of Commerce**

Limburg, Nevin 1/1/92

**Green Bay Area Visitor & Convention Center**

Ehrbar, Ernest 2/11/92

**Nurses Association, Wisconsin**

Hanaway, JoAnn 4/18/91

**Solid Wastes Management Association, National**

Wimmer, James 1/1/92

**State Bar of Wisconsin**

Lien, Edgar E. 2/15/92

**Stein and Company**

Wimmer, James W. Jr. 2/10/92

**Organization's cessation of lobbying activity:** Each of the following organizations previously registered with the Ethics Board as the employer of a lobbyist indicates a cessation of all lobbying activity effective on the date shown.

**Alliance of American Insurers** 1/29/92

Hanson, Thomas 12/31/91

Friedmann, Peter 12/31/91

**Handgun Control, Inc.** 2/17/92

**Healthcare Staffing Agencies, Wisconsin Assoc. of** 2/17/92

**Kaiser Group, The** 2/17/92

**Organization's modification or amendment of records:** The organizations listed below have previously registered with the Ethics Board and now indicate the following modifications to their records:

**Avis Rent A Car System Licensee**

(Phone/Fax Change)

414-730-7560

Fax: 414-730-7565

**Green Bay Area Chamber of Commerce**

(Address Change)

P.O. Box 1660

Green Bay, WI 54305

**Retail Lumber Assoc. Inc., Wisconsin** (Name Change from Retail Lumbermen's Association, Wisconsin, Inc.)

**Tobacco Institute, The**

(Address/Phone/Fax Change)

444 Cedar St., #725

St. Paul, MN 55101

612-297-6242

Fax: 612-297-6245

**Lobbyists' modification or amendment of records:** The lobbyists listed below have previously registered with the Ethics Board and now indicate the following modifications to their records:

Cahoon, James

(Address Change)

P.O. Box 698

Rhineland, WI 54501

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by the organizations that employ lobbyists.

Sincerely,  
R. Roth Judd  
Executive Director

JOURNAL OF THE SENATE [February 25, 1992]

State of Wisconsin  
Department of Administration

February 13, 1992

To the Honorable the Legislature:

Chapter 34, Laws of 1979, requires that when the Department of Administration maintains an office in Washington, DC, for the purpose of promoting federal/state cooperation, it should submit a report detailing the activities of the office and reporting the status of federal legislation of concern to the Legislature and other state agencies (Wis. Stats. 16.548(2)).

The report for the period September 1, 1991, through December 31, 1991, is attached.

Sincerely,  
James R. Klauser  
Secretary

State of Wisconsin  
University of Wisconsin System

February 18, 1992

To the Honorable the Legislature:

The University of Wisconsin System Board of Regents adopted the following resolution on February 7, 1992:

That, pursuant to 1989 Wisconsin Act 177, s. 36.11(21), Wisconsin Statutes, the Board of Regents accepts the attached report on the implementation of the Act and directs that the report be submitted to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172(3).

The referenced report is attached. It indicates, as required by the legislation, the methods each system institution used to comply with paragraph (a) of the Act.

Sincerely,  
Katharine C. Lyall  
Acting President

Referred to committee on Higher Education.

State of Wisconsin  
University of Wisconsin System

February 18, 1992

To the Honorable the Legislature:

Section 36.25(32)(f), Wis. Stats., requires the University of Wisconsin System Board of Regents to submit annually to the Governor and the Chief Clerk of each House of the Legislature, a report on animal health and efficacy research results related to use of supplemental recombinant bovine somatotropin (rBST). (BST is also known as bovine growth hormone (BGH).) The first required report was submitted by the Board on March 1, 1991.

The second report on the requirements of the legislation as specified in s. 36.25(32)(a)-(e), Wis. Stats., prepared by the College of Agricultural and Life Sciences and the School of Veterinary Medicine, UW-Madison, is

attached. This report was accepted by the Board of Regents on February 7, 1992 for submission to you.

The Legislature appropriated \$230,000 GPR in 1990-91 for rBST research, and the funding was allocated to UW-Madison. On July 2-3, 1991, the base budget for rBST research was eliminated by an amendment passed by the State Senate; however, the report is still required. The report contains a chronology of state-funded rBST research conducted by UW-Madison from July 1, 1990 to the present, and a summary of progress report of the activities. Note that since July 5, 1991, after the funding was eliminated, the research projects are either stopped or phased down, and the efficacy and health literature review is completed.

Sincerely,  
Katharine C. Lyall  
Acting President

Referred to committee on Higher Education.

State of Wisconsin  
Legislative Council

February 6, 1992

To the Honorable the Legislature:

I am pleased to transmit to you the following reports to the 1991 Legislature on legislation introduced by the Legislative Council:

RL 91-18 -- Legislation on Fire Inspections and Fire Dues (1991 Senate Bill 514)

RL 91-19 -- Legislation on Marital Property and Related Law (1991 Assembly Bills 983 and 984)

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, One East Main, Suite 401.

Sincerely,  
David J. Stute  
Director

State of Wisconsin  
Legislative Audit Bureau

February 20, 1992

To the Honorable the Legislature:

We have completed an evaluation of the operations of the Milwaukee County Circuit Courts in anticipation of further proposals by the courts to the Legislature and the County Board to address increasing delays within the courts.

As caseloads rose between 1987 and 1990, the number of cases awaiting disposition and the length of time required to dispose of cases increased, indicating the courts fell further behind in carrying out their functions. Even though there was decline in the number of cases filed in 1991, the time required to dispose of felony and misdemeanor cases continued to lengthen. At the same time, expenditures for the courts have increased from \$39.9 million in 1988 to a projected \$57 million in 1992.



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State funding for these costs has increased 77 percent, while county funding has increased 20 percent.

While the Milwaukee County courts have made some efforts address these problems, management improvements are needed to ensure the effective use of current resources. Disposition goals for all cases, case flow monitoring to identify the causes of delays, and clarification of administrative responsibilities would assist in managing the courts' workload more effectively. Implementation of these management improvements would also assist in documenting court resource needs and in making resource allocation decisions.

We appreciate the courtesy and cooperation extended to us by the Milwaukee County Circuit Courts, other county and state court-related agencies, and the Director of State Courts. A response from the Chief Judge of Milwaukee County is the appendix.

Sincerely,  
Dale Cattanach  
State Auditor

EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor  
February 13, 1992

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GLORIA A. BEASER of Montello, as a member of the Respiratory Care Practitioners Examining Council pursuant to the statute governing, to serve for the term ending July 1, 1995.

Respectfully,  
Tommy Thompson  
Governor

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

State of Wisconsin  
Office of the Governor  
February 13, 1992

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DEBRA A. CALNIN of Montello, as a member of the Veterinary Examining Board pursuant to the statute governing, to serve for the term ending July 1, 1996.

Respectfully,  
Tommy Thompson  
Governor

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

State of Wisconsin  
Office of the Governor  
February 13, 1992

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint FRANK M.

CATRINE of Racine, as a member of the Barbering and Cosmetology Examining Board pursuant to the statute governing, to serve for the term ending July 1, 1996.

Respectfully,  
Tommy Thompson  
Governor

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

State of Wisconsin  
Office of the Governor  
February 13, 1992

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SHIRLEY GRABER of Stoughton, as a member of the Pharmacy Examining Board pursuant to the statute governing, to serve for the term ending July 1, 1996.

Respectfully,  
Tommy Thompson  
Governor

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

State of Wisconsin  
Office of the Governor  
February 13, 1992

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PATRICIA A. HAMILTON of Racine, as a member of the Podiatrist Examining Board pursuant to the statute governing, to serve for the term ending July 1, 1996.

Respectfully,  
Tommy Thompson  
Governor

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

State of Wisconsin  
Office of the Governor  
February 13, 1992

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JOHN M. JARVIS of Milwaukee, as a member of the Judicial Council pursuant to the statute governing, to serve for the term ending August 1, 1995.

Respectfully,  
Tommy Thompson  
Governor

Read and referred to committee on Judiciary and Consumer Affairs.

State of Wisconsin  
Office of the Governor  
February 13, 1992

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MARION E. D.V.M. MARTIN of Boscobel, as a member of the Veterinary

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Examining Board pursuant to the statute governing, to serve for the term ending July 1, 1996.

Respectfully,  
Tommy Thompson  
Governor

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

State of Wisconsin  
Office of the Governor

February 13, 1992

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint THOMAS MCGREGOR of Waukesha, as a member of the Pharmacy Examining Board pursuant to the statute governing, to serve for the term ending July 1, 1996.

Respectfully,  
Tommy Thompson  
Governor

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

State of Wisconsin  
Office of the Governor

February 13, 1992

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HENRY MOORE JR. of Milwaukee, as a member of the Barbering and Cosmetology Examining Board pursuant to the statute governing, to serve for the term ending July 1, 1996.

Respectfully,  
Tommy Thompson  
Governor

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

State of Wisconsin  
Office of the Governor

February 13, 1992

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ROBERT THOMAS of Milwaukee, as a member of the Waste Facility Siting 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 Urban Affairs, Environmental Resources and Elections.

CALENDAR OF FEBRUARY 25, 1992

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

STOLPMAN, KATHLEEN F., of Brookfield, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 1994.

Read.

RUSHING, MARVIN L., of Milwaukee, as a member of the Barbering and Cosmetology Examining Board, to serve for the interim term ending July 1, 1994.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Cowies, Czarnecki, Decker, Ellis, Farrow, Feingold, George, Helbach, Huelsman, Jauch, Lasee, Lekan, Lorman, Moen, Petak, Plewa, Potter, Risser, Roshell, Rude, Schultz, Stitt, Ulichny, Van Sistine and Weeden — 33.

Noes — None.

Absent or not voting — None.

Confirmed.

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 91-151

Relating to the local roads improvement program.

Submitted by Department of Transportation.

Report received from agency, February 20, 1992.

Referred to committee on Transportation and Utilities, February 25, 1992.

Senate Clearinghouse Rule 91-199

Relating to reimbursement for treatment of chronic renal disease.

Submitted by Department of Health and Social Services.

Report received from agency, February 21, 1992.

Referred to committee on Agriculture, Corrections, Health and Human Services, February 25, 1992.

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

Senate Clearinghouse Rule 91-124

Relating to procedures for disciplinary proceedings.

No action taken.

John R. Plewa  
Chair

Senator Roshell, with unanimous consent, asked that the Senate recess until 12:21 P.M..

11:22 A.M.

RECESS

12:21 P.M.

The Senate reconvened.

Senator Risser, with unanimous consent, asked that the Senate recess until 2:18 P.M..

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12:23 P.M.

Senator Helbach, with unanimous consent, asked that **Senate Bill 238** be referred to a second reading.

RECESS

2:18 P.M.

**Senate Bill 238**

Relating to restrictions and safety requirements for the operation of all-terrain vehicles and providing a penalty.

The Senate reconvened.

Read a second time.

QUORUM CALL

Senator Risser called the attention of the Chair to the possible lack of a quorum.

Senate substitute amendment 3 to **Senate Bill 238** offered by Senator Chvala.

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

The question was: Adoption of Senate substitute amendment 3?

Present — Senators Adelman, Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Cowles, Czarnecki, Decker, Ellis, Farrow, Feingold, George, Helbach, Huelsman, Jauch, Lasee, Llean, Lorman, Moen, Petak, Plewa, Potter, Risser, Roshell, Rude, Schultz, Stitt, Ulichny, Van Sistine and Weeden — 33.

Adopted.

Ordered to a third reading.

Absent — None.

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

Absent with leave — None

**Senate Bill 238**

Read a third time.

Senator Chvala, with unanimous consent, asked that **Senate Bill 238** be placed after consideration of **Senate Bill 485**.

SECOND READING AND AMENDMENTS  
OF SENATE JOINT RESOLUTIONS AND  
SENATE BILLS

Senator Helbach, with unanimous consent, asked that the vote by which **Senate Bill 238** failed to pass be withdrawn from the table.

**Senate Joint Resolution 68**

Relating to observing the week of April 26 to May 2, 1992, as 'Victims' Rights Week'.

Read.

Adopted.

Senator Lasee objected.

Senator Helbach moved that the motion for reconsideration of the vote by which **Senate Bill 238** failed to pass be withdrawn from the table.

**Senate Joint Resolution 69**

Relating to observing the week of May 10 to 16, 1992, as 'Women in Human Resources Week'.

Read.

Senator Farrow, with unanimous consent, asked that she be listed as a co-author of **Senate Joint Resolution 69**.

Adopted.

The question was: Shall the motion to reconsider the vote by which **Senate Bill 238** failed to pass be withdrawn from the table.

**Senate Joint Resolution 70**

Relating to proclaiming May 15, 16 and 17, 1992, Syttende Mai Weekend.

Read.

Senator Chvala, with unanimous consent, asked that he be listed as a co-author of **Senate Joint Resolution 70**.

Adopted.

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

Ayes — Senators Adelman, Barrett, Buettner, Burke, Chvala, Cowles, Czarnecki, Decker, Feingold, George, Helbach, Jauch, Moen, Petak, Plewa, Risser, Roshell, Rude, Ulichny and Van Sistine — 20.

Noes — Senators Andrea, Berndt, Breske, Ellis, Farrow, Huelsman, Lasee, Llean, Lorman, Potter, Schultz, Stitt and Weeden — 13.

Absent or not voting — None.

Withdrawn.

The question was: Shall the vote by which **Senate Bill 238** failed to pass be reconsidered?

Reconsidered.

**Senate Bill 31**

Relating to allowing part-time deputy district attorneys and assistant district attorneys to engage in a private practice of law.

Read a second time.

Senator Helbach, with unanimous consent, asked that **Senate Bill 31** be referred to committee on Senate Rules.

**Senate Bill 175**

Relating to the performance of farm chores by foster children and granting rule-making authority.

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.

**Senate Bill 175**

Read a third time and passed.

**Senate Bill 310**

Relating to victims and witnesses of crime.

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.

**Senate Bill 310**

Read a third time and passed.

**Senate Bill 322**

Relating to the control of aquatic nuisance species in the waters of this state, creating an aquatic nuisance control board and making an appropriation.

Read a second time.

Senator George, with unanimous consent, asked that **Senate Bill 322** be referred to joint committee on Finance.

**Senate Bill 352**

Relating to the contracting of private investigators by the state public defender, the payment of private investigators working for the offices of the state public defender in Milwaukee county 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 352** be referred to the joint committee on Finance.

Senator George, with unanimous consent, asked that **Senate Bill 352** be withdrawn from the joint committee on Finance and taken up.

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.

**Senate Bill 352**

Read a third time.

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

Ayes — Senators Adelman, Andrea, Barrett, Buettner, Burke, Chvala, Decker, Feingold, George, Helbach, Jauch, Moen, Plewa, Potter, Risser, Roshell, Ulichny and Van Sistine — 18.

Noes — Senators Berndt, Breske, Cowles, Czarnezki, Ellis, Farrow, Huelsman, Lasee, Leraan, Lorman, Petak, Rude, Schultz, Stitt and Weeden — 15.

Absent or not voting — None.

Passed.

**Senate Bill 366**

Relating to the regulation of oil and gas exploration and production, imposing a severance tax on oil and gas, granting rule-making authority and providing a penalty.

Read a second time.

Senator George, with unanimous consent, asked that **Senate Bill 366** be referred to joint committee on Finance.

**Senate Bill 376**

Relating to telephone information services and providing penalties.

Read a second time.

Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 376** offered by Senator Barrett.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 1?

Adopted.

The question was: Adoption of Senate substitute 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.

**Senate Bill 376**

Read a third time and passed.

**Senate Bill 443**

Relating to regulating contracts for services and facilities provided by diet centers.

Read a second time.

Senator Helbach, with unanimous consent, asked that **Senate Bill 443** be placed after Assembly Bill 125.

**Senate Bill 485**

Relating to the leasing of a portion of a water purification plant owned by the city of Milwaukee for use as a cellular site for telecommunication services.

Read a second time.

The question was: Adoption of Senate amendment 1?

Adopted.

Ordered to a third reading.

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

**Senate Bill 485**

Read a third time and passed.

**Senate Bill 238**

Relating to restrictions and safety requirements for the operation of all-terrain vehicles and providing a penalty.

Read.

Senator Helbach, with unanimous consent, asked that **Senate Bill 238** be placed after **Assembly Bill 125**.

SECOND READING AND AMENDMENTS  
OF ASSEMBLY JOINT RESOLUTIONS AND  
ASSEMBLY BILLS

**Assembly Bill 4**

Relating to prohibiting certain persons from entering or remaining in the locker room of a public or private school, institution of higher education or professional athletic team and providing a penalty.

Read a second time.

Senator Adelman moved that **Assembly Bill 4** be referred to the committee on Urban Affairs, Environmental Resources and Elections.

The question was: Shall **Assembly Bill 4** be referred to the committee on Urban Affairs, Environmental Resources and Elections?

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

Ayes — Senators Adelman, Burke, Czarnecki, Decker, Ellis, Farrow, Feingold, Huelsman, Lasee, Lekan, Lorman, Rude, Stitt and Weeden — 14.

Noes — Senators Andrea, Barrett, Berndt, Breske, Buettner, Chvala, Cowles, George, Helbach, Jauch, Moen, Petak, Plewa, Potter, Risser, Roshell, Schultz, Ulichny and Van Sistine — 19.

Absent or not voting — None.

Referral refused.

Ordered to a third reading.

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

**Assembly Bill 4**

Read a third time.

Senator Lasee moved that **Assembly Bill 4** be laid on the table.

The question was: Shall **Assembly Bill 4** be laid on the table?

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

Ayes — Senators Adelman, Czarnecki, Decker, Ellis, Farrow, Feingold, Huelsman, Lasee, Lekan, Lorman, Moen, Rude, Stitt and Weeden — 14.

Noes — Senators Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Cowles, George, Helbach, Jauch, Petak, Plewa, Potter, Risser, Roshell, Schultz, Ulichny and Van Sistine — 19.

Absent or not voting — None.

Tabling refused.

The question was: Concurrence?

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

Ayes — Senators Breske, Buettner, Chvala, Cowles, Helbach, Jauch, Plewa, Potter, Risser, Roshell and Ulichny — 11.

Noes — Senators Adelman, Andrea, Barrett, Berndt, Burke, Czarnecki, Decker, Ellis, Farrow, Feingold, George, Huelsman, Lasee, Lekan, Lorman, Moen, Petak, Rude, Schultz, Stitt, Van Sistine and Weeden — 22.

Absent or not voting — None.

Concurrence refused.

Senator George moved reconsideration of the vote by which **Assembly Bill 4** was refused concurrence.

Senator George, with unanimous consent, asked that the motion for reconsideration of the vote by which **Assembly Bill 4** was refused concurrence be laid on the table.

**Assembly Bill 85**

Relating to prohibiting the sale, delivery or possession of firearm silencers and providing a penalty.

Read a second time.

Senator Helbach, with unanimous consent, asked that **Assembly Bill 85** be referred to committee on Senate Rules.

**Assembly Bill 86**

Relating to conversion of a weapon to provide full-automatic fire and providing a penalty.

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 86**

Read a third time and concurred in.

**Assembly Bill 95**

Relating to selling or distributing imitation firearms and providing a penalty.

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 95**

Read a third time and concurred in.

**Assembly Bill 119**

Relating to sexual exploitation by therapists.

Read a second time.

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

Senate amendment 2 to **Assembly Bill 119** offered by Senator Ulichny.

The question was: Adoption of Senate amendment 2?  
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 119**

Read a third time and concurred in as amended.

**Assembly Bill 125**

Relating to the regulation of social workers, marriage and family therapists and professional counselors, creating an examining board of social workers, marriage and family therapists and professional counselors, requiring insurance coverage of services performed by an independent clinical social worker, marriage and family therapist or professional counselor, a patient's privilege in a court proceeding to refuse to disclose communications made during or information obtained from a diagnosis or treatment of the patient's condition by certain health or mental health professionals, granting rule-making authority and providing penalties.

Read a second time.

Senate amendment 1 to **Assembly Bill 125** offered by Senators Berndt, Moen and Burke.

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

Ordered to a third reading.

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

**Assembly Bill 125**

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 4; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Cowles, Decker, Ellis, Farrow, Feingold, George, Helbach, Huelsman, Jauch, Lekan, Moen, Petak, Plewa, Potter, Risser, Roshell, Rude, Schultz, Ulichny, Van Sistine and Weeden — 29.

Noes — Senators Czarnezki, Lasee, Lorman and Stitt — 4.

Absent or not voting — None

Concurred in as amended.

**Senate Bill 238**

Relating to restrictions and safety requirements for the operation of all-terrain vehicles and providing a penalty.

Read.

Senator Chvala, with unanimous consent, asked that **Senate Bill 238** be placed after **Assembly Bill 507**.

**Senate Bill 443**

Relating to regulating contracts for services and facilities provided by diet centers.

Read a second time.

Senator Plewa, with unanimous consent, asked that he be listed as a co-author of **Senate Bill 443**.

Senate amendment 1 to **Senate Bill 443** offered by Senator Adelman.

The question was: Adoption of Senate amendment 1?

Adopted.

Ordered to a third reading.

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

**Senate Bill 443**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 28; noes, 5; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Breske, Buettner, Burke, Chvala, Cowles, Czarnezki, Decker, Ellis, Farrow, Feingold, George, Helbach, Huelsman, Jauch, Lasee, Lekan, Lorman, Moen, Petak, Plewa, Potter, Risser, Roshell, Ulichny and Van Sistine — 28.

Noes — Senators Berndt, Rude, Schultz, Stitt and Weeden — 5.

Absent or not voting — None.

Passed.

**Assembly Bill 388**

Relating to limits on wrongful death actions for loss of society and companionship.

Read a second time.

Senator Andrea moved that the vote by which **Senate amendment 1** to **Senate amendment 1** to **Assembly Bill 388** was rejected be reconsidered.

The question was: Shall the vote by which **Senate amendment 1** to **Senate amendment 1** to **Assembly Bill 388** was rejected be reconsidered?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Breske, Burke, Chvala, Czarnezki, Decker, Feingold, George,

Helbach, Jauch, Moen, Plewa, Potter, Risser and Ulichny — 17.

Noes — Senators Berndt, Buettner, Cowles, Ellis, Farrow, Huelsman, Lasee, Lekan, Lorman, Petak, Roshell, Rude, Schultz, Stitt, Van Sistine and Weeden — 16.

Absent or not voting — None.

Reconsidered.

The question was: Rejection of Senate amendment 1 to 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 Berndt, Buettner, Cowles, Ellis, Farrow, Huelsman, Lasee, Lekan, Lorman, Petak, Roshell, Rude, Schultz, Stitt, Van Sistine and Weeden — 16.

Noes — Senators Adelman, Andrea, Barrett, Breske, Burke, Chvala, Czarnezki, Decker, Feingold, George, Helbach, Jauch, Moen, Plewa, Potter, Risser and Ulichny — 17.

Absent or not voting — None.

Rejection refused.

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

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Breske, Burke, Chvala, Czarnezki, Decker, Feingold, George, Helbach, Jauch, Moen, Plewa, Potter, Risser and Ulichny — 17.

Noes — Senators Berndt, Buettner, Cowles, Ellis, Farrow, Huelsman, Lasee, Lekan, Lorman, Petak, Roshell, Rude, Schultz, Stitt, Van Sistine and Weeden — 16.

Absent or not voting — None.

Adopted.

The question was: Adoption of Senate amendment 1?

Adopted.

The question was: Adoption of Senate amendment 2?

Senator Chvala raised the point of order that Senate amendment 2 was not germane.

The Chair ruled the point of order well taken.

Senate amendments 3 and 4 to Assembly Bill 388 offered by Senator Huelsman.

The question was: Adoption of Senate amendment 3?

Senator Chvala raised the point of order that Senate amendment 3 was not germane.

The Chair ruled the point of order well taken.

Senator Huelsman appealed the ruling of the Chair.

The question was: Shall the ruling of the Chair stand as the judgment of the Senate?

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

Ayes — Senators Adelman, Andrea, Barrett, Breske, Burke, Chvala, Czarnezki, Decker, Feingold, George, Helbach, Jauch, Moen, Plewa, Potter, Risser, Roshell, Ulichny and Van Sistine — 19.

Noes — Senators Berndt, Buettner, Cowles, Ellis, Farrow, Huelsman, Lasee, Lekan, Lorman, Petak, Rude, Schultz, Stitt and Weeden — 14.

Absent or not voting — None.

The ruling of the Chair stands as the judgment of the Senate.

The question was: Adoption of Senate amendment 4?

Senator Chvala raised the point of order that Senate amendment 2 was not germane.

The Chair ruled the point of order well taken.

Ordered to a third reading.

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

#### Assembly Bill 388

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Breske, Burke, Chvala, Czarnezki, Decker, Feingold, George, Helbach, Jauch, Moen, Plewa, Potter, Risser and Ulichny — 17.

Noes — Senators Berndt, Buettner, Cowles, Ellis, Farrow, Huelsman, Lasee, Lekan, Lorman, Petak, Roshell, Rude, Schultz, Stitt, Van Sistine and Weeden — 16.

Absent or not voting — None.

Concurred in as amended.

#### Assembly Bill 507

Relating to crimes against certain persons and property and civil actions by victims of those crimes.

Read a second time.

Senate amendments 1 and 2 to Assembly Bill 507 offered by Senator Adelman.

The question was: Adoption of Senate amendment 1?

Senator Barrett moved that Senate amendment 1 be laid on the table.

The question was: Shall Senate amendment 1 be laid on the table?

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

Ayes — Senators Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Cowles, Czarnezki, Farrow, George, Helbach, Huelsman, Jauch, Lasee, Lekan, Lorman, Moen, Plewa, Potter, Risser, Stitt and Ulichny — 23.

Noes — Senators Adelman, Decker, Ellis, Feingold, Petak, Roshell, Rude, Schultz, Van Sistine and Weeden — 10.

Absent or not voting — None.  
Tabled.

The question was: Adoption of Senate amendment 2?

Senator Barrett moved that Senate amendment 2 be laid on the table.

The question was: Shall Senate amendment 2 be laid on the table?

The ayes and noes were required and the vote was: ayes, 26; noes, 7; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Cowles, Czarnezki, Ellis, Farrow, George, Helbach, Huelsman, Jauch, Lasee, Lekan, Lorman, Moen, Petak, Plewa, Potter, Risser, Stitt, Ulichny and Van Sistine — 26.

Noes — Senators Adelman, Decker, Feingold, Roshell, Rude, Schultz and Weeden — 7.

Absent or not voting — None.  
Tabled.

Ordered to a third reading.

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

**Assembly Bill 507**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 26; noes, 7; absent or not voting, 0; as follows:

Ayes — Senators Barrett, Berndt, Breske, Buettner, Burke, Chvala, Cowles, Czarnezki, Ellis, Farrow, George, Helbach, Huelsman, Jauch, Lasee, Lekan, Lorman, Moen, Petak, Plewa, Potter, Risser, Rude, Stitt, Ulichny and Van Sistine — 26.

Noes — Senators Adelman, Andrea, Decker, Feingold, Roshell, Schultz and Weeden — 7.

Absent or not voting — None.

Concurred in.

**Senate Bill 238**

Relating to restrictions and safety requirements for the operation of all-terrain vehicles and providing a penalty.

Read.

Senator Chvala, with unanimous consent, asked that **Senate Bill 238** be referred to a second reading.

Read a second time.

Senate amendment 1 to Senate substitute amendment 3 to **Senate Bill 238** offered by Senators Decker and Chvala.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 3?

Adopted.

Ordered to a third reading.

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

**Senate Bill 238**

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, Barrett, Buettner, Burke, Chvala, Cowles, Czarnezki, Decker, Feingold, George, Helbach, Huelsman, Jauch, Moen, Petak, Plewa, Risser, Roshell, Rude, Ulichny, Van Sistine and Weeden — 22.

Noes — Senators Andrea, Berndt, Breske, Ellis, Farrow, Lasee, Lekan, Lorman, Potter, Schultz and Stitt — 11.

Absent or not voting — None.

Passed.

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## MOTIONS

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

Senator Decker, with unanimous consent, asked that he be listed as a co-author of **Senate Bill 58**.

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## ANNOUNCEMENTS

Senator Buettner, with unanimous consent, asked that when the Senate adjourns today it do so in honor of two manufacturing companies, Giddings & Lewis Inc. of Fond du lac, which was named the winner among large companies as Manufacturer of the Year and Mid-States Aluminum Corp. of Fond du lac, which was a special award winner for its quality improvement.

Senator Helbach, with unanimous consent, asked that the Senate adjourn until 1:00 P.M. Thursday, February 27.

4:55 P.M.



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AMENDMENTS OFFERED

Senate amendment 1 to Senate Bill 249 offered by Senator Jauch.

Senate amendment 1 to Senate amendment 5 to Senate Bill 483 offered by Senator Roshell.

Senate amendment 10 to Senate Bill 483 offered by Senator Roshell.

Senate amendment 1 to Senate substitute amendment 1 to Senate Bill 366 offered by Senator Stitt.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau  
Senate Bill 122

Senate Substitute Amendment 2

1. Page 3, line 11: substitute "7m." for "10r."