

STATE OF WISCONSIN

Senate Journal

Ninetieth Regular Session

10:35 A.M.

Thursday, March 12, 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, Decker, Ellis, Farrow, Feingold, George, Helbach, Huelsman, Jauch, Lasee, Leean, Lorman, Moen, Petak, Plewa, Potter, Risser, Roshell, Rude, Schultz, Stitt, Ulichny, Van Sistine and Weeden — 32.

Absent — Senator Czarnezki — 1.

Absent with leave — None.

The Senate stood for a moment of silent meditation.

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

COMMITTEE REPORTS

The committee on Education, Economic Development, Financial Institutions and Fiscal Policies reports and recommends:

SCHRAUFNAGEL, NANCY, of Elroy, as a member of the Savings and Loan Review Board, to serve for the term ending May 1, 1995.

Confirmation:

Ayes, 6 -- Senators Ulichny, Czarnezki, Jauch, Barrett, Huelsman and Petak;

Noes, 0 -- None.

HILBERT, GREG, of Appleton, as a member of the Credit Union Review Board, to serve for the term ending May 1, 1997.

Confirmation:

Ayes, 6 -- Senators Ulichny, Czarnezki, Jauch, Barrett, Huelsman and Petak;

Noes, 0 -- None.

ROZAS, FREDERICK WERKMEISTER, of Mequon, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 1996.

Confirmation:

Ayes, 6 -- Senators Ulichny, Czarnezki, Jauch, Barrett, Huelsman and Petak;

Noes, 0 -- None.

WEED, L. DUANE, of Necedah, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the interim term ending January 1, 1994.

Confirmation:

Ayes, 6 -- Senators Ulichny, Czarnezki, Jauch, Barrett, Huelsman and Petak;

Noes, 0 -- None.

Senate Bill 414

Relating to school district payment of tuition for pupils who participate in the postsecondary enrollment options program.

Passage:

Ayes, 6 -- Senators Ulichny, Czarnezki, Jauch, Barrett, Huelsman and Petak;

Noes, 0 -- None.

Assembly Bill 904

Relating to savings banks, granting rule-making authority and providing a penalty.

Concurrence:

Ayes, 6 -- Senators Ulichny, Czarnezki, Jauch, Barrett, Huelsman and Petak;

Noes, 0 -- None.

Barbara Ulichny
Chair

EXECUTIVE COMMUNICATIONS

CALENDAR OF MARCH 12, 1992

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

BARTLEY, DOUGLASS H., of Mequon, as a member of the Tax Appeals Commission, to serve for the interim term ending March 1, 1993.

Read.

GARLOCK, JOEL D., of Winneconne, as a member of the Accounting Examining Board, to serve for the term ending July 1, 1996.

Read.

PROBST, FRANK R., of Milwaukee, as a member of the Accounting Examining Board, to serve for the term ending July 1, 1996.

Read.

WILLOUGHBY, E. RAY, of Eau Claire, as a member of the Banking Review Board, to serve for the term ending May 1, 1997.

Read.

LEAVE OF ABSENCE

Senator Helbach, with unanimous consent, asked that Senator Czarnecki be granted a leave of absence until 4:00 P.M. today.

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, Breske, Buettner, Burke, Chvala, Cowles, 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 — 32.

Noes — None.

Absent or not voting — Senator Czarnecki — 1.

Confirmed.

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 91-178

Relating to early intervention services for children in the age group birth through 2 who are found to be developmentally delayed or to have a diagnosed condition for which there is a high probability that it will result in developmental delay.

Submitted by Department of Health and Social Services.

Report received from agency, March 11, 1992.

Referred to committee on Agriculture, Corrections, Health and Human Services, March 12, 1992.

MESSAGE FROM THE ASSEMBLY

By Thomas T. Melvin, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has passed and asks concurrence in:

Assembly Bill 167
Assembly Bill 197
Assembly Bill 213
Assembly Bill 491
Assembly Bill 538
Assembly Bill 698
Assembly Bill 704
Assembly Bill 763
Assembly Bill 898
Assembly Bill 918
Assembly Bill 931

Assembly Bill 941
Assembly Bill 944
Assembly Bill 947
Assembly Bill 960
Assembly Bill 976
Assembly Bill 983
Assembly Bill 984
Assembly Bill 994

Concurred in:

Assembly Bill 590, Senate Substitute Amendment 1
Senate Bill 356
Senate Bill 357
Senate Bill 370
Senate Bill 396
Senate Bill 460

Amended and concurred in as amended:

Senate Bill 197, Assembly Amendment 1
Senate Bill 240, Assembly Amendment 1 and Part 1, (lines 1-12) of Assembly Amendment 3
Senate Bill 302, Assembly Amendment 1

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Bill 167

Relating to allowing disabled and ill persons to testify by telephone to boards of review.

By Representatives Panzer, Klusman, Bolle, Harsdorf, Porter, Baldus, Brancel, Moore, Silbaugh, Brandemuehl, Potter, Zien, Schneiders, Hahn, Ott, Turba, Vanderperren, Goetsch, Underheim, Williams, Barca, Rosenzweig, Darling, Coleman, Radtke, Lehman, Lorge and Schultz, cosponsored by Senators Buettner, Roshell, Lorman, Risser, Andrea and Stitt.

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

Assembly Bill 197

Relating to placing educational materials about the parking privileges of physically disabled persons on vehicles.

By Representatives Van Gorden, Ott, Grobschmidt, Reynolds, Brandemuehl, Duff, Radtke, Stower, Harsdorf, Huber, Musser, Turba, Baldus, Bolle, Vergeront, Ainsworth, Hahn, Freese, Kaufert, Klusman, Vander Loop, Ourada, Vrakas, Hamilton and Moore, cosponsored by Senators Farrow, Buettner, Plewa, Czarnecki, Berndt and Cowles.

Read first time and referred to committee on Transportation and Utilities.

Assembly Bill 213

Relating to collecting court fees for tax warrants.

By Representatives Turba, Baumgart, Huber, Brandemuehl, Lorge, Fortis, Van Gorden, Hauke, Turner, Porter, Silbaugh, Deininger, Goetsch, Hahn, Lehman, Wimmer, Urban, Vergeront, Ott, Hamilton, Ainsworth, Duff, Vrakas and Panzer, cosponsored by

Senators Czarnecki, Potter, Buettner, Kreul, Roshell and Lorman.

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

Assembly Bill 491

Relating to resource accounts for recipients of aid to families with dependent children.

By Representatives Underheim, Ladwig, Young, Vergeront, Bolle, Brandemuehl, Loucks, Lehman, Duff, Musser, Schultz, Klusman, Silbaugh, Darling, Radtke and Zien, cosponsored by Senators Breske, Lasee and Huelsman.

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

Assembly Bill 538

Relating to real property listers.

By Representatives Welch, Zien, Lehman, Ott, Goetsch and Ainsworth.

Read first time and referred to committee on Aging, Banking, Communications and Taxation.

Assembly Bill 698

Relating to an electric transmission line construction moratorium.

By Representatives Hough, Gruszynski, Seery, Robson, Van Dreel, Black, Hisrich, Carpenter and Potter, cosponsored by Senators Adelman and Chvala.

Read first time and referred to committee on Transportation and Utilities.

Assembly Bill 704

Relating to prohibiting certain slaughtering and meat processing establishments from selling seasoned meat food products to restaurants or institutions (suggested as remedial legislation by the department of agriculture, trade and consumer protection).

By Law Revision Committee.

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

Assembly Bill 763

Relating to caller identification services.

By Legislative Council.

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

Assembly Bill 898

Relating to alternative educational programs for learnfare pupils in the city of Milwaukee.

By Representatives Notestein, Bolle, Bock, Krusick, Darling, Rosenzweig, Bell, Young, Seery, Fortis and Vergeront, cosponsored by Senators Barrett and Burke.

Read first time and referred to committee on Education, Economic Development, Financial Institutions and Fiscal Policies.

Assembly Bill 918

Relating to solicitation of a minor to commit a felony and providing a penalty.

By Representatives Turner, Plache, Moore, Black, Bock, Boyle, Fortis, Grobschmidt, Gronemus,

Hasenohrl, Holperin, Huber, Krusick, Lautenschlager, Rohan, Stower, Van Dreel, Wood, Albers, Ainsworth, Brancel, Brandemuehl, Duff, Goetsch, Klusman, Lehman, Musser, Nass, Ott, Ourada, Radtke, Rosenzweig, Schneiders, Urban, Vrakas, Vergeront, Zien, Lorge and Silbaugh, cosponsored by Senators Andrea, Breske, Burke, Moen, Roshell, Ulichny, Huelsman, Lasee, Lorman, Petak, Rude and Buettner.

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

Assembly Bill 931

Relating to the discipline of state employees based on surveillance.

By Legislative Council.

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

Assembly Bill 941

Relating to imposition of fees by solid waste management boards.

By Representatives Huber, Black, Duff, Notestein, Musser, Robson, Plache, Fortis, Rohan, Boyle and Springer, cosponsored by Senators Decker and Petak.

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

Assembly Bill 944

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

By Representatives Reynolds, Schwartz, Vander Loop, Radtke, Kaufert, Roberts, Van Gorden, Bock, Hough, Young, Klusman, Huber, Rohan, Moore, Lorge, Plache, Springer, Zien and Ott, cosponsored by Senator Decker.

Read first time and referred to committee on Transportation and Utilities.

Assembly Bill 947

Relating to creating a joint committee on information policy.

By Legislative Council.

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

Assembly Bill 960

Relating to records of John Doe proceedings.

By Representatives Schneider and Rutkowski, cosponsored by Senator Adelman.

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

Assembly Bill 976

Relating to transportation and disposal of medical waste, approval of medical waste incinerators, certification of incinerator operators, granting rule-making authority and providing a penalty.

By Representatives Antaramian, Barca, Foti, Radtke, Seery, Urban, Plache, Lehman, Bock, Goetsch, Stower, Grobschmidt, Hamilton, Moore and Porter, cosponsored by Senators Andrea and Burke.

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

Assembly Bill 983

Relating to the confidentiality of tax returns of spouses and former spouses, determination of joint tenancy, removing certain judgment liens that have attached to property that is exempt from execution, allowances to a surviving spouse, summary procedures for confirming interests in property and various changes to the marital property law.

By Legislative Council.

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

Assembly Bill 984

Relating to making the surviving spouse's share of decedent's deferred marital property under intestacy automatic rather than elective.

By Legislative Council.

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

Assembly Bill 994

Relating to membership of the state council on alcohol and other drug abuse.

By Representatives Rohan, Gard, Stower, Young, Lautenschlager, Boyle, Grobschmidt, Hisrich, Turner, Brancel, Brandemuehl, Lorge, Ott and Vrakas, cosponsored by Senators Adelman, Buettner, Burke and Petak.

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

SECOND READING AND AMENDMENTS
OF SENATE JOINT RESOLUTIONS AND
SENATE BILLS

CALENDAR OF MARCH 12, 1992

Senator Helbach, with unanimous consent, asked that **Senate Bill 292** be placed at the foot of the calendar.

Senate Bill 355

Relating to bidding requirements for school district construction.

Read a second time.

The question was: Adoption of Senate amendment 1?

Adopted.

Senate amendment 2 to **Senate Bill 355** offered by Senator Lekan.

The question was: Adoption of Senate amendment 2?

Senator Feingold moved rejection of Senate amendment 2.

The question was: Rejection of Senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 14; absent or not voting, 1; as follows:

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

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

Absent or not voting — Senator Czarnezki — 1.

Rejected.

Senate amendment 3 to **Senate Bill 355** offered by Senator Rude.

The question was: Adoption of Senate amendment 3?

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 355

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 10; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Decker, Feingold, George, Helbach, Jauch, Lorman, Moen, Plewa, Potter, Risser, Roshell, Rude, Ulichny and Van Sistine — 22.

Noes — Senators Cowles, Ellis, Farrow, Huelsman, Lasee, Lekan, Petak, Schultz, Stitt and Weeden — 10.

Absent or not voting — Senator Czarnezki — 1.

Passed.

Senate Bill 517

Relating to replacement of adversely affected wetlands and granting rule-making authority.

Read a second time.

Senator Helbach, with unanimous consent, asked that **Senate Bill 517** be placed at the foot of the eleventh order.

Senator Helbach, with unanimous consent, asked that **Senate Bill 292** be placed at the foot of the eleventh order.

Senate Bill 519

Relating to public service special prosecutors.

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 519

Read a third time and passed.

Senate Bill 549

Relating to redistricting the congressional and legislative districts.

Read a second time.

Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 549** offered by Senators Burke, Jauch and Helbach.

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

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

Senator Roshell, with unanimous consent, asked that the Senate recess until 12:05 P.M..

11:35 A.M.

RECESS

12:05 P.M.

The Senate reconvened.

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

Senator Burke, with unanimous consent, asked that Senate amendment 1 to Senate substitute amendment 1 be returned to the author.

The question was: Adoption of Senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 1; as follows:

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

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

Absent or not voting — Senator Czarnezki — 1.

Adopted.

Senate substitute amendment 2 to **Senate Bill 549** offered by Senator Plewa.

The question was: Adoption of Senate substitute amendment 2?

Senator Plewa, with unanimous consent, asked that Senate substitute amendment 2 be returned to the author.

Ordered to a third reading.

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

Senate Bill 549

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 1; as follows:

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

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

Absent or not voting — Senator Czarnezki — 1.

Passed.

Senate Bill 517

Relating to replacement of adversely affected wetlands and granting rule-making authority.

Read a second time.

Senator Helbach, with unanimous consent, asked that **Assembly Bill 1057** be taken up at this time.

Assembly Bill 1057

An act relating to suspending the rates for the motor fuel and special fuel taxes for one year.

Read a second time.

Senator Cowles, with unanimous consent, asked that he be listed as a co-sponsor of **Assembly Bill 1057**.

Ordered to a third reading.

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

Assembly Bill 1057

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 1; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Cowles, Decker, Ellis, Farrow, Feingold, George, Helbach, Huelsman, Jauch, Lasee, Leraan, Lorman, Moen, Petak, Plewa, Potter, Risser, Roshell, Rude, Stitt, Ulichny, Van Sistine and Weeden — 31.

Noes — Senator Schultz — 1.

Absent or not voting — Senator Czarnezki — 1.

Concurred in.

Senator Helbach, with unanimous consent, asked that **Senate Bill 511** be taken up at this time.

Senate Bill 511

Relating to the regulation of red deer and fallow deer.

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, Breske, Buettner, Burke, Chvala, Cowles, 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 — 32.

Noes — None.

Absent or not voting — Senator Czarnecki — 1.

Passed.

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

Senator Helbach, with unanimous consent, asked that the Senate recess until 6:00 P.M..

1:33 P.M.

RECESS

6:00 P.M.

The Senate reconvened.

The Chair, with unanimous consent, asked that the Senate return to the fourth order of business.

COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

Senate Bill 483

Relating to: transferring the property tax deferral program to the Wisconsin housing and economic development authority; placing certain prison industries sales personnel in the state unclassified civil service and authorizing their salaries and commissions; stopping or inspecting vehicles to enforce certain state and local laws; imposing the real estate transfer fee on land contracts when they are recorded; lapses and expenditure reestimates affecting certain appropriations made to state agencies from general purpose revenue; increasing the rate of the cigarette tax; the due dates for payments of sales tax collections and amounts withheld for income tax purposes; construction of a parking facility in the city of Madison; funding for the Frank Lloyd Wright terrace project in the city of Madison; the method of setting fees for parking at state facilities; authorized uses for state parking facility revenues; purchase and remodeling of a state office building in the Madison area; the lottery credit estimated fair market value; the school levy tax credit for mobile homes; security services for the historical society headquarters building; abolishing the board on the U.S.S. Wisconsin; elimination of various health-related programs and allocations and the allocation of moneys to alcohol and other drug abuse

treatment and prevention programs; the children-in-crisis program and before-school and after-school services; eliminating the office of the commissioner of transportation; eliminating certain railroad regulations; transferring certain responsibilities and railroad regulation duties to the department of transportation; expanding the division of hearings and appeals in the department of administration; a nonstock, nonprofit corporation that raises funds for the Wisconsin radio and television networks; early intervention services to handicapped children and their families; determination of income and assets for aid to families with dependent children; medical assistance administration and eligibility determinations; requiring certain recipients of aid to families with dependent children to attend school; aid to families with dependent children payments to certain parents; aid to families with dependent children payments for individuals who move from other states; the amount that a county or tribal governing body may retain from a recovered food stamp overpayment; removal of a person from the aid to families with dependent children payment because of the person's fraudulent acts; eligibility for general relief; membership of the state capitol and executive residence board; the method of financing information technology services provided by the department of administration to state agencies; transferring the incumbent in a position from the educational communications board to the department of administration; income tax extensions; the discount given to retailers for collecting the sales tax and the use tax; the penalty for failing to file a sales tax or use tax return; the penalty for underreporting the value of property that is required to be registered or titled; imposing the sales tax on fitness centers; disallowing the inclusion of certain miscellaneous itemized deductions in the calculation of the individual income tax itemized deductions credit; repealing an initial applicability provision that does not apply to any statutory section; certificates of title for boats and security interests in boats; increasing the aid rate per mile for local transportation aids; permitting petitions to the court to modify protective placement orders; a rebate of county sales tax administrative revenue; permitting certain county trunk highway improvements to be performed by county highway departments; authorizing a county board to establish a tax stabilization fund; the total amount of shared revenue distributions; providing grants to the committees on area promotion; transferring moneys from the Wisconsin development reserve fund; a contract for dental education with Marquette dental school; inmate wages; products made by inmates; the date on which county assessment aid is paid; the funding source for a position in the legislative audit bureau; abolishing the high-risk pregnancy grant program; emergency medical services; fees for tests conducted by the state laboratory of hygiene; removing the right to carry forward moneys from one calendar year to the next for relocation services for mentally ill persons; the intensive aftercare pilot program and the early intervention program for high-risk youths; recycling

surcharge administration; the Wisconsin job opportunity business subsidy program; the educational assessment program; educational program reviews; school board management restructuring programs; grants for school district collaborative projects; grants for mathematics and science programs; grants for staff development; state aid for additional school days; state aid incentives for school district consolidation; state aid for professional development activities; interdistrict special transfer bonus aid; a uniform pupil transcript; advanced placement examinations; head start supplements; the postsecondary enrollment options program; community service activities; issuance of promissory notes by 1st class city school districts; revocation of child labor permits; the pupil minimum competency testing program; the school performance report; school district audits; creating an educational goals committee and a student readiness study committee; the institutional matching requirement under the academic excellence higher education program; lapsing an amount appropriated to the department of development for tourism; administration of the state health insurance pilot projects; controlled substances; drug enforcement; law enforcement; district attorneys; legal representation for indigent respondents in paternity actions; municipal insurance mutuals; grants for the costs of salaries and fringe benefits of drug enforcement officers; trust lands and investments; department of employment relations publications; use of property acquired by the department of transportation; regulating by permit the use of rail corridors; payments to the medical college of Wisconsin, inc., for health manpower training; allowing the state supplement to the women, infants and children program to be transferred between fiscal years; vocational rehabilitation clients' responsibility for postsecondary education costs; reversion of certain program revenues to the general fund; circuit court judicial assistants, law clerks and law libraries; creating a court support services fee; privacy of personally identifiable information in state and local government records; disclosure of patient health care records; humane treatment of animals; use of bait or lures for dog racing purposes; the Portage levee system; the local aid program for dams; issuance of fish and game approvals by county clerks; requirements for state aids for acquisition and development of local parks and an application for such state aids by the village of Williams Bay; regulation of continuing care contracts by the office of the commissioner of insurance; nondisclosure of information in insurance matters; licensing and regulation of managing general agents and reinsurance agents; a transfer from the local government property insurance fund; a lapse of program revenue in the office of the commissioner of banking; guideline matrices provided by the sentencing commission; composition of the Wisconsin health education loan repayment fund; seed labeler license fees; a transfer from the transportation fund to the general fund; a lapse to the general fund from the appropriation for gasoline vapor recovery grants; contracting for the implementation of a certain long-range plan affecting the

Fox river and the Winnebago pool; authorizing cities, villages and towns to create architectural conservancy districts; the annual earnings period for judges under the Wisconsin retirement system; underwater archaeology and submerged cultural resources; creating a submerged cultural resources council; creating a historical markers program; a management and efficiency study of the department of natural resources; substitution of judges; holding a juvenile in a secure detention facility; short-term detention for juveniles; permitting law enforcement officers to take truants into custody; extended juvenile court jurisdiction; waiver of juvenile court jurisdiction; juvenile court orders applicable to parents, guardians and legal custodians; prohibiting sheltering and concealing runaway children; payment of restitution by juveniles; providing short-term detention as a sanction for violating a dispositional order; proposing legislation related to confidential juvenile records; reimbursement to juvenile correctional institutions for the cost of caring for violent juvenile offenders; elimination of the authority to carry forward community aids moneys due to an audit adjustment; day care programs for student parents; specifying that computer programs except custom programs are subject to the sales tax and use tax; instruction permits for commercial motor vehicle or school bus operation; licenses and fees for the sale or distribution of pesticides, fertilizers, commercial feed and soil and plant additives; living arrangement requirements for certain recipients of aid to families with dependent children; general relief benefits, eligibility, procedures and reimbursements; changes in the public assistance bill of rights; creating a multifamily dwelling code council in the department of industry, labor and human relations; adopting a statewide multifamily dwelling code; regulation of video gaming machines; imposing an occupational tax on the operation of a video gaming machine; certain floodplain and shoreland zoning ordinances for Pierce county regulating improvements to nonconforming buildings or buildings with nonconforming uses; a sea lamprey barrier at the Rapide Croche lock on the Fox river; small municipality shared revenue payments; treatment of income and resources of certain institutionalized individuals who apply for or receive medical assistance; recipient cost sharing under the medical assistance program; medical assistance coverage of care coordination for pregnant women; limiting medical malpractice noneconomic damage awards; valuation of the accumulated unused sick leave of a state constitutional officer, member or officer of the legislature, head of a state agency who is appointed by the governor or head of a legislative service agency for the payment of his or her postretirement health insurance premiums under the state group health insurance program; creating a gaming commission; supplementing or decreasing payments to certain nursing homes for care provided to medical assistance recipients; seizure and sale of vehicles; occupational license restrictions; alcohol and controlled substance use assessment; reimbursement from the parents or guardian of a child who is alleged to be delinquent or in need of protection or services for legal

representation provided by the state or counties to that child; a statewide lien system report; grain dealer bond and security requirements; specific information highway signs on the tri-county expressway; community-based economic development grants to the city of Beloit for riverfront development; provision of health insurance data collection and analysis services to the group insurance board by the office of health care information; enforcement of gaming laws by the department of justice; creating a division of criminal investigation in the department of justice; restrictions on requiring insureds to use particular vendors for repair or replacement of motor vehicle glass; air pollution from motor vehicles; employe trip reduction; clean fuels and clean-fuel vehicles; reformulated gasoline; petroleum product specifications; a grant to the General Mitchell international airport; actions finding solid waste facilities to be nuisances; medical assistance reimbursement for home health services; reimbursement for local administration of the lottery credit; increasing the amount of public debt that the building commission may contract for related to veterans mortgage refunding bonds; seeking federal authority for a pilot program concerning the method of payment of aid to families with dependent children benefits; the date on which certain unencumbered moneys appropriated for racing special programs will lapse to the general fund; payment of incentive bonuses to lottery retailers; school district expenditure limits; the additional oil inspection fee; state aid for driver education programs; authorizing the use of office of justice assistance funds for a law enforcement grant to a city having a population of more than 150,000 and less than 500,000; permits for air contaminant sources; creating a small business environmental council; assistance for small businesses that emit air contaminants; recovery of medical assistance benefits; grants to the city of West Allis for the provision of crowd and traffic control services related to events held at the state fair park; minor technical changes to the designation of state park names; the capital access program; adjustment of authorized positions for state agencies; providing an exemption from emergency rule procedures; granting bonding authority; granting rule-making authority; providing penalties; and decreasing and making appropriations.

Introduction of Senate substitute amendment 1:

Ayes, 15 -- Senators George, Roshell, Chvala, Andrea, Czarnezki, Jauch, Leean and Weeden; Representatives Linton, Wineke, Holperin, Hubler, Antaramian, Panzer and Brancel;

Noes, 0 -- None.

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

Ayes, 10 -- Senators George, Roshell, Andrea, Jauch, Leean and Weeden; Representatives Linton, Hubler, Antaramian and Brancel;

Noes, 6 -- Senators Chvala and Czarnezki; Representatives Wineke, M. Cogs, Holperin and Panzer.

Adoption of Senate substitute amendment 1:

Ayes, 15 -- Senators George, Roshell, Chvala, Andrea, Czarnezki, Jauch, Leean and Weeden; Representatives Linton, Wineke, Holperin, Hubler, Antaramian, Panzer and Brancel;

Noes, 0 -- None.

Passage as amended:

Ayes, 15 -- Senators George, Roshell, Chvala, Andrea, Czarnezki, Jauch, Leean and Weeden; Representatives Linton, Wineke, Holperin, Hubler, Antaramian, Panzer and Brancel;

Noes, 0 -- None.

Gary R. George
Co-chair

Barbara J. Linton
Co-chair

The Chair, with unanimous consent, asked that the Senate return to the eleventh order of business.

SECOND READING AND AMENDMENTS
OF SENATE JOINT RESOLUTIONS AND
SENATE BILLS

Senate Bill 517

Relating to replacement of adversely affected wetlands and granting rule-making authority.

Read a second time.

The question was: Adoption of Senate amendment 1?

Senator Stitt, with unanimous consent, asked that Senate amendment 1, 2 and 3 be laid on the table.

Senate amendment 4 to **Senate Bill 517** offered by Senator Farrow.

The question was: Adoption of Senate amendment 4?

Senator Jauch moved rejection of Senate amendment 4.

The question was: Rejection of Senate amendment 4?

Rejected.

Senate amendment 5 to **Senate Bill 517** offered by Senator Stitt.

The question was: Adoption of Senate amendment 5?

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 517

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 10; absent or not voting, 1; as follows:

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Ayes — Senators Adelman, Barrett, Berndt, Buettner, Burke, Chvala, Cowles, Decker, Feingold, George, Helbach, Jauch, Lasee, Lorman, Moen, Plewa, Potter, Risser, Stitt, Ulichny, Van Sistine and Weeden — 22.

Noes — Senators Andrea, Breske, Ellis, Farrow, Huelsman, Leraan, Petak, Roshell, Rude and Schultz — 10.

Absent or not voting — Senator Czarnezki — 1.

Passed.

Senate Bill 292

Relating to prohibiting employment discrimination on the basis of lawful activities pursued outside an employer's premises during nonworking hours.

Read a second time.

Senator Adelman, with unanimous consent, asked that **Senate Bill 292** be referred to committee on Judiciary and Consumer Affairs.

Senator Van Sistine objected.

Senator Adelman moved that **Senate Bill 292** be referred to committee on Judiciary and Consumer Affairs.

The question was: Shall **Senate Bill 292** be referred to committee on Judiciary and Consumer Affairs?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 19; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Berndt, Cowles, Ellis, Farrow, Huelsman, Jauch, Lasee, Leraan, Lorman, Risser, Ulichny and Weeden — 13.

Noes — Senators Andrea, Barrett, Breske, Buettner, Burke, Chvala, Decker, Feingold, George, Helbach, Moen, Petak, Plewa, Potter, Roshell, Rude, Schultz, Stitt and Van Sistine — 19.

Absent or not voting — Senator Czarnezki — 1.

Referral refused.

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

Adopted.

The question was: Adoption of Senate amendment 2 to Senate substitute amendment 1?

Adopted.

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

Senator Van Sistine moved rejection of Senate amendment 3 to Senate substitute amendment 1.

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

The ayes and noes were demanded and the vote was: ayes, 22; noes, 10; absent or not voting, 1; as follows:

Ayes — Senators Andrea, Barrett, Berndt, Breske, Buettner, Decker, Ellis, Farrow, George, Huelsman, Jauch, Leraan, Lorman, Moen, Plewa, Potter, Roshell, Rude, Schultz, Stitt, Ulichny and Van Sistine — 22.

Noes — Senators Adelman, Burke, Chvala, Cowles, Feingold, Helbach, Lasee, Petak, Risser and Weeden — 10.

Absent or not voting — Senator Czarnezki — 1.

Rejected.

The question was: Adoption of Senate amendment 4 to Senate substitute amendment 1?

Senator Van Sistine moved rejection of Senate amendment 4 to Senate substitute amendment 1.

The question was: Rejection of Senate amendment 4 to Senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 27; noes, 5; absent or not voting, 1; as follows:

Ayes — Senators Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Decker, Ellis, Farrow, George, Helbach, Huelsman, Jauch, Lasee, Leraan, Lorman, Moen, Petak, Plewa, Potter, Roshell, Rude, Stitt, Ulichny, Van Sistine and Weeden — 27.

Noes — Senators Adelman, Cowles, Feingold, Risser and Schultz — 5.

Absent or not voting — Senator Czarnezki — 1.

Rejected.

The question was: Adoption of Senate amendment 5 to Senate substitute amendment 1?

Adopted.

The question was: Adoption of Senate amendment 6 to Senate substitute amendment 1?

Senator Van Sistine moved rejection of Senate amendment 6 to Senate substitute amendment 1.

The question was: Rejection of Senate amendment 6 to Senate substitute amendment 1?

Rejected.

Senate amendments 7 and 8 to Senate substitute amendment 1 to **Senate Bill 292** offered by Senator Adelman.

The question was: Adoption of Senate amendment 7 to Senate substitute amendment 1?

Senator Van Sistine moved rejection of Senate amendment 7 to Senate substitute amendment 1.

The question was: Rejection of Senate amendment 7 to Senate substitute amendment 1?

Rejected.

The question was: Adoption of Senate amendment 8 to Senate substitute amendment 1?

Senator Van Sistine moved rejection of Senate amendment 8 to Senate substitute amendment 1.

The question was: Rejection of Senate amendment 8 to Senate substitute amendment 1?

Rejected.

Senate amendment 9 to Senate substitute amendment 1 to **Senate Bill 292** offered by Senator Buettner.

The question was: Adoption of Senate amendment 9 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 292

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 1; as follows:

Ayes — Senators Andrea, Breske, Buettner, Burke, Decker, Feingold, George, Helbach, Lasee, Lcean, Petak, Potter, Roshell, Rude, Schultz, Stitt and Van Sistine — 17.

Noes — Senators Adelman, Barrett, Berndt, Chvala, Cowles, Ellis, Farrow, Huelsman, Jauch, Lorman, Moen, Plewa, Risser, Ulichny and Weeden — 15.

Absent or not voting — Senator Czarnezki — 1.

Passed.

SECOND READING AND AMENDMENTS OF ASSEMBLY JOINT RESOLUTIONS AND ASSEMBLY BILLS

Assembly Joint Resolution 27

For the purpose of requesting appropriate action by the congress to propose an amendment to the U.S. constitution prohibiting the physical desecration of the flag of the United States.

Read.

Senate substitute amendment 1 to **Assembly Joint Resolution 27** offered by Senators Adelman, Jauch and Chvala.

The question was: Adoption of Senate substitute amendment 1?

Senator Roshell moved rejection of Senate substitute amendment 1.

The question was: Rejection of Senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 12; absent or not voting, 1; as follows:

Ayes — Senators Andrea, Berndt, Breske, Buettner, Cowles, Ellis, Farrow, Huelsman, Lasee, Lcean, Moen, Petak, Plewa, Potter, Roshell, Rude, Schultz, Stitt, Van Sistine and Weeden — 20.

Noes — Senators Adelman, Barrett, Burke, Chvala, Decker, Feingold, George, Helbach, Jauch, Lorman, Risser and Ulichny — 12.

Absent or not voting — Senator Czarnezki — 1.

Rejected.

Senator Lcean, with unanimous consent, asked that he be listed as a co-sponsor of **Assembly Joint Resolution 27**.

The question was: Concurrence?

Concurred in.

Assembly Joint Resolution 91

Relating to the contributions of Brooks Stevens.

Read.

The question was: Concurrence?

Concurred in.

Assembly Bill 771

Relating to controlled substances offenses involving tetrahydrocannabinols.

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 771

Read a third time and concurred in.

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

LEAVE OF ABSENCE

Senator Helbach, with unanimous consent, asked that Senator Czarnezki be granted a leave of absence for the balance of today's session.

Senator Helbach, with unanimous consent, asked that **Senate Bill 483** be placed on the calender of Friday, March 13, 1992.

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Senator Helbach, with unanimous consent, asked that the Senate recess until 9:20 P.M..

7:26 P.M.

—————
RECESS

9:20 P.M.

The Senate reconvened.

Senator Risser, with unanimous consent, asked that when the Senate adjourn today it do so in honor of Dr. H. Rupert Theold's sixtyth birthday.

Senator Helbach, with unanimous consent, asked that the Senate adjourn until 10:30 A.M. Friday, March 13.

9:21 P.M.