

Senate Journal

Ninety-First Regular Session

10:00 A.M.

Friday, July 2, 1993

The Senate met.

The Senate was called to order by Senator Joseph Leean.

The Chair, with unanimous consent, asked that the proper entries be made in the journal.

COMMITTEE REPORTS

The committee on Judiciary and Insurance reports and recommends:

Senate Bill 19

Relating to midterm cancellation of long-term care insurance policies.

Passage:

Ayes, 7 -- Senators Huelsman, Stitt, Petak, Darling, Risser, Adelman and Chvala;

Noes, 0 -- None.

Senate Bill 117

Relating to termination of parent rights over a child conceived as a result of a sexual assault and support of a child conceived as a result of a sexual assault by a parent convicted of that assault.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 7 -- Senators Huelsman, Stitt, Petak, Darling, Risser, Adelman and Chvala;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Huelsman, Stitt, Petak, Darling, Risser, Adelman and Chvala;

Noes, 0 -- None.

Senate Bill 131

Relating to allowing landlords to evict tenants within 5 days in the case of nuisances related to drugs.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 7 -- Senators Huelsman, Stitt, Petak, Darling, Risser, Adelman and Chvala;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Huelsman, Stitt, Petak, Darling, Risser, Adelman and Chvala;

Noes, 0 -- None.

Senate Bill 155

Relating to crimes against judges and their families and providing penalties.

Introduction and adoption of Senate amendment 1:

Ayes, 6 -- Senators Huelsman, Stitt, Petak, Darling, Risser and Chvala;

Noes, 1 -- Senator Adelman.

Passage as amended:

Ayes, 6 -- Senators Huelsman, Stitt, Petak, Darling, Risser and Chvala;

Noes, 1 -- Senator Adelman.

Senate Bill 190

Relating to immunity for physicians who provide medical care to athletic participants.

Introduction and adoption of Senate amendment 1:

Ayes, 5 -- Senators Huelsman, Stitt, Petak, Darling and Chvala;

Noes, 2 -- Senators Risser and Adelman.

Passage as amended:

Ayes, 5 -- Senators Huelsman, Stitt, Petak, Darling and Chvala;

Noes, 2 -- Senators Risser and Adelman.

Senate Bill 299

Relating to methcathinone and providing penalties.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 7 -- Senators Huelsman, Stitt, Petak, Darling, Risser, Adelman and Chvala;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Huelsman, Stitt, Petak, Darling, Risser, Adelman and Chvala;

Noes, 0 -- None.

Senate Bill 306

Relating to admissibility of evidence of sexual conduct in civil actions involving incest or sexual assault or exploitation.

Passage:

Ayes, 6 -- Senators Huelsman, Stitt, Petak, Darling, Risser and Chvala;

Noes, 1 -- Senator Adelman.

Assembly Bill 210

Relating to battery to a vehicle operator, driver or passenger and providing a penalty.

Concurrence:

Ayes, 6 -- Senators Huelsman, Stitt, Petak, Darling, Risser and Chvala;

Noes, 1 -- Senator Adelman.

Assembly Bill 220

Relating to oleoresin of capsicum and tear gas, granting rule-making authority and providing a penalty.

Concurrence:

Ayes, 6 -- Senators Huelsman, Stitt, Petak, Darling, Risser and Chvala;

Noes, 1 -- Senator Adelman.

Assembly Bill 319

Relating to repealing the uniform commercial code -- bulk transfers provisions.

Concurrence:

Ayes, 5 -- Senators Huelsman, Petak, Darling, Risser and Adelman;

Noes, 2 -- Senators Stitt and Chvala.

Joanne B. Huelsman
Chair

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

Senate Bill 194

Relating to deleting obsolete titles of certain institutions administered or formerly administered by counties and by the department of health and social services.

Passage:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Senate Bill 207

Relating to abolishing the citizens council on alcohol and other drug abuse and its responsibilities and duties and expanding the membership of the state council on alcohol and other drug abuse.

Passage:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Senate Bill 348

Relating to health administration and supervision, local health departments, local health officials, communicable diseases, maternal and child health, environmental health, chronic disease and injuries, granting rule-making authority and providing penalties.

Introduction and adoption of Senate amendment 1:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 2:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Introduction Senate amendment 3:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 1 to Senate amendment 3:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 2 to Senate amendment 3:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Adoption of Senate amendment 3:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 4:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 5:

Ayes, 6 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen and Breske;

Noes, 1 -- Senator Moore.

Passage as amended:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Carol A. Buettner
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin

Department of Health and Social Services

June 30, 1993

To the Honorable the Legislature:

1989 Wisconsin Act 31, Section 1118i, requires the Department of Health and Social Services to submit to the chief clerk of each house of the legislature a report on June 30 annually on the allocation and expenditure of funds for services for homeless individuals. Attached is the Department's fourth annual report.

Departmental staff are available if you have any questions or require any additional information.

Sincerely,
Gerald Whitburn
Secretary

State of Wisconsin
Legislative Audit Bureau

June 30, 1993

To the Honorable the Legislature:

We have completed a financial and compliance audit of the State of Wisconsin as requested by state agencies to meet the audit requirements of the Single Audit Act of 1984 and provisions of the federal Office of Management and Budget Circular A-128. Our audit covers the period July 1, 1991 through June 30, 1992. In addition to satisfying audit requirements, the single audit assists us in meeting state audit requirements under section 13.94, Wis. Stats.

Report 93-17 contains the auditor's reports on internal control structure and compliance; narratives for each agency which include our comments on internal control deficiencies, findings of noncompliance, and the results of our follow up to prior audit findings; agencies' responses to our recommendations and their plans for corrective action; and the Schedules of Federal Financial Assistance and accompanying notes. We have identified

\$86,754 in questioned costs, plus an additional, undetermined amount of questioned costs.

Our audit opinion on the State's financial statements was included in the comprehensive annual financial report for the fiscal year ended June 30, 1992. This report was published by the Department of Administration in May 1993 and is available from the Bureau of Financial Operations in the Department of Administration. Our opinion was qualified because we were unable to determine the fair presentation of interfund transactions and other receivables and payables.

Our single audit report is lengthy and detailed. We are, therefore, limiting our initial distribution to those persons required by law to receive copies and to those who have an obvious and direct interest in our detailed findings. However, if you are interested in receiving a copy of the single audit report, please contact our office and request report number 93-17.

Sincerely,
Dale Cattanach
State Auditor

State of Wisconsin
Ethics Board

June 29, 1993

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:

GTECH Corp.

Tenuta, James

Scrap Recycling Industries, Wisconsin Chapter, Institute of

Letzing, Sybil

Snowmobile Clubs, Inc., Assoc. of Wisconsin

Letzing, Sybil

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.

Children's Hospital Health Systems of Wisconsin

Hurtgen, Robert 6/24/93

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:

Kelly, M. Colleen name changed to:

Wilson, M. Colleen

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
State of Wisconsin
Ethics Board

June 29, 1993

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.

Ashley Furniture Industries, Inc.

Subjects: All matters pertaining to corporate business practices, including business development, transportation, environmental and employment regulations.

Gerrard, M. William

Dental Management Services, Inc.

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

Broydrick, Bill

Katzman, William

Physicians Plus Medical Group

Subjects: Any function or activity of any branch, department or phase of state or local government that relates to health care delivery, management or financing.

Kachelski, Joseph

O'Connor, Alice

Salvin, William

Pull-Tab Distributors, Wisconsin

Subjects: All areas of state legislation or administrative rules which could affect the Wisconsin Gaming Commission and the policies or procedures for pull-tab operations.

Goyke, Gary

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

SENATE CLEARINGHOUSE ORDERS
State of Wisconsin
Revisor of Statutes Bureau

July 1, 1993

To the Honorable the Legislature:

The following rules have been published and are effective:

- Clearinghouse Rule 92- 66 effective July 1, 1993.
- Clearinghouse Rule 92- 92 effective July 1, 1993.
- Clearinghouse Rule 92-102 effective July 1, 1993.
- Clearinghouse Rule 92-119 effective July 1, 1993.
- Clearinghouse Rule 92-120 effective July 1, 1993.
- Clearinghouse Rule 92-121 effective July 1, 1993.
- Clearinghouse Rule 92-122 effective July 1, 1993.
- Clearinghouse Rule 92-123 effective July 1, 1993.
- Clearinghouse Rule 92-138 effective July 1, 1993.
- Clearinghouse Rule 92-144 effective July 1, 1993.
- Clearinghouse Rule 92-148 effective July 1, 1993.
- Clearinghouse Rule 92-172 effective July 1, 1993.
- Clearinghouse Rule 92-181 effective July 1, 1993.
- Clearinghouse Rule 92-184 effective July 1, 1993.
- Clearinghouse Rule 92-187 effective July 1, 1993.
- Clearinghouse Rule 92-188 effective July 1, 1993.
- Clearinghouse Rule 92-191 effective July 1, 1993.
- Clearinghouse Rule 92-208 effective July 1, 1993.
- Clearinghouse Rule 92-209 effective July 1, 1993.
- Clearinghouse Rule 92-211 effective July 1, 1993.
- Clearinghouse Rule 92-212 effective July 1, 1993.
- Clearinghouse Rule 92-214 effective July 1, 1993.
- Clearinghouse Rule 92-217 effective July 1, 1993.
- Clearinghouse Rule 92-218 effective July 1, 1993.
- Clearinghouse Rule 93- 2 effective July 1, 1993.
- Clearinghouse Rule 93- 3 effective July 1, 1993.
- Clearinghouse Rule 93- 28 effective July 1, 1993.
- Clearinghouse Rule 93- 81 effective July 1, 1993.

Sincerely,
Gary L. Poulson
Deputy Revisor

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

Senate Clearinghouse Rule 93-45

Relating to application procedures, examinations, temporary permits to practice as an R.N. or an L.P.N. and duties of the examining councils.

No action taken.

Carol A. Buettner
Chair

The committee on State Government Operations and Corrections reports and recommends:

Senate Clearinghouse Rule 93-15

AN ORDER to amend Tax 13.08 (2) (intro.) and (f) and (7) (a) and 13.10 (7); to repeal and recreate Tax 13.06 (3); and to create Tax 13.03 (20) and (21) and 13.05 (4), regarding notice of intent payments.

No action taken.

Senate Clearinghouse Rule 93-54

Relating to probationary periods for employees brought into the state classified civil service.

No action taken.

Senate Clearinghouse Rule 93-69

AN ORDER to repeal Tax 13.03 (4) (b) and (15), 13.05 (3) (e) and 13.06 (2) (a) 2 and 3 and (b) (intro.), 1 and 2 a and (5) (e); to renumber Tax 13.06 (2) (b) 2 b; to renumber and amend Tax 13.03 (4) (a); to amend Tax 13.05 (3) (c) and 13.06 (2) (intro.) and (a) (intro.) and 1; and to create Tax 13.05 (3) (a) 3, regarding construction period and permit period payments.

No action taken.

Senate Clearinghouse Rule 93-70

AN ORDER to repeal Tax 13.03 (17), 13.05 (1) (a), 13.06 (1) (d) 2 and 13.08 (2); to renumber Tax 13.08 (1) 11; to amend Tax 13.03 (3), (10) and (11) (a) and (b) 1, 13.06 (1), 13.07 (2) (9) a, 13.08 (1), 13.10 (9) and (13) and 13.11 (3) (a) and (5) (c); and to create Tax 13.08 (1) (L), regarding minor revisions and corrections.

No action taken.

Senate Clearinghouse Rule 93-71

Relating to the waste management fund, first dollar payments, fiscal guidelines and federal mining revenue distribution.

No action taken.

Gary Drzewiecki
Chair

Senator Leean, with unanimous consent, asked that the Senate adjourn until 9:30 A.M. Tuesday, July 6.

10:01 A.M.