

STATE OF WISCONSIN

Senate Journal

Ninety-First Regular Session

10:00 A.M.

Thursday, February 10, 1994

The Senate met.

The Senate was called to order by Brian D. Rude, President of the Senate.

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

Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, George, Helbach, Huelsman, Jauch, Lasee, Leraan, Lorman, Moen, Moore, Panzer, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien — 33.

Absent — None.

Absent with leave — None.

The Senate stood for a moment of silent meditation.

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

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 47

Relating to proclaiming May 3, 1994, Trzeciego Maja Day.

By Senators Plewa, Helbach, Breske, Drzewiecki, Clausing, Potter, Moen, Burke, Chvala, Moore, Zien, Lorman, Darling, Rosenzweig and Schultz; cosponsored by Representatives Kunicki, Ryba, Gruszynski, Rutkowski, Grobschmidt, Zukowski, Krusick, Potter, Carpenter, Notestein, Plombon, Hasenohrl, Kreuser, Bock, Urban, Gronemus, Turner, Dobyns, Porter, Springer, Baldus, Boyle, Ziegelbauer, Stower, Lorge, Grothman and Seratti.

To committee on Senate Organization.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 718

Relating to retaliation against witnesses and providing a penalty.

By Senators Lasee, Potter, Zien and Drzewiecki; cosponsored by Representatives Hahn, Musser, Grothman, Ziegelbauer, Seratti, Lorge, Ladwig, Goetsch, Kaufert, Owens, Vrakas, Freese, Ott, Green, Stower, Albers, Silbaugh, Welch and Ward.

To committee on Judiciary and Insurance.

Senate Bill 719

Relating to clean water fund hardship assistance grants for certain communities and granting bonding authority.

By Senator Drzewiecki; cosponsored by Representative Gard.

To committee on Environment and Energy.

Senate Bill 720

An act to direct expenditure of \$92,275 from the general fund for payment of a claim against the state made by Lovegreen turbine services, inc.

By Senator Schultz.

To joint committee on Finance.

Senate Bill 721

Relating to creating a Kickapoo valley reserve and a Kickapoo valley governing board, providing an exemption from rule-making procedures, making appropriations, granting rule-making authority and providing a penalty.

By Senators Rude, Cowles, Schultz, Moen, Burke and Clausing; cosponsored by Representatives Johnsrud, Black, Gronemus, Musser, Roberts, Brandemuehl, Meyer and Albers.

To committee on Environment and Energy.

COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

Senate Bill 705

Relating to the loan guarantee authority of the Wisconsin housing and economic development authority and transferring funds from the Wisconsin development reserve fund.

Introduction and adoption of Senate amendment 1:

Ayes, 16 -- Senators Leraan, Weeden, Farrow, Schultz, Cowles, Panzer, George and Chvala; Representatives Linton, Holperin, Hubler, Coggs, Krug, Huber, Brancel and Foti;

Noes, 0 -- None.

Passage as amended:

Ayes, 15 -- Senators Leraan, Weeden, Farrow, Schultz, Cowles, Panzer, George and Chvala; Representatives Linton, Holperin, Hubler, Coggs, Huber, Brancel and Foti;

Noes, 1 -- Representative Krug.

Senate Bill 47

Relating to state and local historic preservation programs, requiring cities, villages and counties to regulate historic structures, the calculation and

adjustment of the recapture provisions of the state historic rehabilitation tax credit and eligibility for individuals and eligibility criteria for that credit, regulating the use of abrasives to clean historic buildings, demolition of historic buildings, granting rule-making authority and providing a penalty.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 12 -- Senators Leean, Farrow, Schultz, Panzer, George and Chvala; Representatives Linton, Holperin, Hubler, Coggs, Krug and Huber;

Noes, 4 -- Senators Weeden and Cowles; Representatives Brancel and Foti.

Passage as amended:

Ayes, 11 -- Senators Leean, Farrow, Schultz, Panzer, George and Chvala; Representatives Linton, Holperin, Coggs, Krug and Huber;

Noes, 5 -- Senators Weeden and Cowles; Representatives Hubler, Brancel and Foti.

Senate Bill 425

Relating to a study on shoreline protection measures and making an appropriation.

Adoption of Senate amendment 1:

Ayes, 16 -- Senators Leean, Weeden, Farrow, Schultz, Cowles, Panzer, George and Chvala; Representatives Linton, Holperin, Hubler, Coggs, Krug, Huber, Brancel and Foti;

Noes, 0 -- None.

Passage as amended:

Ayes, 12 -- Senators Leean, Weeden, Farrow, Schultz, Cowles, Panzer, George and Chvala; Representatives Holperin, Coggs, Brancel and Foti;

Noes, 4 -- Representatives Linton, Hubler, Krug and Huber.

Joseph Leean
Co-chair

Barbara J. Linton
Co-chair

The committee on Judiciary and Insurance reports and recommends:

Senate Bill 512

Relating to dangerous weapons on school premises.

Passage:

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

Noes, 0 -- None.

Senate Bill 570

Relating to juvenile court jurisdiction over a child who is alleged to be in need of protection or services based on abuse or neglect of another child in the home, holding a child in physical custody based on abuse or neglect of another child in the home, the appointment of a guardian ad litem for a child placed in out-of-home care and the duration of the appointment of a guardian ad litem appointed under the children's code,

notification to a putative father regarding proceedings to determine whether a child is in need of protection or services, paternity determination proceedings, the release of certain information regarding a foster child to foster parents, membership of permanency plan review panels, grounds for involuntary termination of parental rights, authorizing a county department of human services or social services to license foster homes in other counties, notifying foster parents of supplemental foster care payments, appeals of orders terminating parental rights, a study of out-of-home placements of children, a study of a county-level intensive family education center program and granting rule-making authority.

Introduction and adoption of Senate amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

Senate Bill 620

Relating to forcing children to view sexual activity (suggested as remedial legislation by the legislative reference bureau).

Passage:

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

Noes, 0 -- None.

Senate Bill 622

Relating to the use of preliminary breath screening tests for underage drinking violations.

Introduction and adoption of Senate amendment 1:

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

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Huelsman, Petak, Darling, Drzewiecki, Adelman and Chvala;

Noes, 1 -- Senator Risser.

Senate Bill 648

Relating to possession of firearms by persons who have been involuntarily committed for treatment for mental illness, drug dependency or developmental disability.

Passage:

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

Noes, 0 -- None.

Senate Bill 660

Relating to crimes occurring near schools and other specified places and providing penalties.

Passage:

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

Noes, 1 -- Senator Adelman.

Assembly Bill 665

Relating to facsimile firearms and providing penalties.

Concurrence:

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

Noes, 0 -- None.

Assembly Bill 699

Relating to a defense to criminal liability based on coercion.

Concurrence:

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

Noes, 0 -- None.

Joanne B. Huelsman
Chair

The committee on Senate Organization reports and recommends:

Senate Joint Resolution 44

Relating to proclaiming May 13, 14 and 15, 1994, Syttende Mai Weekend.

Adoption:

Ayes, 5 -- Senators Ellis, Rude, Farrow, Jauch and Risser;

Noes, 0 -- None.

Senate Joint Resolution 45

Relating to recognizing the contributions of the Republic of China on Taiwan.

Adoption:

Ayes, 5 -- Senators Ellis, Rude, Farrow, Jauch and Risser;

Noes, 0 -- None.

Assembly Joint Resolution 112

Relating to commending the Wisconsin Badgers for their Rose Bowl victory.

Concurrence:

Ayes, 5 -- Senators Ellis, Rude, Farrow, Jauch and Risser;

Noes, 0 -- None.

Assembly Joint Resolution 113

Relating to the life and public service of John Bradley.

Concurrence:

Ayes, 5 -- Senators Ellis, Rude, Farrow, Jauch and Risser;

Noes, 0 -- None.

Michael G. Ellis
Chair

The committee on Education reports and recommends:

Senate Bill 415

Relating to creating interdistrict and intradistrict school choice programs and granting rule-making authority.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 5 -- Senators Lorman, Huelsman, Petak, Darling and Potter;

Noes, 2 -- Senators Helbach and Clausing.

Passage as amended:

Ayes, 5 -- Senators Lorman, Huelsman, Petak, Darling and Potter;

Noes, 2 -- Senators Helbach and Clausing.

Barbara Lorman
Chair

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

Senate Bill 416

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

Introduction and adoption of Senate amendment 1:

Ayes, 5 -- Senators Drzewiecki, Lasee, Schultz, Moen and Helbach;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Drzewiecki, Lasee, Schultz, Moen and Helbach;

Noes, 0 -- None.

Gary Drzewiecki
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Senator Ellis

February 10, 1994

To the Honorable the Senate:

Pursuant to Senate Rule 20(1)(ag), I have made the following committee appointment for the Senate.

To the **Joint Committee on Information Policy**, Senators Adelman and George.

With regard to members of the minority party, the appointment reflects the recommendations of that caucus.

Sincerely,
Michael G. Ellis, Chair
Senate Organization

State of Wisconsin
Ethics Board

February 8, 1994

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.

AIDS Resource Center of Wisconsin, Inc. (ARCW)

Subjects: ARCW will attempt to influence legislative action on HIV related issues including AIDS funding for HIV prevention, care and research; civil rights of people living with HIV; and department regulations on HIV policies.

Gifford, Michael

Nelson, Doug

Eagle's Auditorium, Inc.

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

Fitzgerald, Moira

Health Industry Manufacturers Assoc.

Subjects: All matters affecting manufacturers of health care technology products including medical devices, diagnostics and health care information systems.

Marion, Edward

Waukesha County Technical College

Subjects: Technical college education.

Moylan, William

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

February 8, 1994

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:

Citizen Action, Wisconsin

Marx, Larry

Credit Union League, Wisconsin

Tenuta, James

Environmental Decade, Inc., Wisconsin

Kriescher, Paul

Porter, Pamela

Milwaukee County Deputy Sheriffs Assoc.

Broydrick, Bill

Work for Wisconsin

McAlister, Jeffrey 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.

Delaware North Companies, Inc.

Bissett, William 12/31/93

Wimmer, James 12/31/93

Madison Area Employers Health Care Coalition

Bauman, Lee 2/4/94

Work for Wisconsin

Holt, Stephen 1/27/94

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:

Household International (old name)
changed its name to:

Household Financial Group, Ltd. (new name)

Superamerica, A Subsidiary of Ashland Oil, Inc. (old name)

changed its name to:

Superamerica Group, A Division of Ashland Oil, Inc. (new name)

Congress for a Working America, Inc. (old name)

changed its name to:

Work for Wisconsin (new name)

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
Department of Administration

February 1, 1994

To the Honorable the Legislature:

In accordance with s. 159.03(3), Wisc. Stats., (as created by 1993 Wis. Act 75), the Department of Natural Resources, the Department of Development and the University of Wisconsin-Extension are required to

develop a memorandum of understanding (MOU) to set forth their responsibilities in carrying out recycling markets development activities.

We are pleased to inform you that agency staff have worked together to complete the MOU. Attached is a copy for your information.

Sincerely,
James Klauser
Secretary

State of Wisconsin
Legislative Council

February 10, 1994

To the Honorable the Legislature:

Enclosed is a copy of the 1993 Annual Report on the Legislative Council Rules Clearinghouse, submitted to the Legislature pursuant to s. 227.15(5), Stats. Copies have been distributed to the offices of each member of the Legislature.

The Report covers the 12th full calendar year of operation of the Rules Clearinghouse. I trust that it will be found to be informative.

Sincerely,
David J. Stute
Director

State of Wisconsin
Legislative Audit Bureau

February 9, 1994

To the Honorable the Legislature:

We have completed a process evaluation of case management services offered to Learnfare program participants during the 1992-93 school year in ten counties, as required by the Interagency Agreement between the Legislative Audit Bureau and the Department of Health and Social Services and by the terms and conditions of the federal waiver authorizing the Learnfare program.

We found that overall, only an estimated 14.1 percent of teenagers in their counties' target populations because of their attendance problems chose to work with case managers to identify the reasons for their poor school attendance so that supportive services could be provided. Many potential clients are believed to refuse service offers because they are receiving similar services or do not want assistance. While we found examples of diligent efforts to provide case management services, these tended to be exceptions to the procedures used in most counties. Improvements are needed in efforts to encourage teenagers and their families to accept case management services; the quality of case management assessments of family problems and service needs; cooperation among case managers, providers of other services, and schools; and case monitoring to ensure service is delivered and addresses the teenagers' attendance problems.

While the initial design of the program allowed counties to develop their own methods for providing case management services, we found that most have not done so systematically. If effective services are to be provided, we believe case managers need more specific written guidance from the Department. The Department responded to this need by creating a *Learnfare Case Management Manual* to be provided to counties early in 1994. The Department will need to review county efforts to strengthen case management services, and to require modifications to 1995 county case management plans if improvements are not made.

We appreciate the courtesy and cooperation we received from department and county staff and the various contract agencies working with counties to deliver case management services. We have included a profile of each county we reviewed in Appendices VII through XVI.

Sincerely,
Dale Cattanch
State Auditor

Senator Ellis, with unanimous consent, asked that the Senate return to the fourth order of business.

COMMITTEE REPORTS

The select committee on Health Care Reform reports and recommends:

Senate Bill 722

Relating to expanding the small employer insurance board and renaming it the comprehensive health care board; modified community rating, fair market standards, portability, preexisting condition exclusions and guarantee issue for individual and certain group health benefit plans; establishing a standard plan; allowing the group insurance board to contract with purchasing coalitions; and granting rule-making authority.

By request of Governor Tommy G. Thompson.
Introduction:

Ayes, 6 -- Senators Rosenzweig, Lorman, Buettner, Huelsman, Decker and Helbach;

Noes, 1 -- Senator Moen.

Read first time and referred to select committee on Health Care Reform.

Peggy Rosenzweig
Chair

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 93-131

Relating to supervised business enterprises operated by blind persons.

Submitted by Department of Health and Social Services.

Report received from agency, February 3, 1994.

Referred to committee on Health, Human Services and Aging, February 10, 1994.

Senate Clearinghouse Rule 93-217

Relating to examination fees.

Submitted by Department of Regulation and Licensing.

Report received from agency, February 2, 1994.

Referred to committee on Business, Economic Development and Urban Affairs, February 10, 1994.

Senate Clearinghouse Rule 93-218

Relating to reexamination fees.

Submitted by Department of Regulation and Licensing.

Report received from agency, February 3, 1994.

Referred to committee on Business, Economic Development and Urban Affairs, February 10, 1994.

Senate Clearinghouse Rule 93-219

Relating to reexamination fees.

Submitted by Department of Regulation and Licensing.

Report received from agency, February 3, 1994.

Referred to committee on Business, Economic Development and Urban Affairs, February 10, 1994.

Senate Clearinghouse Rule 93-220

Relating to reexamination fees.

Submitted by Department of Regulation and Licensing.

Report received from agency, February 2, 1994.

Referred to committee on Business, Economic Development and Urban Affairs, February 10, 1994.

Senate Clearinghouse Rule 93-221

Relating to examination fees.

Submitted by Department of Regulation and Licensing.

Report received from agency, February 2, 1994.

Referred to committee on Business, Economic Development and Urban Affairs, February 10, 1994.

Senate Clearinghouse Rule 93-225

Relating to examination and reexamination fees.

Submitted by Department of Regulation and Licensing.

Report received from agency, February 3, 1994.

Referred to committee on Business, Economic Development and Urban Affairs, February 10, 1994.

MESSAGE FROM THE ASSEMBLY

By Thomas T. Melvin, chief clerk.

Mr. President:

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

Assembly Joint Resolution 88

Passed and asks concurrence in:

Assembly Bill 38

Assembly Bill 194

Assembly Bill 211

Assembly Bill 403

Assembly Bill 663

Assembly Bill 681

Assembly Bill 738

Assembly Bill 777

Assembly Bill 795

Assembly Bill 818

Assembly Bill 879

Assembly Bill 880

Assembly Bill 915

Assembly Bill 925

Assembly Bill 948

Assembly Bill 985

Assembly Bill 1033

Concurred in:

Senate Bill 45

Senate Bill 228

Amended and concurred in as amended:

Senate Bill 287, Assembly amendment 1

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Joint Resolution 88

Relating to calling upon the U.S. Congress to provide for federal establishment of benefit levels for aid to families with dependent children.

By Representatives Krusick, Gard, Ladwig, Ainsworth, Albers, Bell, Black, Brandemuehl, Carpenter, Dobyns, Duff, Goetsch, Grobschmidt, Hahn, Hasenohrl, Lorge, Musser, Plombon, Porter, Potter, Robson, Ryba, Turner, Underheim and Vergerot, cosponsored by Senators Andrea, Darling, Leraan, Moore, Rosenzweig, Schultz and Cowles.

Read and referred to committee on Health, Human Services and Aging.

Assembly Bill 38

Relating to fees charged certain food processing plants and retail food establishments.

By Representatives Gronemus, Reynolds, Hubler, Brancel, Holperin, Albers and Ward, cosponsored by Senators Breske, Decker, Rude, Jauch, Leraan, Schultz and Lorman.

Read first time and referred to committee on Transportation, Agriculture, Local and Rural Affairs.

Assembly Bill 194

Relating to distribution or possession of controlled substances in or near public housing projects and providing a penalty.

By Representatives Underheim, Gard, Green, Owens, Musser, Bolle, Jensen, Hahn, Klusman, Zien, Ryba, Goetsch, Silbaugh, Freese, Foti, Nass, Ladwig, Ainsworth and Rosenzweig, cosponsored by Senators Petak, Schultz, Breske, Lasee, Huelsman, Buettner, Drzewiecki and Farrow.

Read first time and referred to committee on Business, Economic Development and Urban Affairs.

Assembly Bill 211

Relating to expanding who may be served a copy of a summons to obtain personal jurisdiction over a defendant.

By Representatives Goetsch, Brandemuehl, Stower, Green, Lehman, Ryba, Dobyns, Owens, Porter, Gard, Zien, Lorge, Musser, Ott, Hahn and Nass, cosponsored by Senators Drzewiecki, Buettner, Lorman and Huelsman.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 403

Relating to the public inspection of reports on public assistance recipients.

By Representatives Kunicki, Travis, Prosser and Linton, cosponsored by Senators Ellis, Rude, Helbach and Leean, by request of Governor Tommy G. Thompson.

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

Assembly Bill 663

Relating to creating a grace period for payments of property tax instalments.

By Representatives Ziegelbauer, Ott, Robson, Notestein, Vergeront, Bock, Underheim, Turner, Lehman, Carpenter, Huber, Kaufert, Plache, Brandemuehl, Hasenohrl, Lorge, Grobschmidt, Goetsch, Bolle, Dobyns, Gronemus, L. Young, Lazich and Ryba cosponsored by Senators Wineke, Lasee, Moore and Schultz.

Read first time and referred to committee on State Government Operations and Corrections.

Assembly Bill 681

Relating to local regulation of dogs based on breed.

By Representatives Krug, Hasenohrl, Notestein, Ryba and Riley, cosponsored by Senator Moore, by request of The Dog Federation of Wisconsin.

Read first time and referred to committee on Transportation, Agriculture, Local and Rural Affairs.

Assembly Bill 738

Relating to smoking on the premises of day care centers and providing a penalty.

By Representatives Wirch, Robson, Boyle, Urban, Morris-Tatum, Ryba, Plache, Turner and Otte, cosponsored by Senators Clausing, Risser, Moore, Burke and Zien.

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

Assembly Bill 777

Relating to allowing corrections of property tax assessments by courts and allowing claims for excessive assessments to be made against counties that have county assessor systems.

By Representatives Porter, Wood, Schneider and Ryba.

Read first time and referred to committee on State Government Operations and Corrections.

Assembly Bill 795

Relating to governance of the county hospital and related entities in Milwaukee county.

By Representatives Notestein, Coggs, Carpenter, Bock, Turner, Beal, Morris-Tatum, Foti, Potter, Riley, Cullen, Underheim, Robson, Bell, L. Young, Ourada, Duff, Grobschmidt, Gronemus, Urban and Walker, cosponsored by Senators Rosenzweig, Burke, Darling, Moore, Plewa, Farrow, Buettner, Moen, Rude and Huelsman.

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

Assembly Bill 818

Relating to authorizing cities, villages, towns and counties to impose impact fees on certain developers.

By Representatives Bell, Potter, Turner and Jensen.

Read first time and referred to committee on Transportation, Agriculture, Local and Rural Affairs.

Assembly Bill 879

Relating to battery and providing penalties.

By Representatives Boyle, Hasenohrl, Black and Lorge, cosponsored by Senators Jauch, Breske and Clausing.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 880

Relating to disclosures to crime victims, right of victims to support and providing a penalty.

By Representatives Boyle, Plombon, Morris-Tatum, Roberts, Grobschmidt, Musser, Black, Hasenohrl, Gronemus, Potter, Riley, Kreuser, Lorge and L. Young, cosponsored by Senators Jauch, Moore, Breske and Clausing.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 915

Relating to the department of justice and the contents of the summons in special proceedings involving certain claims.

By Representatives Wood, Riley, Huber, Turner and Ziegelbauer, cosponsored by Senator Huelsman, by request of Attorney General James Doyle.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 925

Relating to leaving or storing a loaded firearm within the reach or easy access of a child.

By Representatives Travis, Riley, Urban, Robson, Notestein, Carpenter, Turner, Plache, R. Young, Hanson, Bock, Boyle and Potter, cosponsored by Senators Wineke, Rosenzweig and Risser.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 948

Relating to permitting certain minors to obtain certain mental health services without parental consent

and permitting certain minors to refuse access by their parents to certain treatment records.

By Representatives R. Young, Wirch, L. Young, Baldwin, Bolle, Boyle, Notestein, Plache, Potter, Riley and Springer, cosponsored by Senators Huelsman, Breske, Cowles, Lorman and Risser.

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

Assembly Bill 985

Relating to the time to answer a summons in certain cases, requiring that the costs awarded to an individual represented by a unit of government be paid to the unit of government and the contents of the summons in special proceedings involving certain claims (suggested as remedial legislation by the department of justice).

By Law Revision Committee.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 1033

Relating to permissible investments of certain local units of government.

By Representatives Baldus, Ott, Prosser and Krug, cosponsored by Senators Darling, Lorman, Burke and Wineke.

Read first time and referred to committee on Financial Institutions and Cultural Affairs.

SECOND READING AND AMENDMENTS
OF SENATE JOINT RESOLUTIONS AND
SENATE BILLS

CALENDAR OF THURSDAY, FEBRUARY 10,
1994

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

10:31 A.M.

RECESS

12:05 P.M.

The Senate reconvened.

Senate Bill 285

Relating to designating and marking a certain bridge as the 'Badger Chapter of the 82nd Airborne Division Bridge'.

Read a second time.

Senate substitute amendment 1 to **Senate Bill 285** offered by Senator Helbach.

The question was: Adoption of Senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

Senate Bill 285

Read a third time and passed.

Senate Bill 340

Relating to a custodial parent moving with, or removing, a child after divorce.

Read a second time.

The question was: Adoption of Senate substitute amendment 1?

Senator Weeden 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, 22; noes, 11; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Breske, Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, George, Huelsman, Lasee, Leraan, Lorman, Panzer, Petak, Plewa, Potter, Rosenzweig, Rude, Schultz, Weeden and Zien — 22.

Noes — Senators Adelman, Burke, Chvala, Clausing, Decker, Helbach, Jauch, Moen, Moore, Risser and Wineke — 11.

Absent or not voting — None.

Rejected.

Ordered to a third reading.

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

Senate Bill 340

Read a third time.

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

Ayes — Senators Andrea, Breske, Buettner, Burke, Chvala, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, George, Helbach, Huelsman, Jauch, Lasee, Leraan, Lorman, Moen, Panzer, Petak, Plewa, Potter, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien — 29.

Noes — Senators Adelman, Clausing, Moore and Risser — 4.

Absent or not voting — None.

Passed.

Senate Bill 426

Relating to increasing the penalties of a person who operates a motor vehicle while under the influence of an intoxicant when a minor is a passenger in the motor vehicle.

Read a second time.

Senate amendment 1 to **Senate Bill 426** offered by Senator Adelman.

The question was: Adoption of Senate amendment 1?

Senator Leean, with unanimous consent, asked that **Senate Bill 426** be referred to the joint committee on Finance.

Senator Leean, with unanimous consent, asked that **Senate Bill 426** be withdrawn from the joint committee on Finance and taken up.

Read a second time.

The question was: Adoption of Senate amendment 1?

Senator Farrow, with unanimous consent, asked that **Senate Bill 426** be placed at the foot of the days calendar.

Senate Bill 472

An act to repeal, renumber, amend and revise various provisions of the statutes for the purpose of reconciling conflicts, correcting and clarifying references, and repelling unintended repeals (Revisor's Correction Bill).

Read a second time.

Ordered to a third reading.

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

Senate Bill 472

Read a third time and passed.

Senate Bill 473

An act relating to repealing, consolidating, renumbering, amending and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting and clarifying references, eliminating unnecessary and obsolete provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

Read a second time.

Ordered to a third reading.

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

Senate Bill 473

Read a third time and passed.

Senate Bill 564

Relating to classifying ephedrine as a schedule III controlled substance.

Read a second time.

The question was: Adoption of Senate substitute amendment 1?

Adopted.

Senate substitute amendment 2 to **Senate Bill 564** offered by Senator Adelman.

The question was: Adoption of Senate substitute amendment 2?

Senator Leean, with unanimous consent, asked that **Senate Bill 564** be referred to the joint committee on Finance.

Senator Leean, with unanimous consent, asked that **Senate Bill 564** be withdrawn from the joint committee on Finance and taken up.

Read a second time.

The question was: Adoption of Senate substitute amendment 2?

Senator Huelsman, with unanimous consent, asked that **Senate Bill 564** be placed at the foot of the days calendar.

Senate Bill 598

Relating to hunting of deer by members of the armed forces.

Read a second time.

Senator Leean, with unanimous consent, asked that **Senate Bill 598** be referred to the joint committee on Finance.

Senator Leean, with unanimous consent, asked that **Senate Bill 598** be withdrawn from the joint committee on Finance and taken up.

Read a second time.

Ordered to a third reading.

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

Senate Bill 598

Read a third time and passed.

Senate Bill 600

Relating to waiver of fees for fishing approvals.

Read a second time.

Ordered to a third reading.

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

Senate Bill 600

Read a third time and passed.

Senate Bill 608

An act relating to revising various provisions of the statutes for the purpose of deleting, replacing or otherwise modifying language that discriminates on the basis of sex (Revisor's Correction Bill).

Read a second time.

Ordered to a third reading.

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

Senate Bill 608

Read a third time and passed.

Senate Bill 619

Relating to practice requirements for applicants for a professional counseling certificate.

Read a second time.

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

Ordered to a third reading.

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

Senate Bill 619

Read a third time and passed.

Senate Bill 669

Relating to various changes in the unemployment compensation law, provision of personal assistance services to handicapped persons and granting rule-making authority.

Read a second time.

Senator Leean, with unanimous consent, asked that **Senate Bill 669** be referred to joint committee on Finance.

SECOND READING AND AMENDMENTS
OF ASSEMBLY JOINT RESOLUTIONS AND
ASSEMBLY BILLS

Assembly Joint Resolution 81

Relating to permitting a judge to assume a nonjudicial office of public trust after resigning during the term of the judicial office (first consideration).

Read a second time.

Ordered to a third reading.

Senator Farrow, with unanimous consent, asked that the joint resolution be considered for final action at this time.

Assembly Joint Resolution 81

Read a third time.

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, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, George, Helbach, Huelsman, Jauch, Lasee, Leean, Lorman, Moen, Moore, Panzer, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien — 33.

Noes — None.

Absent or not voting — None.

Concurred in.

Assembly Bill 233

Relating to injuries to domestic animals caused by dogs and providing penalties.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 233

Read a third time and concurred in.

Assembly Bill 311

Relating to crimes committed against witnesses.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 311

Read a third time and concurred in.

Assembly Bill 336

Relating to the department of justice, controlled substances, medical assistance violations and the contents of the summons in special proceedings involving certain claims.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 336

Read a third time and concurred in.

Assembly Bill 756

Relating to permitting certain registered nurses to prescribe drugs and granting rule-making authority.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 756

Read a third time.

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, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, George, Helbach, Huelsman, Jauch, Lasee, Leean, Lorman, Moen, Moore, Panzer, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien — 33.

Noes — None.

Absent or not voting — None.

Concurred in.

Assembly Bill 816

Relating to the duties of real estate brokers to parties to a transaction and superseding certain common law bases for the duties and liability of real estate brokers.

Read a second time.

Senator Leean, with unanimous consent, asked that **Assembly Bill 816** be referred to joint committee on Finance.

Assembly Bill 819

Relating to a right from the start grant program, the early childhood family education center grant program and making appropriations.

Read a second time.

The question was: Adoption of Senate amendment 1?

Adopted.

The question was: Adoption of Senate amendment 2?

Adopted.

Senate amendment 3 to **Assembly Bill 819** offered by Senators Decker, Bréske, Burke, Weeden, Clausing, Wineke, Potter, Plewa, Moore, Chvala, George, Jauch, Moen, Risser, Buettner and Zien.

The question was: Adoption of Senate amendment 3?
Adopted.

Senator Leean, with unanimous consent, asked that **Assembly Bill 819** be referred to joint committee on Finance.

Senator Moore objected.

Senator Leean moved that **Assembly Bill 819** be referred to the joint committee on Finance.

The question was: Shall **Assembly Bill 819** be referred to the joint committee on Finance?

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

Ayes — Senators Cowles, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Rude, Schultz, Weeden and Zien — 14.

Noes — Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Darling, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser, Rosenzweig and Wineke — 19.

Absent or not voting — None.

Refused referral.

Ordered to a third reading.

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

Assembly Bill 819

Read a third time.

The ayes and noes were required and the vote was: ayes, 25; noes, 8; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Darling, Decker, George, Helbach, Huelsman, Jauch, Moen, Moore, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien — 25.

Noes — Senators Cowles, Drzewiecki, Ellis, Farrow, Lasee, Leean, Lorman and Panzer — 8.

Absent or not voting — None.

Concurred as amended.

Senate Bill 426

Relating to increasing the penalties of a person who operates a motor vehicle while under the influence of an intoxicant when a minor is a passenger in the motor vehicle.

Read a second time.

The question was: Adoption of Senate amendment 1?

Senator Farrow, with unanimous consent, asked that **Senate Bill 426** be placed at the foot of the days calendar.

Senate Bill 564

Relating to classifying ephedrine as a schedule III controlled substance.

Read a second time.

The question was: Adoption of Senate substitute amendment 2?

Senator Drzewiecki moved rejection of Senate substitute amendment 2.

The question was: Rejection of Senate substitute amendment 2?

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

Ayes — Senators Breske, Buettner, Chvala, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Helbach, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Plewa, Potter, Rosenzweig, Rude, Schultz, Weeden and Zien — 23.

Noes — Senators Adelman, Andrea, Burke, Clausing, George, Jauch, Moen, Moore, Risser and Wineke — 10.

Absent or not voting — None.

Rejected.

Ordered to a third reading.

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

Senate Bill 564

Read a third time and passed.

Senate Bill 426

Relating to increasing the penalties of a person who operates a motor vehicle while under the influence of an intoxicant when a minor is a passenger in the motor vehicle.

Read a second time.

The question was: Adoption of Senate amendment 1?

Senator Farrow, with unanimous consent, asked that **Senate Bill 426** be laid on the table.

Senator Leean, with unanimous consent, asked that the Senate return to the twelfth order of business.

SECOND READING AND AMENDMENTS OF ASSEMBLY JOINT RESOLUTIONS AND ASSEMBLY BILLS

Senator Leean, with unanimous consent, asked that **Assembly Bill 816** be withdrawn from joint committee on Finance and taken up.

Assembly Bill 816

Relating to the duties of real estate brokers to parties to a transaction and superseding certain common law bases for the duties and liability of real estate brokers.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 816

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 1; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Breske, Buettner, Burke, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, George, Helbach, Huelsman, Jauch, Lasee, Lekan, Lorman, Moen, Moore, Panzer, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien — 32.

Noes — Senator Chvala — 1.

Absent or not voting — None.

Concurred in.

MOTIONS

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

Senator Lasee, with unanimous consent, asked that **Senate Bill 715** be withdrawn from committee on Transportation, Agriculture, Local and Rural Affairs and be referred to committee on Environment and Energy.

Senator Clausing, with unanimous consent, asked that she be listed as a co-author of **Senate Bill 694**.

Senator Moore, with unanimous consent, asked that she be listed as a co-sponsor of **Assembly Bill 311**.

Senator Zien, with unanimous consent, asked that when the Senate adjourns today it do so in honor of the Birthdays of his step-sons Travis and Kurt.

Senator Burke, with unanimous consent, asked that when the Senate adjourns today it do so in honor of Emily Schad's last day as a Senate Messenger.

Senator Adelman, with unanimous consent, asked that when the Senate adjourns today it do so in honor of the Birthday of Joan Smalley.

Senator Buettner, with unanimous consent, asked that when the Senate adjourns today it do so in honor of the Christian School students in the gallery visiting from Oshkosh.

Senator Ellis, with unanimous consent, asked that when the Senate adjourns today it do so in honor of Rich Eggleston.

ADJOURNMENT

Senator Ellis, with unanimous consent, asked that the Senate adjourn until 10:00 A.M. Tuesday, February 15.
1:55 P.M.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 669** offered by Senator Adelman.