

STATE OF WISCONSIN

Senate Journal

Ninety-First Regular Session

9:00 A.M.

Friday, March 4, 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, Leean, 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 Buettner led the Senate in the pledge of allegiance to the flag of the United States of America.

INTRODUCTION OF RESOLUTIONS

**Senate Joint Resolution 53**

Relating to recognizing the dedication of the Korean War Memorial near Plover on June 19, 1994, and urging the governor to designate that day as 'Korean War Veterans of Wisconsin Day'.

By Senators Zien, Moen, Panzer, Darling, Farrow, Rude, Cowles, Lorman, Drzewiecki, Buettner, Breske, Schultz, Chvala, Decker and Jauch; cosponsored by Representatives Bolle, Brancel, Turner, Zukowski, Vander Loop, Nass, Albers, Kreibich, Dobyns, Musser, Welch and Schneider.

To committee on Human Resources, Labor, Tourism, Veterans and Military Affairs.

INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 778**

Relating to: requiring the department of health and social services to develop a model community mental health plan; expanding requirements for community mental health plans; requiring the council on mental health to review community mental health plans; requiring the department of health and social services to enter into an agreement for the development of a mental health client survey prototype; requiring counties to periodically conduct mental health client surveys;

patients' rights for certain persons; establishing a pilot program for protection and advocacy services for community mental health clients; requiring the department of health and social services to establish standards for patient grievance procedures; certification of community mental health programs; requiring the secretary of health and social services to designate a departmental subunit to supervise the grievance process for clients of mental health services; requiring, unless waived, counties to establish certified community support programs; providing funding for state payment of the local matching funds to secure federal funds for certified community support programs; maltreatment of vulnerable adults; the abuse and neglect of certain patients and residents; requiring consumer representation on county human services boards and county community programs boards; appointment of receivers for county departments of community programs and related programs; certification and review of community mental health programs; funding for staff of the council on mental health; intentional destruction, damage, concealment or falsification of patient health care records and treatment records; the exchange of professional services to evaluate community-mental health programs for continuing education credits; designation of county protective services agencies for the investigation of abuse, neglect or misappropriation of property of a vulnerable adult and providing protective services; directing the department of health and social services to develop a training curriculum and provide the curriculum for use in training members of county human services boards and county community services boards; requiring appointment of a complaint examiner in the department of justice; granting rule-making authority; making appropriations; and providing penalties.

By Joint Legislative Council.

To committee on Health, Human Services and Aging.

**Senate Bill 779**

Relating to allowing checkoffs of retirement annuities to be paid for membership dues or donations to labor organizations, professional organizations, affiliated retiree organizations and charitable organizations, granting rule-making authority and making an appropriation.

By Senator Rude; cosponsored by Representative Baldwin, by request of American Federation of State, County and Municipal Employees (AFSCME).

To Joint Survey committee on Retirement Systems.

COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

**Senate Bill 749**

Relating to: actions to improve dairy farm profitability and the competitiveness of this state's dairy industry and assisting beginning farmers; grain inspection fees; the agricultural chemical cleanup program; a business development initiative loan program; correctional institution enterprises; work programs for certain inmates of the state prisons; expansion of prisons; youth aids; the corrective sanctions program for juvenile offenders; the amount paid for guardian ad litem fees in paternity proceedings; information regarding circuit court costs; reimbursement for witness costs; payment for the transcription of preliminary examinations; reimbursement for investigative and expert services provided in cases in which representation is provided by the state public defender; possession, with intent to manufacture or deliver, cocaine; grants to cities for neighborhoods that have high levels of violent and drug-related crime; grants for law enforcement community policing; aid to vocational, technical and adult education districts for chauffeur training; development and update of instructional television programs specific to this state; initial awards of tuition grants; historic site admission fees; youth apprenticeship training grants; creating a national and community service board; foster care basic maintenance rates and supplemental payments; receipt and expenditure of funds from other state agencies by the child abuse and neglect prevention board; creating a board on hunger and establishing a community-based hunger prevention grant program; matching medical assistance funds for a federal grant to a county for services to children with serious emotional disturbances; expanding the allowable period for reduction of the mental health institutes' deficit; adjusting per diem costs of care in mental health institutes; treatment of trusts and of certain transfers of assets for purposes of medical assistance eligibility; treatment of stepparent income in determining eligibility for aid to families with dependent children; recoupment of overpayments of aid to families with dependent children; recovery of medical assistance payments; medical assistance reimbursement for services provided as the result of referral by self-interested physicians; benefits under the work-not-welfare pilot program and the food stamp program; distribution of certain federal social services block grant funds; allocation of community aids funds to counties; changing the status of the office of health care information in the office of the commissioner of insurance to a division; safety devices and size requirements for personal watercraft; charging of fees by the department of natural resources for reviewing and evaluating applications and notifications of intent for federal licensing of power projects; custodianship of state-owned securities by the state treasurer; calculation of accrued tax receipts;

financing of property tax deferral loans by the Wisconsin housing and economic development authority; disallowance of income tax deductions for state taxes paid; adopting internal revenue code provisions for income and franchise tax purposes; allowing payments of sales tax and use tax refunds to buyers under certain circumstances; the due date for the motor vehicle fuel tax; misuse of dyed diesel fuel; authorizing the department of revenue to permit certain buyers to pay a use tax to it later rather than a sales tax at the time of purchase; setting off certain amounts from state tax refunds; uniform traffic citations and traffic accident reports; the repaired salvage vehicle examination fee; flood damage aids; reimbursement under the local roads improvement program; the capital assistance program for transportation services to elderly and disabled persons; adjusting the number of full-time equivalent positions authorized for state agencies; granting bonding authority; providing an exemption from rule-making procedures; providing an exemption from emergency rule procedures; granting rule-making authority; decreasing and making appropriations; and providing penalties.

Introduction and adoption of Senate substitute amendment 1:

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

Noes, 1 -- Senator George.

Passage as amended:

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

Noes, 1 -- Senator George.

Joseph Leean  
Co-chair

Barbara J. Linton  
Co-chair

REPORT OF JOINT SURVEY COMMITTEE ON  
TAX EXEMPTIONS

Appendix to **Senate Bill 749**

Public Policy Involved

The provisions of this Bill relating to tax exemptions are good public policy

Senator Schultz  
Co-chair

Representative Baumgart  
Co-chair

The committee on Transportation, Agriculture, Local and Rural Affairs reports and recommends:

**Assembly Bill 38**

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

Concurrence:

Concurrence:

Ayes, 5 — Senators Lasee, Drzewiecki, Zien, Andrea and Clausing;

Noes, 0 — None.

Alan J. Lasee

Chair

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

**Senate Bill 737**

Relating to adjustment of the date of the spring primary and election and presidential preference primary and certain other dates for election procedures.

Passage:

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

Noes, 0 — None.

Gary Drzewiecki

Chair

The committee on Human Resources, Labor, Tourism, Veterans and Military Affairs reports and recommends:

**Senate Bill 727**

Relating to coverage of abortions under health insurance plans for state employes and generally making abortion coverage under these health insurance plans a prohibited subject of collective bargaining for state employes.

Passage:

Ayes, 4 — Senators Zien, Lasee, Drzewiecki and Breske;

Noes, 1 — Senator Decker.

**Senate Joint Resolution 49**

Relating to authorizing a sports lottery, with the proceeds dedicated to athletic facilities (first consideration).

Introduction and adoption of Senate amendment 1:

Ayes, 4 — Senators Zien, Lasee, Breske and Drzewiecki;

Noes, 1 — Senator Decker.

Adoption:

Ayes, 3 — Senators Zien, Lasee and Breske;

Noes, 2 — Senators Drzewiecki and Decker.

David A. Zien

Chair

**EXECUTIVE COMMUNICATIONS**

State of Wisconsin  
Office of the Governor

March 1, 1994

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PHILIP C. HAUCK of Green Bay, as a member of the Small Employer Insurance Board pursuant to the statute governing, to serve for the term ending May 1, 1997.

Respectfully,

Tommy Thompson

Governor

Read and referred to committee on Judiciary and Insurance.

State of Wisconsin  
Office of the Governor

March 1, 1994

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JOHN L. KOMIVES of Milwaukee, as a member of the Small Employer Insurance Board pursuant to the statute governing, to serve for the term ending May 1, 1997.

Respectfully,

Tommy Thompson

Governor

Read and referred to committee on Judiciary and Insurance.

State of Wisconsin  
Office of the Governor

March 1, 1994

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KATHLEEN I. GILE of Madison, as a member of the Small Employer Insurance Board pursuant to the statute governing, to serve for the term ending May 1, 1997.

Respectfully,

Tommy Thompson

Governor

Read and referred to committee on Judiciary and Insurance.

State of Wisconsin  
Office of the Governor

March 1, 1994

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ROBERT J. LAVIGNA of Madison, as Administrator of the Division of Merit Recruitment and Selection in the Department of Employment Relations pursuant to the statute governing, to serve for the term ending March 26, 1999.

Respectfully,

Tommy Thompson

Governor

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

State of Wisconsin  
Office of the Governor

March 1, 1994

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint LYNDA S. CULLEY of Superior, as a member of the Judicial Commission

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pursuant to the statute governing, to serve for the term ending August 1, 1997.

Respectfully,  
Tommy Thompson  
Governor

Read and referred to committee on Judiciary and Insurance.

State of Wisconsin  
Office of the Governor

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To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BARBARA FLAHERTY of Roberts, as a member of the Physical Therapists Affiliated Credentialing Board pursuant to the statute governing, to serve for the term ending July 1, 1996.

Respectfully,  
Tommy Thompson  
Governor

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

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To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint NELDA JOY OLSON of Ripon, as a member of the Physical Therapists Affiliated Credentialing Board pursuant to the statute governing, to serve for the term ending July 1, 1997.

Respectfully,  
Tommy Thompson  
Governor

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

State of Wisconsin  
Office of the Governor

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To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SHIRLEY A. MOOK of Marshfield, as a member of the Physical Therapists Affiliated Credentialing Board pursuant to the statute governing, to serve for the term ending July 1, 1998.

Respectfully,  
Tommy Thompson  
Governor

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

State of Wisconsin  
Office of the Governor

March 1, 1994

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MICHAEL W. EDWARDS of Waukesha, as a member of the Physical Therapists Affiliated Credentialing Board pursuant to

the statute governing, to serve for the term ending July 1, 1999.

Respectfully,  
Tommy Thompson  
Governor

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

State of Wisconsin  
Office of the Governor

March 1, 1994

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PAUL M. HOLZEM of Madison, as a member of the Ethic Board pursuant to the statute governing, to serve for the term ending May 1, 2000.

Respectfully,  
Tommy Thompson  
Governor

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

State of Wisconsin  
Office of the Governor

March 1, 1994

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KENNETH J. MERKEL of Brookfield, as a member of the Wisconsin Health and Educational Facilities Authority pursuant to the statute governing, to serve for the term ending June 30, 2001.

Respectfully,  
Tommy Thompson  
Governor

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

SENATE CLEARINGHOUSE ORDERS

**Senate Clearinghouse Rule 94-1**

Relating to technology development grants and loans.

Submitted by Department of Development.

Report received from agency, March 1, 1994.

Referred to committee on Business, Economic Development and Urban Affairs, March 4, 1994.

**Senate Clearinghouse Rule 94-3**

Relating to minimum ratings for permanent disabilities.

Submitted by Department of Industry, Labor and Human Relations.

Report received from agency, March 1, 1994.

Referred to committee on Human Resources, Labor, Tourism, Veterans and Military Affairs, March 4, 1994.

**Senate Clearinghouse Rule 94-19**

Relating to the community development block grant portion of the Wisconsin development fund.

Submitted by Department of Development.  
Report received from agency, March 1, 1994.  
Referred to committee on Business, Economic  
Development and Urban Affairs, March 4, 1994.

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 619**  
**Assembly Bill 1161**

Concurred in:

**Assembly Bill 91**, Senate substitute amendment 1  
**Assembly Bill 476**, Senate amendments 1 and 2

MESSAGE FROM THE ASSEMBLY  
CONSIDERED

**Assembly Bill 619**

Relating to eligibility for veterans benefits for Persian Gulf veterans and persons who serve in war periods, administration of veterans programs, the veterans museum, the residency period for economic assistance and business loans, educational grants, loans from the veterans trust fund, veterans housing loans and health care grants, granting rule-making authority and making appropriations.

By Legislative Council.

Read first time and referred to committee on Human Resources, Labor, Tourism, Veterans and Military Affairs.

**Assembly Bill 1161**

Relating to the availability of medical assistance to children and pregnant women and making appropriations.

By Representatives R. Young and Kunicki.

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

SECOND READING AND AMENDMENTS  
OF SENATE JOINT RESOLUTIONS AND  
SENATE BILLS

**Senate Bill 749**

Relating to: actions to improve dairy farm profitability and the competitiveness of this state's dairy industry and assisting beginning farmers; grain inspection fees; the agricultural chemical cleanup program; a business development initiative loan program; correctional institution enterprises; work programs for certain inmates of the state prisons; expansion of prisons; youth aids; the corrective sanctions program for juvenile offenders; the amount paid for guardian ad litem fees in paternity proceedings; information regarding circuit court costs; reimbursement

for witness costs; payment for the transcription of preliminary examinations; reimbursement for investigative and expert services provided in cases in which representation is provided by the state public defender; possession, with intent to manufacture or deliver, cocaine; grants to cities for neighborhoods that have high levels of violent and drug-related crime; grants for law enforcement community policing; aid to vocational, technical and adult education districts for chauffeur training; development and update of instructional television programs specific to this state; initial awards of tuition grants; historic site admission fees; youth apprenticeship training grants; creating a national and community service board; foster care basic maintenance rates and supplemental payments; receipt and expenditure of funds from other state agencies by the child abuse and neglect prevention board; creating a board on hunger and establishing a community-based hunger prevention grant program; matching medical assistance funds for a federal grant to a county for services to children with serious emotional disturbances; expanding the allowable period for reduction of the mental health institutes' deficit; adjusting per diem costs of care in mental health institutes; treatment of trusts and of certain transfers of assets for purposes of medical assistance eligibility; treatment of stepparent income in determining eligibility for aid to families with dependent children; recoupment of overpayments of aid to families with dependent children; recovery of medical assistance payments; medical assistance reimbursement for services provided as the result of referral by self-interested physicians; benefits under the work-not-welfare pilot program and the food stamp program; distribution of certain federal social services block grant funds; allocation of community aids funds to counties; changing the status of the office of health care information in the office of the commissioner of insurance to a division; safety devices and size requirements for personal watercraft; charging of fees by the department of natural resources for reviewing and evaluating applications and notifications of intent for federal licensing of power projects; custodianship of state-owned securities by the state treasurer; calculation of accrued tax receipts; financing of property tax deferral loans by the Wisconsin housing and economic development authority; disallowance of income tax deductions for state taxes paid; adopting internal revenue code provisions for income and franchise tax purposes; allowing payments of sales tax and use tax refunds to buyers under certain circumstances; the due date for the motor vehicle fuel tax; misuse of dyed diesel fuel; authorizing the department of revenue to permit certain buyers to pay a use tax to it later rather than a sales tax at the time of purchase; setting off certain amounts from state tax refunds; uniform traffic citations and traffic accident reports; the repaired salvage vehicle examination fee; flood damage aids; reimbursement under the local roads improvement program; the capital assistance program for transportation services to elderly and disabled persons; adjusting the number of full-time equivalent

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positions authorized for state agencies; granting bonding authority; providing an exemption from rule-making procedures; providing an exemption from emergency rule procedures; granting rule-making authority; decreasing and making appropriations; and providing penalties.

Read a second time.

Senate amendments 1 and 2 to Senate substitute amendment 1 to **Senate Bill 749** offered by Senators Leean, Ellis and Rude.

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

Senate amendment 1 to Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 749** offered by Senators Moore and Helbach.

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

Senator Leean moved rejection of Senate amendment 1 to Senate amendment 1 to Senate substitute amendment 1.

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

CHAIR

10:45 A.M.

Senator Huelsman in the Chair.

The Chair under rule 17(4) of the Senate Rules, introduced to the body of the Senate the delegation from Russia and the Ukraine and asked that the Senators help welcome the delegates: Alexander Batanov, Chief of Special Youth T.V. Company; Anton Belozarov, Deputy Chief of Special Youth TV Channel; Sergei Bunkov, Deputy Chief of the Russian Ministry of Youth; Peter Dorochoy, Chief of Youth Committee of Yaroslav Region; Dmitri Karamov, Deputy Chief of Administration, Northwest Region of Moscow Government; Sergei Kirjakov, Special Advisor in Administration, Northwest Region of Moscow Government; Konstantin Markelov, Chief of Youth Committee, Astrakhan Region; Oleg Piskunov, Special Advisor to the Chief of Administration, City of Mirny, Yakutsk Republic; Alexander Popov, chief of Youth Organization, Irkutsk Region; Irina Rondik, First Secretary of Youth Organization, Kemerovo Region; Yuri Strunnikov, Chief of Youth Organization, City of Mirny, Yakutsk Republic; Dmitri Kulga, President, Univeks Company; Vachtang Ubiria, Deputy Chief of Youth Organization in Kiev, Ukraine.

The Chair under rule 17(4) of the Senate Rules, introduced to the body of the Senate the delegation from Kenya and asked that the Senators help welcome the

delegates: Jasho J. Fallana, M.P.; Ibrahim M. Salat, M.P.; Retired Colonel John R. Kiluta, M.P.; Eliud M. Mcharo, M.P.; Samson K. ole Tuya, M.P.; Sohn S. Mumba, M.P.; Daniel K. arap Tanui, M.P.; Otieno Mak'Onyago, M.P.; George Kaptan, M.P.; John Njenga Mungai, M.P.; Henry Ruhii Muriama, M.P.; David Mwiraria, M.P.; Mrs. Charity K. Ngilu, M.P.; George Anyona, M.P.; Mr. Joel H. Tsola, Principal Clerk, National Assembly.

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

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

Ayes — Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien — 17.

Noes — Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser and Wineke — 16.

Absent or not voting — None.

Rejected.

Senate amendment 2 to Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 749** offered by Senator Wineke.

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

Senator Leean moved that Senate amendment 2 to Senate amendment 1 to Senate substitute amendment 1 be laid on the table.

The question was: Shall Senate amendment 2 to Senate amendment 1 to Senate substitute amendment 1 be laid on the table?

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

Ayes — Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien — 17.

Noes — Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser and Wineke — 16.

Absent or not voting — None.

Tabled.

Senate amendment 3 to Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 749** offered by Senator Adelman.

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

Senator Leean moved that Senate amendment 3 to Senate amendment 1 to Senate substitute amendment 1 be laid on the table.

The question was: Shall Senate amendment 3 to Senate amendment 1 to Senate substitute amendment 1 be laid on the table?

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

Ayes — Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien — 17.

Noes — Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser and Wineke — 16.

Absent or not voting — None.

Tabled.

Senate amendment 4 to Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 749** offered by Senators Wineke, Jauch, Risser, Chvala, Moen, George, Adelman, Andrea, Breske, Burke, Clausing, Decker, Helbach, Moore, Plewa and Potter.

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

CHAIR

12:29 P.M.

Senator Rude in the Chair.

Senator Leean moved that Senate amendment 4 to Senate amendment 1 to Senate substitute amendment 1 be laid on the table.

The question was: Shall Senate amendment 4 to Senate amendment 1 to Senate substitute amendment 1 be laid on the table?

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

Ayes — Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien — 17.

Noes — Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser and Wineke — 16.

Absent or not voting — None.

Tabled.

Senate amendment 5 to Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 749** offered by Senator Jauch.

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

Senator Leean moved that Senate amendment 5 to Senate amendment 1 to Senate substitute amendment 1 be laid on the table.

The question was: Shall Senate amendment 5 to Senate amendment 1 to Senate substitute amendment 1 be laid on the table?

Tabled.

Senate amendment 6 to Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 749** offered by Senators Jauch, Risser, Moen, Wineke, Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Moore, Plewa and Potter.

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

Senator Leean moved that Senate amendment 6 to Senate amendment 1 to Senate substitute amendment 1 be laid on the table.

The question was: Shall Senate amendment 6 to Senate amendment 1 to Senate substitute amendment 1 be laid on the table?

Tabled.

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

Adopted.

Senator Moen, with unanimous consent, asked that the Senate recess until 1:51 P.M..

12:52 P.M.

RECESS

1:51 P.M.

The Senate reconvened.

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

Adopted.

Senate amendment 3 to Senate substitute amendment 1 to **Senate Bill 749** offered by Senators Wineke and Potter.

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

Senator Leean moved that Senate amendment 3 to Senate substitute amendment 1 be laid on the table.

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The question was: Shall Senate amendment 3 to Senate substitute amendment 1 be laid on the table?

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

Ayes — Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien — 17.

Noes — Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser and Wineke — 16.

Absent or not voting — None.

Tabled.

Senate amendment 4 to Senate substitute amendment 1 to **Senate Bill 749** offered by Senator George.

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

Senator Leean moved that Senate amendment 4 to Senate substitute amendment 1 be laid on the table.

The question was: Shall Senate amendment 4 to Senate substitute amendment 1 be laid on the table?

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

Ayes — Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien — 17.

Noes — Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser and Wineke — 16.

Absent or not voting — None.

Tabled.

Senate amendment 5 to Senate substitute amendment 1 to **Senate Bill 749** offered by Senators Wineke, Jauch, Risser, Chvala, Moen, George, Adelman, Andrea, Breske, Burke, Clausing, Decker, Helbach, Moore, Plewa and Potter.

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

Senator Jauch, with unanimous consent, asked that Senate amendment 5 to Senate substitute amendment 1 be returned to the author.

Senate amendment 6 to Senate substitute amendment 1 to **Senate Bill 749** offered by Senator Moore.

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

Senator Moore, with unanimous consent, asked that Senate amendment 6 to Senate substitute amendment 1 be returned to the author.

Senate amendment 7 to Senate substitute amendment 1 to **Senate Bill 749** offered by Senator Wineke.

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

Senator Leean moved that Senate amendment 7 to Senate substitute amendment 1 be laid on the table.

The question was: Shall Senate amendment 7 to Senate substitute amendment 1 be laid on the table?

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

Ayes — Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien — 17.

Noes — Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser and Wineke — 16.

Absent or not voting — None.

Tabled.

Senate amendment 8 to Senate substitute amendment 1 to **Senate Bill 749** offered by Senators Jauch, Decker, Clausing and Moen.

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

Senator Leean moved that Senate amendment 8 to Senate substitute amendment 1 be laid on the table.

The question was: Shall Senate amendment 8 to Senate substitute amendment 1 be laid on the table?

Tabled.

Senate amendment 9 to Senate substitute amendment 1 to **Senate Bill 749** offered by Senator Adelman.

The question was: Adoption of Senate amendment 9 to Senate substitute amendment 1?

Senator Leean moved that Senate amendment 9 to Senate substitute amendment 1 be laid on the table.

The question was: Shall Senate amendment 9 to Senate substitute amendment 1 be laid on the table?

Tabled.

Senate amendment 10 to Senate substitute amendment 1 to **Senate Bill 749** offered by Senators Adelman and Helbach.

The question was: Adoption of Senate amendment 10 to Senate substitute amendment 1?

Senator Leean moved that Senate amendment 10 to Senate substitute amendment 1 be laid on the table.



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The question was: -Shall Senate amendment 10 to Senate substitute amendment 1 be laid on the table?

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

Ayes — Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien — 17.

Noes — Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser and Wineke — 16.

Absent or not voting — None.

Tabled.

Senate amendments 11, 12, 13, 14 and 15 to Senate substitute amendment 1 to **Senate Bill 749** offered by Senator Adelman.

The question was: Adoption of Senate amendment 11 to Senate substitute amendment 1?

Senator Leean moved that Senate amendment 11 to Senate substitute amendment 1 be laid on the table.

The question was: Shall Senate amendment 11 to Senate substitute amendment 1 be laid on the table?

Tabled.

The question was: Adoption of Senate amendment 12 to Senate substitute amendment 1?

Senator Leean moved that Senate amendment 12 to Senate substitute amendment 1 be laid on the table.

The question was: Shall Senate amendment 12 to Senate substitute amendment 1 be laid on the table?

Tabled.

The question was: Adoption of Senate amendment 13 to Senate substitute amendment 1?

Senator Leean moved that Senate amendment 13 to Senate substitute amendment 1 be laid on the table.

The question was: Shall Senate amendment 13 to Senate substitute amendment 1 be laid on the table?

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

Ayes — Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien — 17.

Noes — Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser and Wineke — 16.

Absent or not voting — None.

Tabled.

The question was: Adoption of Senate amendment 14 to Senate substitute amendment 1?

Senator Leean moved that Senate amendment 14 to Senate substitute amendment 1 be laid on the table.

The question was: Shall Senate amendment 14 to Senate substitute amendment 1 be laid on the table?

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

Ayes — Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien — 17.

Noes — Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser and Wineke — 16.

Absent or not voting — None.

Tabled.

The question was: Adoption of Senate amendment 15 to Senate substitute amendment 1?

Senator Leean moved that Senate amendment 15 to Senate substitute amendment 1 be laid on the table.

The question was: Shall Senate amendment 15 to Senate substitute amendment 1 be laid on the table?

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

Ayes — Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien — 17.

Noes — Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser and Wineke — 16.

Absent or not voting — None.

Tabled.

The question was: Adoption of Senate substitute amendment 1?

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

Ayes — Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien — 17.

Noes — Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser and Wineke — 16.

Absent or not voting — None.

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 749**

Read a third time.

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

Ayes — Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Llean, Lorman, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien — 17.

Noes — Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser and Wineke — 16.

Absent or not voting — None.

Passed.

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

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

**INTRODUCTION OF BILLS**

Read first time and referred:

**Senate Bill 780**

Relating to county houses of correction.

By Senators Helbach, Petak and Moen; cosponsored by Representatives Turner and Plache.

To committee on State Government Operations and Corrections.

**Senate Bill 781**

Relating to persistent serious felony offenders and providing penalties.

By Senators Rosenzweig, Huelsman, Darling, Drzewiecki, Petak, Lasee, Llean, Farrow, Weeden, Schultz, Zien, Buettner and Panzer; cosponsored by Representatives Gard and Ladwig.

To committee on Judiciary and Insurance.

**MOTIONS**

Senator Risser, with unanimous consent, asked that when the Senate adjourns today it do so in memory of Kay Clarenbach who passed away today, she was the Chairwoman of the Governor's Commission on the Status of Women from 1964 to 1979 and was a member of the Wisconsin's Women's Council since its inception in 1983 until her resignation in November, 1992.

Senator Moore, with unanimous consent, asked that when the Senate adjourns today it do so in honor of Senator Gary George's Birthday on Tuesday.

Senator Lorman, with unanimous consent, asked that when the Senate adjourns today it do so in honor of the Cambridge High School Girls Basketball team the Bluejays who have won the Regional Championship.

Senator Schultz, with unanimous consent, asked that when the Senate adjourns today it do so in honor of Jason Kratochwill whose Birthday is today.

Senator Rude, with unanimous consent, asked that when the Senate adjourns today it do so in honor of Mildred Freeman of Gays Mills whose 80th Birthday was today.

Senator Ellis, with unanimous consent, asked that the Senate adjourn until 10:00 A.M. Tuesday, March 8.  
3:31 P.M.

**CHIEF CLERK'S REPORT**

The chief clerk records:

**Senate Bill 81.**

**Senate Bill 228.**

**Senate Bill 230.**

**Senate Bill 328.**

Correctly enrolled and presented to the Governor on March 4, 1994.