



STATE OF WISCONSIN

Senate Journal

Ninety—Second Regular Session

10:00 A.M.

THURSDAY, June 1, 1995

The Senate met.

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

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

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 221

Relating to: fraud offenses involving evidence of motor vehicle registration, operating a motor vehicle having a suspended, revoked or canceled registration and providing a penalty.

By Senators Petak, Huelsman, Panzer, Andrea and Burke; cosponsored by Representatives Otte, Green, Goetsch, Brandemuehl, Schneiders, Freese, Gard, Musser, Duff, Lehman, Albers, Ainsworth, Ladwig, Nass, Vrakas, Kaufert, Silbaugh, Hahn, Lorge, Grothman, Kreibich, Skindrud, Kelso, Owens, Olsen, F. Lasee, Ryba, La Fave, Boyle, Huber and Plombon.

To committee on **Transportation, Agriculture and Local Affairs.**

Senate Bill 222

Relating to: studying the feasibility of contracting out the operation of the medical assistance program.

By Senators Leean, Ellis and Rude, by request of Governor Tommy G. Thompson.

To committee on **Health, Human Services and Aging.**

Senate Bill 223

Relating to: the adoption of a nonmarital child, the readoption of a foreign adoptive child, county adoption services and the state adoption center.

By Senators Leean, Ellis and Rude, by request of Governor Tommy G. Thompson.

To committee on **Health, Human Services and Aging.**

Senate Bill 224

Relating to: permanency plan review panel annual reports.

By Senators Leean, Ellis and Rude, by request of Governor Tommy G. Thompson.

To committee on **Health, Human Services and Aging.**

Senate Bill 225

Relating to: revision of child support by affidavit.

By Senators Leean, Ellis and Rude, by request of Governor Tommy G. Thompson.

To committee on **Judiciary.**

Senate Bill 226

Relating to: voluntary acknowledgment of paternity.

By Senators Leean, Ellis and Rude, by request of Governor Tommy G. Thompson.

To committee on **Judiciary.**

Senate Bill 227

Relating to: a study on limiting licenses for failure to pay child or family support.

By Senators Leean, Ellis and Rude, by request of Governor Tommy G. Thompson.

To committee on **Judiciary.**

Senate Bill 228

Relating to: school district employe performance recognition plans.

By Senators Leean, Ellis and Rude, by request of Governor Tommy G. Thompson.

To committee on **Education and Financial Institutions.**

Senate Bill 229

Relating to: involuntary termination of parental rights on the grounds of abandonment, continuing alcohol or other drug abuse; child abuse, failure to assume parental responsibility and conviction for homicide of a child's sibling; required findings in a termination of parental rights order; and various termination of parental rights procedural changes.

By Senators Leean, Ellis and Rude, by request of Governor Tommy G. Thompson.

To committee on **Judiciary.**

Senate Bill 230

Relating to: criminal background investigations of certain persons who provide care for children.

By Senators Leean, Ellis and Rude, by request of Governor Tommy G. Thompson.

To committee on **Judiciary.**

Senate Bill 231

Relating to: the adoption of children with special needs and making an appropriation.

By Senators Leean, Ellis and Rude, by request of Governor Tommy G. Thompson.

To committee on **Health, Human Services and Aging.**

Senate Bill 232

Relating to: increasing the number of circuit court branches.

By Senators Huelsman, Breske, Buettner, Chvala, Decker, Drzewiecki, Fitzgerald, C. Potter, Risser, Rude and Wineke; cosponsored by Representatives Huebsch, Ainsworth, Dobyns, Foti, Gard, Hahn, Hanson, Huber, F. Lasee, Lorge, Meyer, Nass, Ott, Ourada, Owens, Plombon, Ryba, Springer, Travis,

Ward, Wilder and Zukowski, by request of Director of State Courts.

To committee on **Judiciary**.

Senate Bill 233

Relating to: establishing a minority health board, creating a program of grants to improve the health status of economically disadvantaged minority group members and making appropriations.

By Senators Moore, Burke, George, Risser, Darling and Farrow; cosponsored by Representatives Morris–Tatum, Cullen, L. Young, Turner, Riley, Baldwin, Boyle and Bock.

To committee on **Health, Human Services and Aging**.

Senate Bill 234

Relating to: the purchase of used home furnishings by antique dealers and recyclers and providing a penalty.

By Senators Moore, Burke, Darling and Rosenzweig; cosponsored by Representatives Riley, Morris–Tatum, R. Young, Turner, Notestein and Bock.

To committee on **Business, Economic Development and Urban Affairs**.

Senate Bill 235

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 Senators Rude, Panzer, Risser and Breske; cosponsored by Representatives Baldwin, Musser, Albers, Riley, Plache, Huber, R. Potter, Wilder, Meyer, Ryba, Baldus, Cullen, Hasenohrl, Wirch, Boyle and Turner, by request of American Federation of State, County and Municipal Employees and the Professional Firefighters of Wisconsin.

To joint survey committee on **Retirement Systems**.

Senate Bill 236

Relating to: expanding beyond the walls at Green Bay correctional institution.

By Senators Leean, Ellis and Rude, by request of Governor Tommy G. Thompson.

To committee on **State Government Operations and Corrections**.

Senate Bill 237

Relating to: appraisal of and payment for animals that are destroyed because of infectious diseases, livestock remedies, violations of animal health laws, granting rule–making authority and providing a penalty.

By Senators Leean, Ellis and Rude, by request of Governor Tommy G. Thompson.

To committee on **Transportation, Agriculture and Local Affairs**.

Senate Bill 238

Relating to: private operation and ownership of the state centers for the developmentally disabled.

By Senators Leean, Ellis and Rude, by request of Governor Tommy G. Thompson.

To committee on **Health, Human Services and Aging**.

Senate Bill 239

Relating to: a report on the statewide immunization program.

By Senators Leean, Ellis and Rude, by request of Governor Tommy G. Thompson.

To committee on **Health, Human Services and Aging**.

Senate Bill 240

Relating to: regulating rural medical centers, granting rule–making authority, making an appropriation and providing penalties.

By Senators Leean, Ellis and Rude, by request of Governor Tommy G. Thompson.

To committee on **Health, Human Services and Aging**.

Senate Bill 241

Relating to: immunity for certain mental health evaluations, diagnoses and determinations.

By Senators Leean, Ellis and Rude, by request of Governor Tommy G. Thompson.

To committee on **Health, Human Services and Aging**.

Senate Bill 242

Relating to: changing requirements for approval of certain applications for participation in the volunteer health care provider program.

By Senators Leean, Ellis and Rude, by request of Governor Tommy G. Thompson.

To committee on **Health, Human Services and Aging**.

Senate Bill 243

Relating to: requiring provision of information about voluntary acknowledgment of paternity and the significance and benefits of establishing paternity.

By Senators Leean, Ellis and Rude, by request of Governor Tommy G. Thompson.

To committee on **Judiciary**.

Senate Bill 244

Relating to: veterans eligible for the veterans rehabilitation program.

By Senators Moen, Darling, Burke and Breske; cosponsored by Representatives Albers, L. Young, Brandemuehl, Gronemus, Baldus, Turner, Hahn, Ryba, Riley, Plombon, Wirch, Murat, Boyle, Morris–Tatum, Hasenohrl, Robson, Wilder and Kreuser.

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

Senate Bill 245

Relating to: removing from natural watercourses obstructions on lands that are located in villages.

By Senators A. Lasee, Drzewiecki, Zien, Farrow, Breske and Huelsman; cosponsored by Representatives Ott, Goetsch, Grothman, F. Lasee, Owens and Seratti.

To committee on **Environment and Energy**.

Senate Bill 246

Relating to: jury trials in termination of parental rights proceedings, repeat out–of–home placements as a grounds for termination of parental rights, the number of individuals for whom a foster home, treatment foster home or adult family care home may be licensed to provide care and maintenance, the time within which a hearing must be held for certain children who are taken into custody under the children’s code, a foster care and treatment foster care hotline and making an appropriation.

By Senators Darling, Moore, Andrea, Farrow, Plewa, Cowles, Rosenzweig, Buettner, A. Lasee, Rude and Weeden;

cosponsored by Representatives Silbaugh, Krusick, Foti, Plache, Duff, Dobyns, Kreibich, Owens, Huber, Ainsworth, Springer, Zukowski, Schneiders, Goetsch, Musser, Ziegelbauer, Underheim, Jensen, Seratti, Riley and Klusman.

To committee on **Judiciary**.

REPORT OF COMMITTEES

The committee on **Senate Organization** recommends:

June 1, 1995

In accordance with Joint Rule 81(2), it is moved that the Legislature extend the floor period scheduled to adjourn on June 1, 1995 and extend the floor period scheduled to convene on June 13, 1995 by merging the two floor periods into one session work period, the extension beginning on June 2, 1995 and terminating by the convening of the scheduled floor period on June 13, 1995. The extension is solely for the purpose to consider the Executive Budget Bills, Assembly Bill 150 and the Transportation Budget Bill, Assembly Bill 402.

Ayes, 5 – Senators Ellis, Rude, Farrow, Jauch and Risser.
Noes, 0 – None.

Senator Michael Ellis
Chairperson

The committee on **Assembly Organization**.

Ayes, 5 – Representatives Prosser, Jensen, Klusman, Green and Freese.

Noes, 3 – Representatives Kunicki, Potter and Schneider.

Representative David Prosser
Chairperson

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

Assembly Bill 230

Relating to: regulation of grain dealers and warehouse keepers.

Concurrence.

Ayes, 5 – Senators A. Lasee, Drzewiecki, Zien, Andrea and Clausing.

Noes, 0 – None.

Assembly Bill 233

Relating to: modifying the definition of authorized emergency vehicle to include bicycles being operated by law enforcement officers.

Concurrence.

Ayes, 5 – Senators A. Lasee, Drzewiecki, Zien, Andrea and Clausing.

Noes, 0 – None.

Assembly Bill 91

Relating to: the use of red and white lights on privately owned motor vehicles being used by fire department personnel or volunteer fire fighters.

Introduction and adoption of Senate amendment 1.

Ayes, 5 – Senators A. Lasee, Drzewiecki, Zien, Andrea and Clausing.

Noes, 0 – None.

Concurrence as amended.

Ayes, 5 – Senators A. Lasee, Drzewiecki, Zien, Andrea and Clausing.

Noes, 0 – None.

Senate Bill 131

Relating to: towing and storage liens.

Introduction and adoption of Senate amendment 1.

Ayes, 5 – Senators A. Lasee, Drzewiecki, Zien, Andrea and Clausing.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators A. Lasee, Drzewiecki, Zien, Andrea and Clausing.

Noes, 0 – None.

Senate Bill 136

Relating to: repaving a portion of I 43 in Milwaukee County.

Introduction and adoption of Senate amendment 1.

Ayes, 4 – Senators A. Lasee, Drzewiecki, Zien and Andrea.
Noes, 1 – Senator Clausing.

Introduction and adoption of Senate amendment 2.

Ayes, 5 – Senators A. Lasee, Drzewiecki, Zien, Andrea and Clausing.

Noes, 0 – None.

Passage as amended.

Ayes, 4 – Senators A. Lasee, Drzewiecki, Zien and Andrea.
Noes, 1 – Senator Clausing.

Senate Bill 162

Relating to: the requirement to promulgate rules for the farmland preservation program.

Passage.

Ayes, 4 – Senators A. Lasee, Drzewiecki, Zien and Andrea.
Noes, 1 – Senator Clausing.

Senate Bill 170

Relating to: membership in a county board's association.

Passage.

Ayes, 5 – Senators A. Lasee, Drzewiecki, Zien, Andrea and Clausing.

Noes, 0 – None.

Senate Bill 174

Relating to: changes in the rural economic development program.

Passage.

Ayes, 5 – Senators A. Lasee, Drzewiecki, Zien, Andrea and Clausing.

Noes, 0 – None.

Senate Bill 210

Relating to: transportation, processing and disposal of dead animals.

Introduction and adoption of Senate substitute amendment 1.

Ayes, 5 – Senators A. Lasee, Drzewiecki, Zien, Andrea and Clausing.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators A. Lasee, Drzewiecki, Zien, Andrea and Clausing.

Noes, 0 – None.

Alan Lasee
Chairperson

EXECUTIVE COMMUNICATIONS

State of Wisconsin

May 30, 1995

The Honorable, The Senate:

This is to inform you that I am withdrawing the nomination of Ms. Lee Hardy of Richland Center for appointment to the Wisconsin Technical College System Board.

Thank you for your attention to this matter.

Sincerely,
TOMMY G. THOMPSON
Governor

**State of Wisconsin
Office of the Governor**

May 23, 1994

The Honorable, The Senate:

I am please to nominate and with the advice and consent of the Senate, do appoint YAFFE, LOUSIE ABRAHAMS, of Milwaukee, as a member of the Board on Aging and Long Term Care, to serve for the term ending May 1, 2000.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

May 23, 1994

The Honorable, The Senate:

I am please to nominate and with the advice and consent of the Senate, do appoint CUSKEY, GARY J., of Spooner, as a member of the Real Estate Appraisers Board, to serve for the term ending May 1, 1999.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

May 23, 1994

The Honorable, The Senate:

I am please to nominate and with the advice and consent of the Senate, do appoint CAVEN, JAMES P., of Madison, as a member of the Real Estate Appraisers Board, to serve for the interim term ending May 1, 1996, and for the full term ending May 1, 2000.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

May 23, 1994

The Honorable, The Senate:

I am please to nominate and with the advice and consent of the Senate, do appoint REAVY, MARY, of Racine, as a member of the Real Estate Appraisers Board, to serve for the term ending May 1, 1995.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

May 24, 1994

The Honorable, The Senate:

I am please to nominate and with the advice and consent of the Senate, do appoint HEIDEL, SANDRA K., of Onalaska, as a member of the Kickapoo Valley Governing Board, to serve for the term ending May 1, 1998.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

Read and referred to committee on **Environment and Energy.**

**State of Wisconsin
Office of the Governor**

May 24, 1994

The Honorable, The Senate:

I am please to nominate and with the advice and consent of the Senate, do appoint FIELD, DONALD R., of Middleton, as a member of the Kickapoo Valley Governing Board, to serve for the term ending May 1, 1997.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

Read and referred to committee on **Environment and Energy.**

**State of Wisconsin
Office of the Governor**

May 24, 1994

The Honorable, The Senate:

I am please to nominate and with the advice and consent of the Senate, do appoint KLUESNER, DAVID, of Waunakee, as a member of the Kickapoo Valley Governing Board, to serve for the term ending May 1, 1996

Respectfully submitted,
TOMMY G. THOMPSON
Governor

Read and referred to committee on **Environment and Energy.**

**State of Wisconsin
Office of the Governor**

May 23, 1994

The Honorable, The Senate:

I am please to nominate and with the advice and consent of the Senate, do appoint SIMIC, WILLIAM J., JR., of Minocqua,

as a member of the Hearing and Speech Examining Board. to serve for the interim term ending July 1, 1997.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

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

**REFERRALS AND RECEIPT OF
COMMITTEE REPORTS CONCERNING
PROPOSED ADMINISTRATIVE RULES**

Senate Clearinghouse Rule 95-007

Relating to contractor registration and certification.

Submitted by Department of Industry, Labor and Human Relations.

Report received from Agency, May 31, 1995.

Referred to committee on **Human Resources, Labor, Tourism, Veterans and Military Affairs**, June 1, 1995.

Senate Clearinghouse Rule 95-023

Relating to sport fishing for yellow perch on Lake Michigan and commercial fishing for yellow perch in zones 2 and 3 on Lake Michigan and Green Bay.

Submitted by Department of Natural Resources.

Report received from Agency, May 30, 1995.

Referred to committee on **Environment and Energy**, June 1, 1995.

Senate Clearinghouse Rule 95-029

Relating to hunting.

Submitted by Department of Natural Resources.

Report received from Agency, May 30, 1995.

Referred to committee on **Environment and Energy**, June 1, 1995.

The Committee on **Health, Human Services and Aging** reports and recommends:

Senate Clearinghouse Rule 95-030

Relating to screening of newborn infants for.

No action taken.

Carol Buettner
Chairperson

MESSAGES FROM THE ASSEMBLY

By Charles Sanders, chief clerk.

Mr. President:

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

Assembly Bill 55

Adopted and asks concurrence in:

Assembly Joint Resolution 48

Amended and concurred in as amended:

Assembly Bill 10, Assembly amendment 1 to Senate amendment 1 adopted.

Senate Joint Resolution 20, Assembly amendment 1 adopted.

Concurred in:

Senate Joint Resolution 31

Assembly Bill 159, Senate amendment 1.

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Bill 55

Relating to: designating and marking a certain portion of STH 49 as the "Flyway Highway".

By Representatives Owens, Dobyms, Lehman, Otte, Grothman and Goetsch; cosponsored by Senators Buettner and Panzer.

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

Assembly Joint Resolution 48

Relating to: commending Wisconsin's dairy industry.

By Representatives Otte, Ott, Gronemus, Ward, Baldus, Ainsworth, Reynolds, Zukowski, Springer, Skindrud, Wilder, Hahn, Dueholm, Olsen, Hasenohrl, Dobyms, Hanson, F. Lasee, Boyle, Owens, Turner, Coleman, Kelso, Silbaugh, Grothman, Goetsch, Gard, Musser, Freese, Gunderson, Lorge, Brandemuehl, Urban, Ladwig, Albers, Duff, Green, Hoven, Jensen, Kaufert, Klusman, Huebsch, Nass, Powers, Prosser, Schneiders, Underheim and Vrakas; cosponsored by Senators A. Lasee, Clausing, Rude, Breske, Petak, C. Potter, Cowles, Moen, Buettner, Plewa, Huelsman, Decker, Fitzgerald and Drzewiecki.

Read and referred to committee on **Senate Organization**.

ADJOURNMENT

Senator Rude, with unanimous consent, asked that the Senate adjourn until 10:00 A.M. Tuesday, June 6.

Adjourned.

10:01 A.M.