



STATE OF WISCONSIN

Senate Journal

Ninety—Second Regular Session

10:00 A.M.

THURSDAY, March 28, 1996

The Senate met.

The Senate was called to order by Senator Brian Rude.

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, Fitzgerald, George, Grobschmidt, Huelsman, Jauch, A. Lasee, Moen, Moore, Panzer, Petak, C. Potter, Risser, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Welch, Wineke and Zien – 33.

Absent – None.

Absent with leave – None.

The Senate stood for the prayer which was offered by Rabbi Lee Buckman of Congregation Beth Israel in Glendale and was give as follows.

The Academy Award winning film “Shindler’s List” concludes with the words: “whoever saves one life, it is as if he saved an entire world.”

These words find their source in the ancient Jewish legal text called the Talmud—in a section dealing with capital punishment.

Witnesses who come forward to testify in a capital case are exhorted:

Know that capital cases are not like monetary cases, where one can make restitution. In a capital case, the witness is accountable for the blood of the man and his potential posterity. For with Cain, the Bible says: “the voice of your brothers bloods cries out”—that is, his blood and the blood of his potential descendents.

For this reason, but a single human being was created to teach us that if anyone destroys a single human life in this world, it is as if he has destroyed an entire world. And if a person saves one life, it is as if he had saved the whole world.

And we, the court, remind you—all human beings are fashioned after the first human being. Yet miraculously no two faces are exactly alike. Therefore, every person can say, “for my sake the world was created.”

How different our world would look if we were to view others as if they possessed infinite value, irreplaceable distinctiveness, and inherently equal!

I pray that those who enter the debate on capital punishment will be guided by a vision of a society where each individual is seen as the potential parent of all humanity, each is infinitely

unique, and—since we are all created in God’s image—equal, and that with God’s help we will never lose hold of that vision.

Amen.

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

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 668

Relating to: parole eligibility.

By Senator Adelman.

To committee on **Judiciary**.

Senate Bill 669

Relating to: exposing genitals or pubic area and providing a penalty.

By Senator Burke; cosponsored by Representative Bock.

To committee on **Judiciary**.

Senate Bill 670

Relating to: looking into a building for sexual purposes and providing penalties.

By Senator Burke; cosponsored by Representative Bock.

To committee on **Judiciary**.

Senate Bill 671

Relating to: state financial assistance to the Wisconsin Lake Schooner Education Association and making an appropriation.

By Senator Burke; cosponsored by Representative Bock.

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

REPORT OF COMMITTEES

The committee on **Business, Economic Development and Urban Affairs** reports and recommends:

Assembly Bill 1033

Relating to: the development zone program, development zones tax credits and making an appropriation.

Concurrence.

Ayes, 5 – Senators Fitzgerald, Buettner, Darling, Moore and Grobschmidt.

Noes, 0 – None.

Scott Fitzgerald
Chairperson

The committee on **Environment and Energy** reports and recommends:

Senate Bill 208

Relating to: the reorganization of the Milwaukee Metropolitan Sewerage District commission.

Passage.

Ayes, 3 – Senators Cowles, Farrow and Panzer.
Noes, 0 – None.

Senate Bill 307

Relating to: mining for minerals on lands owned by the state and under the jurisdiction of the department of natural resources, sale of lands by the department of natural resources and providing a penalty.

Introduction and adoption of Senate amendment 1.

Ayes, 5 – Senators Cowles, Farrow, Panzer, Burke and Clausing.
Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Cowles, Farrow, Panzer, Burke and Clausing.
Noes, 0 – None.

Robert Cowles
Chairperson

The committee on **Insurance** reports and recommends:

Senate Bill 621

Relating to: regulation of viatical settlement contracts, exempting from the income tax income that is received from the sale of a life insurance policy under a viatical settlement contract and granting rule-making authority.

Introduction and adoption of Senate amendment 1.

Ayes, 7 – Senators Schultz, Huelsman, Buettner, Cowles, C. Potter, Shibilski and Jauch.
Noes, 0 – None.

Introduction and adoption of Senate amendment 2.

Ayes, 7 – Senators Schultz, Huelsman, Buettner, Cowles, C. Potter, Shibilski and Jauch.
Noes, 0 – None.

Passage as amended.

Ayes, 7 – Senators Schultz, Huelsman, Buettner, Cowles, C. Potter, Shibilski and Jauch.
Noes, 0 – None.

Dale Schultz
Chairperson

The committee on **Judiciary** reports and recommends:

Assembly Bill 841

Relating to: possession and distribution of certain photographs, motion pictures, videos or other visual representations showing nudity and providing a penalty.

Concurrence.

Ayes, 5 – Senators Huelsman, Welch, Darling, Risser and Adelman.
Noes, 0 – None.

Joanne Huelsman
Chairperson

The committee on **Senate Organization** reports and recommends:

Senate Joint Resolution 59

Relating to: expressing support for the Republic of China (Taiwan).

Adoption.

Ayes, 4 – Senators Ellis, Rude, Farrow and Chvala.
Noes, 0 – None.

Michael Ellis
Chairperson

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

Assembly Bill 775

Relating to: reporting of nontaxable income; extensions for filing corporate income tax and franchise tax returns; denying a tax deduction to certain corporations for wages paid to an entertainer or entertainment corporation if withholding requirements are not met; requiring certain persons who have liability for the use tax to register with the department of revenue; withholding for income taxes; the date on which a delinquency determination for withholding, sales taxes or use taxes becomes due; allowing the department of revenue to use sampling to determine the liability for certain taxes; depositing tax assessments with the department of revenue; information returns; and determining when late and extended tax returns are considered filed.

Concurrence.

Ayes, 5 – Senators Drzewiecki, A. Lasee, Fitzgerald, Moen and Breske.
Noes, 0 – None.

Assembly Bill 851

Relating to: grant of parole for educational achievement.

Concurrence.

Ayes, 5 – Senators Drzewiecki, A. Lasee, Fitzgerald, Moen and Breske.
Noes, 0 – None.

Assembly Bill 866

Relating to: including property tax refunds made due to errors in the listing submitted to the department of revenue; deleting the prohibition on refunding or rescinding a property tax if the property is exempt from taxation; the statute of limitations for motor vehicle fuel, alcohol beverage and cigarette taxes; the date by which a county treasurer is required to furnish completed tax roll settlement sheets to the department of revenue; the settlement of the state's share of property taxes in taxation districts that allow multiple payments of those taxes; the deadline for settlement of property taxes in certain taxation districts; claims for property tax refunds; the length of time that certain motor vehicle fuel tax and aviation fuel tax records must be kept; outdated references to an assessment; and correcting obsolete phrasing for the tobacco products tax (suggested as remedial legislation by the department of revenue).

Concurrence.

Ayes, 5 – Senators Drzewiecki, A. Lasee, Fitzgerald, Moen and Breske.
Noes, 0 – None.

Assembly Bill 918

Relating to: reporting by principals with respect to certain lobbying activities, voluntary registration by certain persons with the ethics board, compilation and use of certain information provided to the ethics board, making an appropriation and providing a penalty.

Concurrence.

Ayes, 5 – Senators Drzewiecki, A. Lasee, Fitzgerald, Moen and Breske.

Noes, 0 – None.

Assembly Bill 955

Relating to: the tax on car line companies.

Concurrence.

Ayes, 4 – Senators Drzewiecki, A. Lasee, Fitzgerald and Breske.

Noes, 1 – Senator Moen.

HENKES, JONATHAN M., of Sun Prairie, as a member of the Prison Industries Board, to serve for the term ending May 1, 1999

Confirmation.

Ayes, 5 – Senators Drzewiecki, A. Lasee, Fitzgerald, Moen and Breske.

Noes, 0 – None.

PHILLIPS, JOHN D., of Fond du Lac, as a member of the Prison Industries Board, to serve for the term ending May 1, 1999

Confirmation.

Ayes, 5 – Senators Drzewiecki, A. Lasee, Fitzgerald, Moen and Breske.

Noes, 0 – None.

Senate Bill 546

Relating to: transferring to the department of health and family services authority for licensing cigarette and tobacco products retailers and authority to enforce certain prohibitions on the sale, gift, purchase or possession of cigarettes or tobacco products, granting rule-making authority, making an appropriation and providing penalties.

Passage.

Ayes, 2 – Senators Drzewiecki and Fitzgerald.

Noes, 3 – Senators A. Lasee, Moen and Breske.

Senate Bill 606

Relating to: production by the state and local governments of customized work products compiled from public records.

Introduction and adoption of Senate amendment 1.

Ayes, 5 – Senators Drzewiecki, A. Lasee, Fitzgerald, Moen and Breske.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Drzewiecki, A. Lasee, Fitzgerald, Moen and Breske.

Noes, 0 – None.

Senate Bill 658

Relating to: the sentence of a person who escapes from the intensive sanctions program.

Passage.

Ayes, 5 – Senators Drzewiecki, A. Lasee, Fitzgerald, Moen and Breske.

Noes, 0 – None.

Gary Drzewiecki
Chairperson

Senator Moen, with unanimous consent, asked that the Senate recess until 11:47 A.M..

RECESS

11:47 A.M.

The Senate reconvened.

Senator Rude in the chair.

EXECUTIVE COMMUNICATIONS

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

CARPENTER, MAYOR MARIGEN, of Neenah, as a member of the Land and Water Conservation Board, to serve for the term ending May 1, 2000

Read.

HENKES, JONATHAN M., of Sun Prairie, as a member of the Prison Industries Board, to serve for the term ending May 1, 1999

Read.

KELLEY, DANIEL T., of Beloit, as a member of the Wisconsin Advanced Telecommunications Foundation, to serve for the term ending May 1, 1999

Read.

KLUESNER, DAVID R., of Waunakee, as a member of the Kickapoo Valley Governing Board, to serve for the term ending May 1, 1999

Read.

KNEGENDORF, LARRY E., of Baldwin, as a member of the Wisconsin Advanced Telecommunications Foundation, to serve for the term ending May 1, 1999

Read.

PHILLIPS, JOHN D., of Fond du Lac, as a member of the Prison Industries Board, to serve for the term ending May 1, 1999

Read.

The question was: Confirmation?

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, Fitzgerald, George, Grobschmidt, Huelsman, Jauch, A. Lasee, Moen, Moore, Panzer, Petak, C. Potter, Risser, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Welch, Wineke and Zien – 33.

Noes – None.

Absent or not voting – None.

Confirmed.

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 1069

Concurred in:

Senate Bill 449

Senate Bill 615

Senate Bill 623

10:24 A.M.

Amended and concurred in as amended:

Senate Bill 563 Assembly amendments 1 and 8 adopted

Senate Bill 565 Assembly amendments 1 and 4 adopted

MESSAGES FROM THE ASSEMBLY CONSIDERED

Assembly Bill 1069

Relating to: vehicle registration plates commemorating the 150th anniversary of Wisconsin statehood and making appropriations.

By Representatives Prosser, Brandmuehl, Lorge, Turner, Klusman, Duff, Ott, Freese, Goetsch, Hahn, Ainsworth and R. Young; cosponsored by Senators Risser, Rude and Grobschmidt.

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

Senate Bill 478

Relating to: limitation of civil liability related to equine activities.

The question was: Shall Assembly amendment 5 to **Senate Bill 478** be concurred in?

Concurred in.

Senator Ellis, with unanimous consent, asked that **Senate Bill 614** be placed at the foot of the calendar of 3–28–96.

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senate Joint Resolution 51

Relating to: an advisory referendum on the question of enacting the death penalty in this state.

Read.

Senator Breske, with unanimous consent, asked that **Senate Bill 1** be withdrawn from joint committee on **Finance** and taken up.

Senator Ellis objects.

Senator Breske moved that that **Senate Bill 1** be withdrawn from joint committee on **Finance** and taken up.

The question was: Shall the rules be suspended and **Senate Bill 1** be withdrawn from joint committee on **Finance** and taken up?

The ayes and noes were required and the vote was: ayes, 6; noes, 27; absent or not voting, 0; as follows:

Ayes – Senators Andrea, Breske, Buettner, Drzewiecki, A. Lasee and Shibilski – 6.

Noes – Senators Adelman, Burke, Chvala, Clausing, Grobschmidt, Huelsman, Jauch, Moen, Moore, Panzer, Petak, C. Potter, Risser, Rosenzweig, Rude, Schultz, Weeden, Welch, Wineke and Zien – 27.

Absent or not voting – None.

Refused to suspend the rules.

IN THE CHAIR

Senator Petak in the chair.

12:02 P.M.

Senator Risser moved rejection of **Senate Joint Resolution 51**.

The question was: Shall **Senate Joint Resolution 51** be rejected?

IN THE CHAIR

1:48 P.M.

Senator Rude in the chair.

The question was: Shall **Senate Joint Resolution 51** be rejected?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes – Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Darling, Decker, George, Grobschmidt, Jauch, Moen, Moore, C. Potter, Risser, Rosenzweig, Rude, Schultz, Shibilski, Weeden and Wineke – 21.

Noes – Senators Buettner, Cowles, Drzewiecki, Ellis, Farrow, Fitzgerald, Huelsman, A. Lasee, Panzer, Petak, Welch and Zien – 12.

Absent or not voting – None.

Rejected.

Senate Joint Resolution 59

Relating to: expressing support for the Republic of China (Taiwan).

Read.

Adopted.

Senate Bill 307

Relating to: mining for minerals on lands owned by the state and under the jurisdiction of the department of natural resources, sale of lands by the department of natural resources and providing a penalty.

Read a second time.

Senator Ellis, with unanimous consent, asked that **Senate Bill 307** be placed at the foot of the calendar of March 28, 1996.

Senate Bill 360

Relating to: exempting all transfers between spouses from the real estate transfer fee.

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 360

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, Fitzgerald, George, Grobschmidt, Huelsman, Jauch, A. Lasee, Moen, Moore, Panzer, Petak, C. Potter, Risser, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Welch, Wineke and Zien – 33.

Noes – None.

Absent or not voting – None.

Passed.

Senate Bill 488

Relating to: giving full faith and credit to orders providing protection to individuals.

Read a second time.

Senator Huelsman, with unanimous consent, asked that **Senate Bill 488** be laid on the table.

Senator Huelsman, with unanimous consent, asked that **Assembly Bill 793** be withdrawn from the committee on **Judiciary** and taken up at this time.

Assembly Bill 793

Relating to: giving full faith and credit to orders providing protection to individuals.

Read a second time.

Senator Moore, with unanimous consent, asked to be added as a cosponsor of **Assembly Bill 793**.

Senator Moore, with unanimous consent, asked to be added as a coauthor of **Senate Bill 360**.

Senator Buettner, with unanimous consent, asked to be added as a cosponsor of **Assembly Bill 417**.

Senator Rude and Risser, with unanimous consent, asked to be made cosponsors of **Assembly Bill 1078**.

Ordered to a third reading.

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

Assembly Bill 793

Read a third time and concurred in.

Senator Ellis, with unanimous consent, asked that **Senate Bill 584** be placed before **Senate Bill 307** at the foot of the calendar of March 28, 1996.

Senate Bill 606

Relating to: production by the state and local governments of customized work products compiled from public records.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 606**?

Adopted.

Senate amendment 2 to **Senate Bill 606** offered by Senator Adelman.

The question was: Adoption of Senate amendment 2 to **Senate Bill 606**?

Senator Welch moved rejection of Senate amendment 2 to **Senate Bill 606**.

IN THE CHAIR

2:07 P.M.

Senator Drzewiecki in the chair.

The question was: Rejection of Senate amendment 2 to **Senate Bill 606**?

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 606

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 31; noes, 2; absent or not voting, 0; as follows:

Ayes – Senators Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Fitzgerald, George, Grobschmidt, Huelsman, Jauch, A. Lasee, Moen, Moore, Panzer, Petak, C. Potter, Risser, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Welch and Zien – 31.

Noes – Senators Adelman and Wineke – 2.

Absent or not voting – None.

Passed.

Senator Shibilski, with unanimous consent, asked to be

added as a coauthor of **Senate Bill 606**.

Senate Bill 617

Relating to: the funding of a prison expansion project under the state building program and granting bonding authority.

Read a second time.

Senator Weeden, with unanimous consent, asked that **Senate Bill 617** be referred to the Joint Committee on **Finance**.

IN THE CHAIR

2:20 P.M.

Senator Rude in the chair.

Senate Bill 621

Relating to: regulation of viatical settlement contracts, exempting from the income tax income that is received from the sale of a life insurance policy under a viatical settlement contract and granting rule-making authority.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 621**?

Adopted.

The question was: Adoption of Senate amendment 2 to **Senate Bill 621**?

Adopted.

Ordered to a third reading.

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

Senator Moore, with unanimous consent, asked to be added as a coauthor of **Senate Bill 621**.

Senate Bill 621

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, Fitzgerald, George, Grobschmidt, Huelsman, Jauch, A. Lasee, Moen, Moore, Panzer, Petak, C. Potter, Risser, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Welch, Wineke and Zien – 33.

Noes – None.

Absent or not voting – None.

Passed.

Senate Bill 624

Relating to: juvenile justice and granting rule-making authority.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 624**?

Adopted.

The question was: Adoption of Senate amendment 2 to **Senate Bill 624**?

Adopted.

The question was: Adoption of Senate amendment 3 to **Senate Bill 624**?

Adopted.

The question was: Adoption of Senate amendment 4 to **Senate Bill 624**?

Adopted.

The question was: Adoption of Senate amendment 5 to **Senate Bill 624**?

Adopted.

The question was: Adoption of Senate amendment 6 to **Senate Bill 624**?

Adopted.

Senate amendment 7 to **Senate Bill 624** offered by Senators Breske, Huelsman and Panzer.

The question was: Adoption of Senate amendment 7 to **Senate Bill 624**?

Adopted.

Senate amendment 8 to **Senate Bill 624** offered by Senators Panzer, C. Potter and Huelsman.

The question was: Adoption of Senate amendment 8 to **Senate Bill 624**?

Adopted.

Ordered to a third reading.

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

Senate Bill 624

Read a third time and passed.

Senate Bill 633

Relating to: repeat offenders and persistent repeat offenders.

Read a second time.

Ordered to a third reading.

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

Senate Bill 633

Read a third time and passed.

Senate Bill 658

Relating to: the sentence of a person who escapes from the intensive sanctions program.

Read a second time.

Ordered to a third reading.

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

Senate Bill 658

Read a third time and passed.

SECOND READING AND AMENDMENTS OF ASSEMBLY JOINT RESOLUTIONS AND ASSEMBLY BILLS

Assembly Bill 417

Relating to: the retailer's discount for the sales tax and use tax.

Read a second time.

Senators Moore and Rude, with unanimous consent, asked to be made cosponsors of **Assembly Bill 417**.

Ordered to a third reading.

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

Assembly Bill 417

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, Fitzgerald, George, Grobschmidt, Huelsman, Jauch, A. Lasee, Moen, Moore, Panzer, Petak, C.

Potter, Risser, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Welch, Wineke and Zien – 33.

Noes – None.

Absent or not voting – None.

Concurred in.

Assembly Bill 491

Relating to: designation of a State Fire Fighters Memorial and a State Police and Fire Fighters Hall of Fame.

Read a second time.

Senators Drzewiecki, Zien and Moen, with unanimous consent, asked to be made cosponsors of **Assembly Bill 491**.

Ordered to a third reading.

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

Assembly Bill 491

Read a third time and concurred in.

Assembly Bill 653

Relating to: requirements for claiming a prize at a raffle conducted under a Class B license.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 653

Read a third time and concurred in.

Assembly Bill 928

Relating to: authorizing the issuance of temporary Class "B" licenses to public facilities covered by a "Class B" permit.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 928

Read a third time and concurred in.

Assembly Bill 955

Relating to: the tax on car line companies.

Read a second time.

Senate amendment 1 to **Assembly Bill 955** offered by Senators Wineke and Moen.

The question was: Adoption of Senate amendment 1 to **Assembly Bill 955**?

Senator Weeden moved rejection of Senate amendment 1 to **Assembly Bill 955**.

The question was: Rejection of Senate amendment 1 to **Assembly Bill 955**?

Rejected.

Ordered to a third reading.

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

Assembly Bill 955

Read a third time.

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

Ayes – Senators Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Drzewiecki, Ellis, Farrow, Fitzgerald, George, Grobschmidt, Huelsman, Jauch, A. Lasee, Moore, Panzer, Petak, C. Potter, Risser, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Welch and Zien – 29.

Noes – Senators Adelman, Decker, Moen and Wineke – 4.
Absent or not voting – None.

Concurred in.

Assembly Bill 993

Relating to: penalties for the operation of agricultural machinery upon a highway by uncertified youthful operators.

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 993

Read a third time and concurred in.

Assembly Bill 1028

Relating to: general program operations of the state historical society and making appropriations.

Read a second time.

Senator Ellis, with unanimous consent, asked that **Assembly Bill 1028** be placed at the foot of the 12th order of business on the calendar of March 28, 1996.

Placed at the foot of order of business.

Assembly Bill 1033

Relating to: the development zone program, development zones tax credits and making an appropriation.

Read a second time.

Senate amendment 1 to **Assembly Bill 1033** offered by Senator Adelman.

The question was: Adoption of Senate amendment 1 to **Assembly Bill 1033**?

Senator Petak moved rejection of Senate amendment 1 to **Assembly Bill 1033**.

The question was: Rejection of Senate amendment 1 to **Assembly Bill 1033**?

Rejected.

Senate amendment 2 to **Assembly Bill 1033** offered by Senator Adelman.

The question was: Adoption of Senate amendment 2 to **Assembly Bill 1033**?

IN THE CHAIR

3:04 P.M.

Senator Lasee in the chair.

Senator Schultz moved rejection of Senate amendment 2 to **Assembly Bill 1033**.

The question was: Rejection of Senate amendment 2 to **Assembly Bill 1033**?

IN THE CHAIR

3:12 P.M.

Senator Huelsman in the chair.

Senator George, with unanimous consent, asked that Senate amendment 2 to **Assembly Bill 1033** be laid on the table.

Ordered to a third reading.

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

Assembly Bill 1033

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 2; absent or not voting, 0; as follows:

Ayes – Senators Adelman, Andrea, Breske, Buettner, Burke, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Fitzgerald, George, Grobschmidt, Huelsman, Jauch, A. Lasee, Moen, Moore, Panzer, Petak, C. Potter, Risser, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Welch and Zien – 31.

Noes – Senators Chvala and Wineke – 2.

Absent or not voting – None.

Concurred in.

Assembly Bill 1078

Relating to: state holidays and paid holidays for state employees.

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 1078

Read a third time and concurred in.

Senator Drzewiecki, with unanimous consent, asked to be added as a cosponsor of **Assembly Bill 1078**.

Assembly Bill 1028

Relating to: general program operations of the state historical society and making appropriations.

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 1028

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 2; absent or not voting, 0; as follows:

Ayes – Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Drzewiecki, Ellis, Farrow, Fitzgerald, George, Grobschmidt, Huelsman, Jauch, Moen, Moore, Panzer, Petak, C. Potter, Risser, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Welch, Wineke and Zien – 31.

Noes – Senators Decker and A. Lasee – 2.

Absent or not voting – None.

Concurred in.

Senator Ellis, with unanimous consent, asked that all action be immediately messaged to the Assembly.

Senator Ellis, with unanimous consent, asked that **Senate Bill 614** be placed at the foot of the calendar of March 28, 1996.

Senate Bill 584

Relating to: possession and distribution of certain photographs, motion pictures, videotapes or other visual representations showing nudity and providing a penalty.

Read a second time.

Senate amendment 2 to **Senate Bill 584** offered by Senator Welch.

Senate amendment 3 to **Senate Bill 584** offered by Senator Welch.

Senator Ellis, with unanimous consent, asked that **Senate Bill 584** be laid on the table.

Senator Ellis, with unanimous consent, asked that **Assembly Bill 841** be withdrawn and taken up at this time.

Assembly Bill 841

Relating to: possession and distribution of certain photographs, motion pictures, videos or other visual representations showing nudity and providing a penalty.

Read a second time.

Senate substitute amendment 1 to **Assembly Bill 841** offered by Senator Clausung.

The question was: Adoption of Senate substitute amendment 1 to **Assembly Bill 841**?

Senator Welch moved rejection of Senate substitute amendment 1 to **Assembly Bill 841**.

The question was: Rejection of Senate substitute amendment 1 to **Assembly Bill 841**?

Rejected.

IN THE CHAIR

3:50 P.M.

Senator Rude in the chair.

Senate amendment 1 to **Assembly Bill 841** offered by Senator Welch.

The question was: Adoption of Senate amendment 1 to **Assembly Bill 841**?

Senator Welch, with unanimous consent, asked that Senate amendment 1 to **Assembly Bill 841** be laid on the table.

IN THE CHAIR

3:53 P.M.

Senator Huelsman in the chair.

Senate amendment 2 to **Assembly Bill 841** offered by Senator Welch.

The question was: Adoption of Senate amendment 2 to **Assembly Bill 841**?

POINT OF ORDER

Senator Chvala raised the point of order that Senate amendment 2 to **Assembly Bill 841** is not germane.

The Chair ruled the point not well taken.

Senator Chvala moved rejection of Senate amendment 2 to **Assembly Bill 841**.

IN THE CHAIR

4:03 P.M.

Senator Rude in the chair.

The question was: Rejection of Senate amendment 2 to **Assembly Bill 841**?

The Chair, with unanimous consent, asked the Senate return the third order of business.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 672

Relating to: hours of labor and one day of rest in 7 for persons employed in the manufacture of butter, cheese or other dairy products, in the distribution of milk or cream or in canning

or freezing agricultural commodities and granting rule-making authority.

By Senators Drzewiecki and Cowles; cosponsored by Representatives F. Lasee, Ainsworth and Ryba.

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

Senate Bill 673

Relating to: the taxation of telephone companies, imposing the sales tax on coin-operated telephone services, transfer of moneys from the general fund to the property tax relief fund and an expression of legislative intent concerning appropriations for the 1997-99 fiscal biennium.

By Senators Panzer, Rude and Jauch; cosponsored by Representatives F. Lasee, Huebsch and Jensen.

To joint committee on **Finance**.

Senator Drzewiecki, with unanimous consent, asked that **Senate Bill 546** be withdrawn from the committee on **Senate Organization** and referred to the joint committee on **Finance**.

Senator Rude, with unanimous consent, asked that **Senate Bill 655** be withdrawn from the committee on **State Government Operations and Corrections** and referred to the committee on **Senate Organization**.

Senator Rude, with unanimous consent, asked that **Senate Bill 604** be withdrawn from the committee on **State Government Operations and Corrections** and referred to the joint committee on **Finance**.

The Chair, with unanimous consent, asked that the Senate recess until 4:27 P.M..

4:09 P.M.

RECESS

4:27 P.M.

The Senate reconvened.

Senator Rude in the chair.

Senator Welch, with unanimous consent, asked that Senate amendment 2 to **Assembly Bill 841** be laid on the table.

Ordered to a third reading.

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

Assembly Bill 841

Read a third time and concurred in.

Senator Ellis, with unanimous consent, asked that **Senate Bill 565** be withdrawn and taken up at this time.

Senate Bill 565

Relating to: recovery of enforcement costs by the department of agriculture, trade and consumer protection in drainage district cases; transferring responsibility for administration of the Wisconsin consumer act; transferring responsibility for supporting the uniform commercial code statewide lien system; correcting references in certain appropriations of the department of financial institutions; the number of unclassified division administrator positions in the department of financial institutions; reversion of transferred funds to the Wisconsin development fund; minority business early planning projects; renumbering the appropriation for administrative services for regulation of industry, safety and buildings; the Milwaukee parental choice program; waiver of relocation payments and services when property is acquired by an entity vested with the power of eminent domain; collection of certain fees by the employment relations commission; payment of principal and interest on bonds issued for the clean

water fund program; purses for horse races and pari-mutuel tax for simulcast races; establishing a Mendota juvenile treatment center; a plan to assure continued funding for the mental health institutes; transferring an appropriation for principal repayment and interest from the department of industry, labor and job development to the department of health and family services; changing references to low-income and at-risk child care funding; state involvement with certain municipal boundary changes; refunding of municipal bonds; a performance evaluation audit of the University of Wisconsin Hospitals and Clinics Authority; the initial period of the lease agreement and affiliation agreement between the University of Wisconsin System and the University of Wisconsin Hospitals and Clinics Authority; the contractual services agreement between the University of Wisconsin Hospitals and Clinics Board and the University of Wisconsin Hospitals and Clinics Authority; storage and management of records of the University of Wisconsin Hospitals and Clinics Authority; applicability of municipal ordinances and regulations to certain buildings, structures and facilities constructed for the benefit or use of local professional baseball park districts; changing the name of the Kickapoo valley governing board; the effective date and initial applicability of adjustments in certain lobbying regulation fees; railroad stockholder reports; granting rulemaking authority; and making and decreasing appropriations.

The question was: Shall Assembly amendment 1 to **Senate Bill 565** be concurred in?

Concurred in.

The question was: Shall Assembly amendment 4 to **Senate Bill 565** be concurred in?

Concurred in.

Senator Ellis, with unanimous consent, asked that all action be immediately messaged to the Assembly.

ANNOUNCEMENTS, ADJOURNMENT HONORS AND REMARKS UNDER SPECIAL PRIVILEGE

Senator Buettner, with unanimous consent, asked that when the Senate adjourn, it do so in honor of "Best of Class" for K-12 schools, Oshkosh, Rosendale-Brandon and Winneconne, which have produced above-average student performance results at below-average cost.

Senator Chvala, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Melissa Agard who has a special relationship to one of my Senate staff assistants, she is celebrating her birthday today, Melissa who is 27 today, accepted the marriage proposal of Justin Sargent one of my Senate staff assistants, on Christmas Day 1995.

ADJOURNMENT

Senator Ellis, with unanimous consent, asked that the Senate adjourn until Pursuant to Senate Joint Resolution 1.

Adjourned.

4:33 P.M.

AMENDMENTS OFFERED

Senate amendment 2 to **Senate Bill 617** offered by Senators Decker, C. Potter, Burke, Clausing, Grobschmidt and Chvala.