

STATE OF WISCONSIN

Senate Journal

Ninetieth Regular Session

10:00 A.M.

Tuesday, February 4, 1992

The senate met.

The senate was called to order by Fred A. Risser, President of the Senate.

The Chair, with unanimous consent, asked that the calling of the roll be dispensed with.

INTRODUCTION OF RESOLUTIONS

**Senate Joint Resolution 66**

Relating to memorializing Congress to support and enact legislation providing federal assistance to the Marquette university neighborhood partnership program, also known as the Marquette plan.

By Senators Burke, Barrett, George, Ulichny, Czarnecki and Andrea; cosponsored by Representatives Moore, Rosenzweig, Bock, M. Coggs, Notestein, Urban, Lorge, Medinger, Krug, Vergeront, Radtke, Hahn and Schneiders.

To committee on Higher Education.

INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 486**

Relating to the method by which an extension of the time to file an individual or fiduciary income tax return may be obtained.

By Senator Barrett; cosponsored by Representative Cullen.

To committee on Aging, Banking, Communications and Taxation.

**Senate Bill 487**

An act relating to creating a temporary committee for the study of administrative value and efficiency.

By Senators Farrow, Weeden, Huelsman, Petak, Buettner and Roshell; cosponsored by Representatives Welch, Radtke, Hauke, Schneiders, Duff, Urban, Rosenzweig, Vergeront, Ourada, Loucks, Nass, Vrakas, Kaufert, Lorge, Zien, Freese, Klusman and Krusick.

To committee on Housing, Government Operations and Cultural Affairs.

**Senate Bill 488**

Relating to construction defects in new homes, granting rule-making authority and making an appropriation.

By Senators Risser and Lorman; cosponsored by

Representatives Bock, Robson and Musser.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 489**

Relating to aid to families with dependent children payments for individuals who move from other states and making an appropriation.

By Senators Andrea, Roshell, Berndt, Breske, Buettner, Cowles, Farrow, Huelsman, Lasee, Lcean, Lorman, Petak, Plewa, Potter, Rude, Schultz, Stitt, Van Sistine and Weeden; cosponsored by Representatives Krusick, Ladwig, Grobschmidt, Barca, Gard, Ainsworth, Albers, Baumgart, Bolle, Brancel, Brandemuehl, Carpenter, Coleman, Darling, Deininger, Duff, Foti, Freese, Goetsch, Gronemus, Hahn, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Hough, Johnsrud, Kaufert, Klusman, Lehman, Lorge, Loucks, Musser, Nass, Ott, Ourada, Panzer, Porter, Prosser, Radtke, Reynolds, Roberts, Robson, Rosenzweig, Schneiders, Schwartz, Silbaugh, Springer, Swoboda, Turba, Underheim, Urban, Van Dreef, Van Gorden, Vander Loop, Vanderperren, Vergeront, Vrakas, Welch, Wood and Zien.

To committee on Agriculture, Corrections, Health and Human Services.

COMMITTEE REPORTS

The committee on Education, Economic Development, Financial Institutions and Fiscal Policies reports and recommends:

**Senate Bill 490**

Relating to modifications to and waivers of the school district standards; suspensions of pupils from school; the state head start supplement; Milwaukee public schools' issuance of promissory notes; establishing a professional development center for Milwaukee school administrators and teachers; contracting with a private agency in Milwaukee for head start programs; closing a school in Milwaukee; and making appropriations.

Introduction:

Ayes, 6 -- Senators Ulichny, Czarnecki, Jauch, Barrett, Huelsman and Petak;

Noes, +0 +--+ None.

Read first time and referred to committee on Education, Economic Development, Financial Institutions and Fiscal Policies.

**WEGENKE, DR. ROLF,**

of Madison, as a member of the Educational Communications Board, to serve for the interim term ending May 1, 1992 and for the full term ending May 1, 1996.

Confirmation:

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Ayes, 6 -- Senators Ulichny, Czarnezki, Jauch,  
Barrett, Huelsman and Petak;  
Noes, 0 -- None.

**Senate Bill 172**

Relating to requiring children to be enrolled in school before they may be issued an operator's license or instruction permit and revoking the motor vehicle operating privilege of school dropouts.

Introduction and adoption of Senate amendment 1:

Ayes, 6 -- Senators Ulichny, Czarnezki, Jauch,  
Barrett, Huelsman and Petak;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 2:

Ayes, 6 -- Senators Ulichny, Czarnezki, Jauch,  
Barrett, Huelsman and Petak;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 3:

Ayes, 6 -- Senators Ulichny, Czarnezki, Jauch,  
Barrett, Huelsman and Petak;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Ulichny, Czarnezki, Jauch,  
Barrett, Huelsman and Petak;

Noes, 0 -- None.

**Senate Bill 338**

Relating to the state reimbursement rate for driver's education courses.

Passage:

Ayes, 6 -- Senators Ulichny, Czarnezki, Jauch,  
Barrett, Huelsman and Petak;

Noes, 0 -- None.

**Senate Bill 343**

Relating to pupils enrolled in day care centers under contract with the Milwaukee public schools.

Passage:

Ayes, 5 -- Senators Ulichny, Czarnezki, Barrett,  
Huelsman and Petak;

Noes, 1 -- Senator Jauch.

**Senate Bill 390**

Relating to establishing an individual accredited investor exemption to securities registration requirements and granting rule-making authority.

Passage:

Ayes, 6 -- Senators Ulichny, Czarnezki, Jauch,  
Barrett, Huelsman and Petak;

Noes, 0 -- None.

**Senate Bill 404**

Relating to savings and loan association record keeping by optical imaging.

Passage:

Ayes, 6 -- Senators Ulichny, Czarnezki, Jauch,  
Barrett, Huelsman and Petak;

Noes, 0 -- None.

**Senate Bill 447**

Relating to adopting a uniform lease statute.

Passage:

Ayes, 6 -- Senators Ulichny, Czarnezki, Jauch,  
Barrett, Huelsman and Petak;

Noes, 0 -- None.

**Senate Bill 460**

Relating to corporate law revisions.

Passage:

Ayes, 6 -- Senators Ulichny, Czarnezki, Jauch,  
Barrett, Huelsman and Petak;

Noes, 0 -- None.

Barbara Ulichny  
Chair

The committee on Housing, Government Operations and Cultural Affairs reports and recommends:

**Assembly Bill 101**

Relating to allowing rollovers from qualified pension plans and individual retirement accounts to the Wisconsin retirement system.

Concurrence:

Ayes, 5 -- Senators Plewa, Ulichny, Burke, Rude and  
Huelsman;

Noes, 0 -- None.

**Assembly Bill 289**

Relating to requiring ticket sellers to refund the purchase price of tickets for certain events that are canceled or rescheduled.

Introduction and adoption of Senate amendment 1:

Ayes, 5 -- Senators Plewa, Ulichny, Burke, Rude and  
Huelsman;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Plewa, Ulichny, Burke, Rude and  
Huelsman;

Noes, 0 -- None.

John R. Plewa  
Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

**Assembly Bill 85**

Relating to prohibiting the sale, delivery or possession of firearm silencers and providing a penalty.

Concurrence:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Stitt  
and Buettner;

Noes, 0 -- None.

**Assembly Bill 86**

Relating to conversion of a weapon to provide full-automatic fire and providing a penalty.

Concurrence:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Stitt  
and Buettner;

Noes, 0 -- None.

**Assembly Bill 95**

Relating to selling or distributing imitation firearms and providing a penalty.

Concurrence:

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Ayes, 5 -- Senators Adelman, Feingold, Chvala,  
Stitt and Buettner;  
Noes, 0 -- None.

Lynn S. Adelman  
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Department of Justice

January 28, 1992

To the Honorable the Legislature:

Section 165.90 Statutes requires that you receive an annual report of the progress of county-tribal law enforcement programs which are funded under this section. Please accept this letter as the report for 1991.

Sincerely,  
James E. Doyle  
Attorney General

State of Wisconsin  
Department of Public Instruction

January 1992

To the Honorable the Legislature:

Attached is a report on the Transitional Educational Program Pilot Project operating within the Milwaukee Public School System as required in Wisconsin Act 122, section 3014, nonstatutory provisions; Public Instruction.

Please contact me or my staff should you have any questions.

Sincerely,  
Herbert J. Grover  
State Superintendent  
State of Wisconsin  
Office of the Commissioner of Insurance

January 29, 1992

To the Honorable the Legislature:

Pursuant to s. 601.423, Wis. Stat., we have prepared and attached a social and financial impact report for **Assembly Bill 878**.

Sincerely,  
ROBERT D. HAASE  
Commissioner of Insurance  
STATE OF WISCONSIN  
ETHICS BOARD

January 28, 1992

To the Honorable the Senate:

At the direction of s. 13.685 (7), Wisconsin Statutes, I am furnishing you with the following list of State Agencies with additions or deletions to the names, titles and telephone numbers of their legislative liaisons:

**Adolescent Pregnancy Prevention and Pregnancy Services Board**

Remove:  
Alder, Dana Board Administrator 608-267-2080

**Agriculture, Trade and Consumer Protection**

Add:  
Duax, David L.F. Mgmt. Services Div.  
Administrator 608-266-7103  
Jelinski, David Land & Water Resource Mgmt  
Bureau 608-266-0157  
Director

Amend:  
(name & title)  
Hughes, Will Director Policy Prog. Analysis  
608-267-3311  
(title & phone)

Carr, Dennis D.V.M. Animal Health Div. Admin.  
608-266-7145  
(title)

Neher, Nicholas Agricultural Resource Mgmt  
Div. Adm. 608-266-7130  
(title)

Alberts, John Trade & Consumer Protection  
Div. Adm. 608-266-7220

**Development, Dept of**

Remove:  
Smith, Richard Special Assistant 608-266-7370

**Development Finance Board, WI**

Remove:  
Smith, Richard Special Assistant 608-266-7370

**Justice Assistance, Office of**

Remove:  
Robinson, Nathaniel E., Administrative Officer 608-266-3323

**Public Service Commission**

Remove:  
Thompson, Charles Chairman 608-267-7897

Amend:  
(titles)  
Parrino, Cheryl Chairman 608-267-7897  
Neitzel, Scott Commissioner 608-267-7899  
Evenson, Gary Assistant Administrator 608-266-6744

**Rural Health and Development Council**

Remove:  
Smith, Richard Special Assistant 608-266-7370

**Rusk Co. District Attorney**

Add:  
Anderson, Steven P. Assistant District Attorney  
715-532-2159

Sincerely,  
R. Roth Judd  
Executive Director

STATE OF WISCONSIN  
ETHICS BOARD

January 28, 1992

To the Honorable the Senate:

At the direction of s. 13.685 (7), Wisconsin Statutes, I am furnishing you with the names of organizations recently registered with the Ethics Board as employing one or more individuals to affect state legislation or administrative rules. For each organization I have noted the general area of legislative or administrative action which the organization has described as the object of its lobbying activity and the name of each licensed lobbyist that the organization has authorized to act on its behalf.

**Great Lakes Higher Education Corporation**

Subjects: Any matters related to financial services organizations including without limitations AB 712.

Gerrard, M. William

George, Richard

Johnston, Richard

**Tecumseh Products Company**

Subjects: Legislation and environmental rules.

Thimke, Mark

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by the organizations that employ lobbyists.

Sincerely,

R. Roth Judd

Executive Director

STATE OF WISCONSIN  
ETHICS BOARD

January 28, 1992

To the Honorable the Senate:

At the direction of s. 13.685 (7), Wisconsin Statutes, I am furnishing you with the following changes in the Ethics Board's records of licensed lobbyists and their employers.

**Organization's authorization of additional lobbyists:** The following organizations previously registered with the Ethic's Board as employers of lobbyists have authorized to act on their behalf these additional licensed lobbyists:

**Electric Power Co., Wisconsin**

Wilusz, Edward

**Oncida Tribe**

Broydrick, Lynne

Hurtgen, Robert

**Pharmaceutical Manufacturers Assoc.**

Gerrard, M. William

**Pharmacists Association, Wisconsin**

Driessen, Anthony

Theo, Peter

**Organization's cessation of lobbying activity:** Each of the following organizations previously registered with the Ethics Board as the employer of a lobbyist indicates a cessation of all lobbying activity and withdrawal of authorization from all individuals authorized to lobby on their behalf effective on the date shown.

**Cardinal Lodge, Inc.** 1/24/92

Kuehn, Ronald

Letzing, Sybil

**Pump and Well Suppliers, Inc., Wisconsin** 12/2/91

Hephner, Gervase

**Organization's modification or amendment of records:** The organizations listed below have previously registered with the Ethics Board and now indicate the following modifications to their records:

**Land Conservation Association, Wisconsin** Address Change: 559 D'Onofrio Drive, #12 Madison, WI 53719

**Lobbyists' modification or amendment of records:** The lobbyists listed below have previously registered with the Ethics Board and now indicate the following modifications to their records:

**Terrance Thompson** Address Change: 44 E. Mifflin St., Suite 801 Madison, WI 53703

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by the organizations that employ lobbyists.

Sincerely,

R. Roth Judd

Executive Director

SENATE CLEARINGHOUSE ORDERS

The committee on Education, Economic Development, Financial Institutions and Fiscal Policies reports and recommends:

**Senate Clearinghouse Rule 91-118**

Relating to authorizing savings and loan associations to sell noninsured financial products and requiring a written disclosure of noninsurance.

No action taken.

Barbara Ulichny

Chair

**Senate Clearinghouse Rule 91-166**

Relating to the Wisconsin local housing organization grant program.

Submitted by Department of Administration.

Report received from agency, February 3, 1992.

Referred to committee on Housing, Government Operations and Cultural Affairs, February 4, 1992.

**Senate Clearinghouse Rule 91-169**

Relating to Chippewa Indian treaty hunting, trapping and gathering rights.

Submitted by Department of Natural Resources.

Report received from agency, January 30, 1992.

Referred to committee on Urban Affairs, Environmental Resources and Elections, February 4, 1992.

**Senate Clearinghouse Rule 91-171**

Relating to transitional housing program.

Submitted by Department of Administration.

Report received from agency, February 3, 1992.

Referred to committee on Housing, Government Operations and Cultural Affairs, February 4, 1992.

**Senate Clearinghouse Rule 91-172**

Relating to housing cost grants and loans.

Submitted by Department of Administration.

Report received from agency, February 3, 1992.

Referred to committee on Housing, Government Operations and Cultural Affairs, February 4, 1992.

**Senate Clearinghouse Rule 91-173**

Relating to small cities community development block grants for housing.

Submitted by Department of Administration.

Report received from agency, February 3, 1992.

Referred to committee on Housing, Government Operations and Cultural Affairs, February 4, 1992.

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MESSAGE FROM THE ASSEMBLY

By Thomas T. Melvin, chief clerk.

Mr. President:

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

**Assembly Joint Resolution 105**

Passed and asks concurrence in:

**Assembly Bill 67**

**Assembly Bill 427**

**Assembly Bill 530**

**Assembly Bill 590**

**Assembly Bill 625**

**Assembly Bill 661**

Concurred in:

**Senate Bill 102**

Amended and concurred in as amended:

**Senate Bill 54, Assembly amendments 1 and 2**

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MESSAGE FROM THE ASSEMBLY  
CONSIDERED

**Assembly Joint Resolution 105**

Relating to the life and career of Bob Johnson.

By Representatives Travis, Prosser, Wineke, Black, Clarenbach, Young, Rohan and Silbaugh, cosponsored by Senators Risser, Chvala and Feingold.

Read and referred to committee on Senate Organization.

**Assembly Bill 67**

Relating to designating a 4-hour period for delivery of merchandise by retailers and commencement of service by public utilities and cable operators.

By Representatives Holschbach, Black, Bolle, Gruszynski, Robson, Rohan, Seery, Van Dreel and Wood, cosponsored by Senators Risser and Breske.

Read first time and referred to committee on Transportation and Utilities.

**Assembly Bill 427**

Relating to mandatory coverage of newborn children by all disability insurance policies.

By special committee on Reform of Health Insurance.

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

**Assembly Bill 530**

Relating to the designation of the period of military service in Vietnam.

By Representatives Musser, Grobschmidt, Medinger, Bolle, Nass, Holschbach, Lehman, Baldus, Vergeront, Hahn, Coleman, Lorge, Van Gorden, Boyle, Zien, Goetsch, Darling, Duff and Moore, cosponsored by Senators Breske and Moen.

Read first time and referred to committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

**Assembly Bill 590**

Relating to a state energy policy and granting rule-making authority.

By Representatives Hinkfuss, Black, Seery, Boyle, Roberts, Ourada, Lorge, Duff, Lautenschlager, Rohan, Van Dreel, Bock, Hisrich and Potter, cosponsored by Senators Adelman, Breske and Barrett.

Read first time and referred to committee on Urban Affairs, Environmental Resources and Elections.

**Assembly Bill 625**

Relating to nonpayment of forfeitures imposed for certain safety belt use violations.

By Representatives Roberts, Lorge, Wood, Holperin, Black, Lehman, Musser, Hasenohrl, Young, Hisrich, Schneiders, Van Gorden, Moore and Bolle, cosponsored by Senators Czarnecki, Moen and Chvala.

Read first time and referred to committee on Judiciary and Consumer Affairs.

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**Assembly Bill 661**

Relating to regulation of mining and the investment and local impact fund.

By Representatives Reynolds, Ott, Schwartz, Seery, Lautenschlager and Porter.

Read first time and referred to committee on Mining.

**CHIEF CLERK'S CORRECTION**

Suggested by Legislative Reference Bureau

**Senate Bill 476**

1. Page 49, line 15: substitute "48m" for "3547".

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Senator Risser, with unanimous consent, asked that the Senate adjourn until 10:00 A.M. Thursday, February 6.

10:01 A.M.