

STATE OF WISCONSIN

Senate Journal

Ninetieth Regular Session

10:00 A.M.

Thursday, February 13, 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 72

Relating to observing the week of May 3 to 9, 1992, as 'Small Business Week'.

By Senators Ulichny, Plewa, Berndt, Cowles, Moen, Potter, Rude, Stitt, Petak, Risser, Roshell, Breske, Czarnecki, Farrow, Lekan, Huelsman, Van Sistine, Barrett and Buettner; cosponsored by Representatives Van Dreel, Coleman, Grobschmidt, Hamilton, Lorge, Loucks, Ourada, Porter, Rohan, S. Coggs, Hahn, Harsdorf, Klusman, Notestein, Ott, Schneiders, Barca, Darling, Radtke, Robson, M. Coggs, Huber, Stower, Turba, Urban, Vrakas, Zien, Silbaugh and Van Gorden.

To committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 505

Relating to requiring mitigation for the alteration of certain wetlands in cities and granting rule-making authority.

By Senators Moen and Petak; cosponsored by Representatives Gronemus, Zien, Duff, Ott and Albers.

To committee on Urban Affairs, Environmental Resources and Elections.

Senate Bill 506

Relating to requiring documents that request an individual to identify his or her race from a list of specified racial classifications to include in that list a multiracial classification.

By Senators Risser and Buettner; cosponsored by Representatives Plache, Turner, Young, Boyle, Lautenschlager, Lorge, Black, Rohan, Grobschmidt and Darling.

To committee on Housing, Government Operations and Cultural Affairs.

Senate Bill 507

Relating to classifying teachers and librarians at state adult or juvenile correctional institutions as protective

occupation participants for the purposes of the Wisconsin retirement system.

By Senators Lorman, Breske and Potter; cosponsored by Representatives Grobschmidt, Goetsch, Ourada, Lorge and Darling.

To Joint Survey committee on Retirement Systems.

Senate Bill 508

Relating to disclosure of birth certificates and of identifying information about birth parents.

By Senators Feingold, George and Breske; cosponsored by Representatives Radtke, Boyle, Lehman and Musser.

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

Senate Bill 509

Relating to rail line acquisitions.

By Senators Feingold, Chvala, Jauch, Burke, Rude and Barrett; cosponsored by Representatives Clarenbach, Roberts, Hamilton, Holschbach, Bock, Boyle and Travis.

To committee on Transportation and Utilities.

Senate Bill 510

Relating to requiring restaurants to indicate food containing or prepared with alcohol beverages.

By Senators Rude and Buettner; cosponsored by Representatives Gard, Rohan, Musser, Radtke, Zien, Fortis, Ott, Boyle, Vergeront, Baldus and Moore.

To committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

Senate Bill 511

Relating to the regulation of red deer and fallow deer.

By Senators Breske, Jauch, Moen, Rude, Berndt, Lasee, Lekan, Stitt and Potter; cosponsored by Representatives Hubler, Holschbach, Baldus, Musser, Turba, Lorge, Harsdorf, Hahn, Van Gorden and Holperin.

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

Senate Bill 512

Relating to worthless checks.

By Senators Breske, Roshell, Van Sistine, Plewa, Schultz, Lasee, Lekan and Petak; cosponsored by Representatives Holperin, Hamilton, Roberts, Porter, Van Gorden, Lorge, Brandemuehl, Kaufert, Schneiders, Foti, Bolle, Brancel, Hahn, Ainsworth, Ott and Boyle.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

The committee on Agriculture, Corrections, Health and Human Services reports and recommends:

STOLPMAN, KATHLEEN F., of Brookfield, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 1994.

Confirmation:

Ayes, 9 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt, Lorman and Schultz;

Noes, 0 -- None.

RUSHING, MARVIN L., of Milwaukee, as a member of the Barbering and Cosmetology Examining Board, to serve for the interim term ending July 1, 1994.

Confirmation:

Ayes, 9 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt, Lorman and Schultz;

Noes, 0 -- None.

Senate Bill 175

Relating to the performance of farm chores by foster children and granting rule-making authority.

Passage:

Ayes, 9 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt, Lorman and Schultz;

Noes, 0 -- None.

Senate Bill 324

Relating to adolescent pregnancy prevention, school district instruction in human growth and development, medical assistance services and making appropriations.

Introduction and adoption of Senate amendment 1:

Ayes, 9 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt, Lorman and Schultz;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Moen, Decker, Feingold, Jauch, Barrett and Lorman;

Noes, 3 -- Senators Breske, Berndt and Schultz.

Assembly Bill 432

Relating to permitting certain hospitals to provide staff privileges to certain psychologists.

Concurrence:

Ayes, 9 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt, Lorman and Schultz;

Noes, 0 -- None.

Rodney C. Moen
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of Health and Social Services

February 5, 1992

To the Honorable the Legislature:

1987 Wisconsin Act 399 directed the Department of Health and Social Services to annually submit to the governor and the chief clerk of each house of the legislature, a report evaluating the grants for services to persons with epilepsy program (S. 46.57). The attached report is submitted to fulfill this requirement.

If you have any questions or if you would like additional copies of this report, call Jane Pawasarat at 266-5512.

Sincerely,
Gerald Whitburn
Secretary

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

February 5, 1992

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MARGARET HUMLEKER of Fond du Lac, as a member of the Historical Society, Board of Curators pursuant to the statute governing, to serve for the term ending July 1, 1995.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Housing, Government Operations and Cultural Affairs.

State of Wisconsin
Office of the Governor

February 5, 1992

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint EDWARD D. MAIN of Madison, as a member of the Deferred Compensation 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 Housing, Government Operations and Cultural Affairs.

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 91-157

Relating to the waiver of motorcycle skills test.
Submitted by Department of Transportation.

Report received from agency, February 12, 1992.
Referred to committee on Transportation and Utilities, February 13, 1992.

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

Senate Clearinghouse Rule 91-190

Relating to recruitment, evaluation and certification procedures for corrections positions and entry professional positions.

Review period waived:

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

Noes, 0 -- None.

Senate Clearinghouse Rule 91-191

Relating to classifications to be included in the entry professional program.

Review period waived:

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

Noes, 0 -- None.

John R. Plewa
Chair

The committee on Agriculture, Corrections, Health and Human Services reports and recommends:

Senate Clearinghouse Rule 91-137

Relating to the administration of the office of health care information.

Modifications approved and review period waived:

Ayes, 9 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt, Lorman and Schultz;

Noes, 0 -- None.

Rodney C. Moen
Chair

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 108

Passed and asks concurrence in:

Assembly Bill 107
Assembly Bill 452
Assembly Bill 502
Assembly Bill 512
Assembly Bill 584
Assembly Bill 629
Assembly Bill 635
Assembly Bill 638
Assembly Bill 743
Assembly Bill 770
Assembly Bill 771

Assembly Bill 788

Assembly Bill 798

Assembly Bill 840

Assembly Bill 846

Assembly Bill 858

Concurred in:

Senate Bill 226

Senate Bill 250

Assembly Bill 267, Senate amendment 1

Assembly Bill 434, Senate amendment 1

Assembly Bill 515, Senate amendment 1

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Joint Resolution 108

Relating to commending Ken Keltner.

By Representatives Duff and Jensen, cosponsored by Senator Adelman.

Read and referred to committee on Senate Organization.

Assembly Bill 107

Relating to changing the procedures by which a later tax return filing fee is imposed on persons.

By Representatives Hasenohrl, Holperin, Wood, Carpenter, Fortis, Duff, Ladwig, M. Coggs, Bock, Vanderperren, S. Coggs, Robson, Underheim, Musser, Zien, Stower, Goetsch, Hamilton and Barca, cosponsored by Senator Farrow.

Read first time and referred to committee on Aging, Banking, Communications and Taxation.

Assembly Bill 452

Relating to worthless checks made to fermented malt beverages dealers.

By Representatives Roberts and Foti, cosponsored by Senators Van Sistine, Plewa and Weeden.

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

Assembly Bill 502

Relating to annual or consecutive month permits for overweight vehicles transporting wood, paper products, pole length and pulpwood.

By Representatives Schwartz, Holperin, Hasenohrl, Ourada, Boyle, Hubler, Vander Loop, Zweck, Gard, Ott, Linton, Schneider and Reynolds, cosponsored by Senator Breske.

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

Assembly Bill 512

Relating to municipal transportation of jail prisoners for medical or hospital care.

By Representatives Wood, Robson, Turner and Van Gorden.

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

Assembly Bill 584

Relating to conditions of probation.

By Representatives Roberts, Medinger and Wood, cosponsored by Senator Rude.

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

Assembly Bill 629

Relating to requiring buildings on leased land to be assessed as real property.

By Representatives Hasenohrl, Vanderperren, Lehman, Fortis, Holperin, Musser, Hisrich and Baldus, cosponsored by Senators Helbach and Lorman.

Read first time and referred to committee on Aging, Banking, Communications and Taxation.

Assembly Bill 635

Relating to duties of the department of revenue to taxpayers who receive erroneous written advise from the department.

By Representatives Bock, Radtke, Black, Lehman, Wood, Schneiders, Gruszynski, Musser, Potter, Ladwig, Rohan, Loucks, Hasenohrl, Swoboda, Hisrich, Lorge, Fortis, Hubler, Hahn, Holperin, Kaufert, Robson, Huber, Seery, Krug, Bolle, Gronemus, Roberts, Lautenschlager, Van Dreel, Barca and Darling, cosponsored by Senators Barrett, Stitt, Czarnecki, Buettner, Roshell, Lorman, Huelsman and Berndt.

Read first time and referred to committee on Aging, Banking, Communications and Taxation.

Assembly Bill 638

Relating to providing individual income taxpayers with the option of receiving a postcard with an identification label instead of a tax form and booklet.

By Representatives Krug, Lorge, Seery, Welch, Bell, Deininger, Wood, Huber, Musser, Holschbach, Kaufert, Hisrich, Fortis, Radtke, Carpenter, Brandemuehl, Bolle, Van Gorden, Hamilton, Ott, Barca, Hahn, Potter, Klusman, Bock, Urban, Notstein, Rutkowski, Goetsch and Black, cosponsored by Senators Chvala, Cowles, Breske, Rude and Buettner.

Read first time and referred to committee on Aging, Banking, Communications and Taxation.

Assembly Bill 743

Relating to job shifting requirements for industrial development revenue bond projects.

By Representatives Plache, Turner, Rohan, Bock, M. Cogg, Barca, Carpenter, Bell, Wood, Hinkfuss, Young, Musser, Bolle, Fortis, Hamilton, Huber and Stower, cosponsored by Senator Andrea, Moen, Plewa and Petak.

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

Assembly Bill 770

Relating to imposing the controlled substances tax on marijuana plants.

By Representatives Lautenschlager, Wood, Bolle, Hamilton, Huber, Hisrich, Musser, Lehman, Kaufert,

Goetsch and Duff, cosponsored by Senators Breske and Chvala.

Read first time and referred to committee on Aging, Banking, Communications and Taxation.

Assembly Bill 771

Relating to controlled substances offenses involving tetrahydrocannabinols.

By Representatives Lautenschlager, Wood, Bolle, Hamilton, Huber, Hisrich, Musser, Lehman, Goetsch, Kaufert, Duff and Silbaugh, cosponsored by Senators Breske and Chvala.

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

Assembly Bill 788

Relating to prohibiting a state agency from informing the public in writing that a rule is or will be in effect unless the agency has completed its rule-making process.

By Representatives Swoboda, Holschbach, Plache, Linton, Holperin, Stower, Vergeront, Lorge, Goetsch and Hisrich.

Read first time and referred to joint committee for Review of Administrative Rules.

Assembly Bill 798

Relating to veterans benefits for enrollment in part-time classroom study in an institution located within 50 miles of the state border.

By Representatives Holperin, Bolle, Vanderperren, Musser, Baldus, Robson, Hisrich, Boyle, Lautenschlager, Grobschmidt, Rohan, Zien and Springer, cosponsored by Senators Breske, Roshell, Moen and Decker.

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

Assembly Bill 840

Relating to bag limits for certain types of fish taken from inland waters and granting rule-making authority.

By Joint Committee for Review of Administrative Rules.

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

Assembly Bill 846

Relating to pulsating or flashing headlamps on ambulances and fire department vehicles.

By Representative Schneider, cosponsored by Senator Helbach.

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

Assembly Bill 858

Relating to firearm purchases and providing a penalty.

By Representatives Wood, Bock, Kaufert, Turner, Brandemuehl, Van Gorden, Rosenzweig, Ott, Silbaugh, Fortis and Hahn, cosponsored by Senator Barrett.

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

JOURNAL OF THE SENATE [February 13, 1992]

Senator Risser, with unanimous consent, asked that the Senate adjourn until 10:00 A.M. Tuesday, February 18.

10:01 A.M.

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Joint Resolution 66** offered by Senators Burke and Barrett.

Senate amendment 1 to **Senate Bill 425** offered by Senator Potter.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 226

Senate Substitute Amendment 1

1. Page 4, line 1: on lines 1, 2, 5 and 6, delete "161.571" and substitute "161.572".

Senate Bill 324

1. Page 20, line 11: substitute "118.019" for "118.01".