STATE OF WISCONSIN

Senate Journal

Ninetieth Regular Session

10:00 A.M.

Thursday, April 2, 1992

The senate met.

The senate was called to order by Senator Chvala.

Senator Chvala, with unanimous consent, asked that the calling of the roll be dispensed with.

PETITIONS AND COMMUNICATIONS State of Wisconsin

Department of Natural Resources

March 26, 1992

To the Honorable the Legislature:

The Department of Natural Resources is pleased to transmit to you the results of two studies entitled "Discarded Household Appliances-Management and Recycling in Wisconsin" and "Final Report Household Batteries Waste Management Study" required under 1989 Wisconsin Act 335. These studies address the barriers to the recycling of major appliances and the feasibility benefits and method of household battery collection and recycling.

As you know, the major appliances were banned from landfilling by State Law as of January 1, 1991. Also, 1989 Wisconsin Act 284 required that refrigerants must be removed from major appliances before they can be recycled. These requirements will impact the way in which appliances are handled and eventually recycled in Wisconsin and nationally. The impact of these new requirements plus other issues are reported on in this study; also included are suggested actions that our department and the legislature may want to consider to improve the environmental management of this waste prior to the salvaging of metal. Some of these suggestions would require a change in State law.

I want to share with you the fact that Wisconsin is viewed by many states in the country as the national leader on the recycling of major appliances particularly as it applies to the refrigerant issue. This position of national leadership could not have occurred without direct action of the legislature.

The proper disposal of household batteries and their potential recyclability has received national attention recently. In Wisconsin, batteries for personal use in the home can legally be landfilled. The study does recommend that a state program for household battery recycling be considered with suggestions as to the best

method of doing this. These suggestions have been modeled after similar laws being considered in other states.

As required by 1989 Wisconsin Act 335, we will distribute copies of the appliance report to appropriate solid waste managers, scrap dealers, processors and other interested persons. As required by s. 13.172 of Wis. Stats., we will provide copies of these reports to all interested legislators. Please contact Kathy Maddock at (608) 267-7566 as to the number of copies which you will require. If you or any other legislator should have any questions regarding the contents of these reports, please contact Kate Cooper at (608) 267-7655.

Thank you again for allowing us the opportunity to study these issues with regard to the management and recycling of solid waste in Wisconsin.

> Sincerely, C. D. Besadny Secretary

State of Wisconsin Judicial Commission

March 30, 1990

To the Honorable the Legislature:

Please accept the 1991 annual report of the Wisconsin Judicial Commission, which is hereby submitted to you in accord with s. 757.97, Stats.

Sincerely, Roger D. Biddick Chairperson

State of Wisconsin Council on Physical Disabilities

March 18, 1992

To the Honorable the Legislature:

As required by s. 46.29 (f), attached is a copy of the first annual report from the Council on Physical Disabilities. The Council was only recently created so this initial report is brief. I look forward to the next report which will include recommendations regarding the many issues which exist for people with physical disabilities. If you have questions about the Council or its activities, please contact me.

Sincerely, William W. Hatcher Chair

The following Senate Resolutions failed adoption pursuant to Senate Joint Resolution 1.

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Senate Resolution 3
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Senate Resolution 4

Senate Resolution 6

Senate Resolution 7

The following Senate Joint Resolutions failed adoption pursuant to Senate Joint Resolution 1.

| Senate Joint Resolution 3 | Senate Joint Resolution 39 |
|---|----------------------------|
| Senate Joint Resolution 4 | Senate Joint Resolution 40 |
| Senate Joint Resolution 6 | Senate Joint Resolution 52 |
| Senate Joint Resolution 7 | Senate Joint Resolution 54 |
| Senate Joint Resolution 8 | Senate Joint Resolution 56 |
| Senate Joint Resolution 11 Senate Joint Resolution 13 | Senate Joint Resolution 57 |
| Senate Joint Resolution 13 Senate Joint Resolution 14 | Senate Joint Resolution 63 |
| Senate Joint Resolution 15 | Senate Joint Resolution 67 |
| Senate Joint Resolution 16 | Senate Joint Resolution 74 |
| Senate Joint Resolution 20 | Senate Joint Resolution 79 |
| Senate Joint Resolution 21 | Senate Joint Resolution 83 |
| Senate Joint Resolution 22 | Senate Joint Resolution 84 |
| Senate Joint Resolution 23 | Senate Joint Resolution 85 |
| Senate Joint Resolution 24 | Senate Joint Resolution 87 |
| Senate Joint Resolution 31 | Senate Joint Resolution 88 |
| Senate Joint Resolution 35 Senate Joint Resolution 38 | Senate Joint Resolution 90 |

The following Senate Bills failed to pass pursuant to Senate Joint Resolution 1.

| Senate Bill 1 | Senate Bill 47 | Senate Bill 96 | Senate Bill 139 |
|----------------|----------------|-----------------|-----------------|
| Senate Bill 3 | Senate Bill 48 | Senate Bill 97 | Senate Bill 142 |
| Senate Bill 4 | Senate Bill 50 | Senate Bill 98 | Senate Bill 144 |
| Senate Bill 5 | Senate Bill 52 | Senate Bill 99 | Senate Bill 145 |
| Senate Bill 8 | Senate Bill 53 | Senate Bill 100 | Senate Bill 146 |
| Senate Bill 9 | Senate Bill 55 | Senate Bill 104 | Senate Bill 147 |
| Senate Bill 10 | Senate Bill 56 | Senate Bill 106 | Senate Bill 149 |
| Senate Bill 13 | Senate Bill 57 | Senate Bill 107 | Senate Bill 151 |
| Senate Bill 16 | Senate Bill 58 | Senate Bill 108 | Senate Bill 152 |
| Senate Bill 18 | Senate Bill 59 | Senate Bill 109 | Senate Bill 153 |
| Senate Bill 19 | Senate Bill 60 | Senate Bill 111 | Senate Bill 154 |
| Senate Bill 24 | Senate Bill 61 | Senate Bill 112 | Senate Bill 159 |
| Senate Bill 26 | Senate Bill 62 | Senate Bill 113 | Senate Bill 160 |
| Senate Bill 27 | Senate Bill 64 | Senate Bill 114 | Senate Bill 162 |
| Senate Bill 28 | Senate Bill 65 | Senate Bill 115 | Senate Bill 164 |
| Senate Bill 29 | Senate Bill 66 | Senate Bill 117 | Senate Bill 165 |
| Senate Bill 30 | Senate Bill 67 | Senate Bill 119 | Senate Bill 168 |
| Senate Bill 31 | Senate Bill 68 | Senate Bill 120 | Senate Bill 170 |
| Senate Bill 32 | Senate Bill 69 | Senate Bill 124 | Senate Bill 171 |
| Senate Bill 33 | Senate Bill 70 | Senate Bill 125 | Senate Bill 172 |
| Senate Bill 34 | Senate Bill 71 | Senate Bill 126 | Senate Bill 173 |
| Senate Bill 35 | Senate Bill 72 | Senate Bill 127 | Senate Bill 174 |
| Senate Bill 36 | Senate Bill 73 | Senate Bill 128 | Senate Bill 177 |
| Senate Bill 37 | Senate Bill 74 | Senate Bill 129 | Senate Bill 179 |
| Senate Bill 38 | Senate Bill 78 | Senate Bill 131 | Senate Bill 180 |
| Senate Bill 39 | Senate Bill 82 | Senate Bill 132 | Senate Bill 181 |
| Senate Bill 40 | Senate Bill 83 | Senate Bill 133 | Senate Bill 183 |
| Senate Bill 41 | Senate Bill 84 | Senate Bill 134 | Senate Bill 184 |
| Senate Bill 42 | Senate Bill 85 | Senate Bill 135 | Senate Bill 185 |
| Senate Bill 43 | Senate Bill 87 | Senate Bill 136 | Senate Bill 186 |
| Senate Bill 44 | Senate Bill 88 | Senate Bill 137 | Senate Bill 187 |
| Senate Bill 45 | Senate Bill 91 | Senate Bill 138 | Senate Bill 188 |

| Senate | Bill 189 | Senate Bill 283 | Senate Bill 383 | Senate Bill 464 |
|---------------|----------|-----------------|-----------------|-----------------|
| Senate | Bill 190 | Senate Bill 284 | Senate Bill 384 | Senate Bill 465 |
| Senate | Bill 191 | Senate Bill 288 | Senate Bill 386 | Senate Bill 466 |
| Senate | Bill 192 | Senate Bill 290 | Senate Bill 387 | Senate Bill 467 |
| Senate | Bill 193 | Senate Bill 291 | Senate Bill 388 | Senate Bill 471 |
| Senate | Bill 194 | Senate Bill 293 | Senate Bill 389 | Senate Bill 472 |
| | Bill 196 | Senate Bill 295 | Senate Bill 390 | Senate Bill 473 |
| | Bill 198 | Senate Bill 297 | Senate Bill 391 | Senate Bill 475 |
| | Bill 199 | Senate Bill 298 | Senate Bill 392 | Senate Bill 477 |
| | Bill 204 | Senate Bill 299 | Senate Bill 393 | |
| | Bill 206 | Senate Bill 300 | Senate Bill 394 | Senate Bill 478 |
| | | | | Senate Bill 479 |
| | Bill 207 | Senate Bill 303 | Senate Bill 398 | Senate Bill 480 |
| | Bill 208 | Senate Bill 304 | Senate Bill 403 | Senate Bill 481 |
| | Bill 210 | Senate Bill 305 | Senate Bill 405 | Senate Bill 482 |
| | Bill 211 | Senate Bill 306 | Senate Bill 406 | Senate Bill 487 |
| | Bill 212 | Senate Bill 307 | Senate Bill 407 | Senate Bill 488 |
| | Bill 213 | Senate Bill 309 | Senate Bill 408 | Senate Bill 489 |
| | Bill 214 | Senate Bill 311 | Senate Bill 409 | Senate Bill 490 |
| Senate | Bill 215 | Senate Bill 313 | Senate Bill 410 | Senate Bill 491 |
| Senate | Bill 216 | Senate Bill 314 | Senate Bill 411 | Senate Bill 492 |
| Senate | Bill 218 | Senate Bill 317 | Senate Bill 413 | Senate Bill 493 |
| Senate | Bill 219 | Senate Bill 318 | Senate Bill 416 | Senate Bill 494 |
| Senate | Bill 220 | Senate Bill 319 | Senate Bill 417 | Senate Bill 495 |
| Senate | Bill 222 | Senate Bill 320 | Senate Bill 419 | Senate Bill 500 |
| | Bill 225 | Senate Bill 321 | Senate Bill 420 | Senate Bill 502 |
| | Bill 227 | Senate Bill 322 | Senate Bill 421 | Senate Bill 504 |
| | Bill 228 | Senate Bill 323 | Senate Bill 422 | Senate Bill 505 |
| | Bill 229 | Senate Bill 324 | Senate Bill 423 | Senate Bill 506 |
| | Bill 230 | Senate Bill 325 | Senate Bill 424 | Senate Bill 507 |
| | Bill 233 | Senate Bill 333 | Senate Bill 425 | Senate Bill 508 |
| _ | Bill 234 | Senate Bill 334 | Senate Bill 427 | Senate Bill 510 |
| | Bill 235 | Senate Bill 335 | Senate Bill 428 | Senate Bill 512 |
| | Bill 239 | Senate Bill 336 | Senate Bill 429 | Senate Bill 513 |
| | Bill 241 | Senate Bill 337 | | |
| | | | Senate Bill 430 | Senate Bill 515 |
| | Bill 242 | Senate Bill 338 | Senate Bill 431 | Senate Bill 516 |
| _ | Bill 243 | Senate Bill 341 | Senate Bill 432 | Senate Bill 518 |
| | Bill 245 | Senate Bill 343 | Senate Bill 433 | Senate Bill 520 |
| | Bill 247 | Senate Bill 344 | Senate Bill 434 | Senate Bill 521 |
| | Bill 249 | Senate Bill 345 | Senate Bill 435 | Senate Bill 522 |
| | Bill 251 | Senate Bill 347 | Senate Bill 436 | Senate Bill 523 |
| | Bill 252 | Senate Bill 349 | Senate Bill 437 | Senate Bill 524 |
| | Bill 253 | Senate Bill 350 | Senate Bill 438 | Senate Bill 525 |
| _ | Bill 254 | Senate Bill 351 | Senate Bill 439 | Senate Bill 526 |
| | Bill 256 | Senate Bill 354 | Senate Bill 440 | Senate Bill 529 |
| | Bill 257 | Senate Bill 355 | Senate Bill 441 | Senate Bill 530 |
| | Bill 259 | Senate Bill 361 | Senate Bill 442 | Senate Bill 531 |
| | Bill 260 | Senate Bill 362 | Senate Bill 444 | Senate Bill 533 |
| Senate | | Senate Bill 363 | Senate Bill 445 | Senate Bill 534 |
| | Bill 263 | Senate Bill 364 | Senate Bill 448 | Senate Bill 535 |
| Senate | | Senate Bill 365 | Senate Bill 449 | Senate Bill 536 |
| Senate | Bill 265 | Senate Bill 367 | Senate Bill 451 | Senate Bill 537 |
| Senate | Bill 266 | Senate Bill 369 | Senate Bill 452 | Senate Bill 538 |
| Senate | Bill 272 | Senate Bill 371 | Senate Bill 454 | Senate Bill 539 |
| Senate | | Senate Bill 373 | Senate Bill 455 | Senate Bill 540 |
| Senate | | Senate Bill 375 | Senate Bill 456 | Senate Bill 541 |
| Senate | | Senate Bill 377 | Senate Bill 457 | Senate Bill 542 |
| Senate | | Senate Bill 379 | Senate Bill 458 | Senate Bill 544 |
| Senate | | Senate Bill 380 | Senate Bill 459 | Senate Bill 546 |
| Senate | | Senate Bill 381 | Senate Bill 461 | Senate Bill 548 |
| Senate | | Senate Bill 382 | Senate Bill 462 | Senate Bill 550 |
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| Senate Bill 551 | Senate Bill 557 | Senate Bill 565 | Senate Bill 574 |
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| Senate Bill 552 | Senate Bill 558 | Senate Bill 566 | |
| Senate Bill 554 | Senate Bill 560 | Senate Bill 570 | Senate Bill 575 |
| Senate Bill 555 | Senate Bill 561 | Senate Bill 571 | C D:11 676 |
| Senate Bill 556 | Senate Bill 564 | Senate Bill 572 | Senate Bill 576 |

The following Assembly Joint Resolutions failed to pass pursuant to Senate Joint Resolution 1.

| Assembly Joint Resolution 36 Assembly Joint Resolution 68 Assembly Joint Resolution 76 Assembly Joint Resolution 119 Assembly Joint Resolution 120 Assembly Joint Resolution 121 Assembly Joint Resolution 122 | Assembly Joint Resolution 128 Assembly Joint Resolution 131 Assembly Joint Resolution 132 Assembly Joint Resolution 144 Assembly Joint Resolution 145 Assembly Joint Resolution 146 |
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| Assembly Joint Resolution 122 | Assembly Joint Resolution 146 |

The following Assembly Bills failed concurrence pursuant to Senate Joint Resolution 1.

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|-------------------|-----------------------|-------------------|--------------------|
| Assembly Bill 4 | Assembly Bill 213 | Assembly Bill 517 | Assembly Bill 785 |
| Assembly Bill 5 | Assembly Bill 218 | Assembly Bill 525 | Assembly Bill 840 |
| Assembly Bill 7 | Assembly Bill 220 | Assembly Bill 540 | Assembly Bill 848 |
| Assembly Bill 13 | Assembly Bill 236 | Assembly Bill 541 | Assembly Bill 851 |
| Assembly Bill 16 | Assembly Bill 242 | Assembly Bill 545 | Assembly Bill 852 |
| Assembly Bill 19 | Assembly Bill 261 | Assembly Bill 546 | |
| Assembly Bill 31 | Assembly Bill 262 | Assembly Bill 553 | Assembly Bill 858 |
| Assembly Bill 41 | Assembly Bill 269 | Assembly Bill 560 | Assembly Bill 874 |
| Assembly Bill 49 | Assembly Bill 27.9 | Assembly Bill 570 | Assembly Bill 886 |
| Assembly Bill 51 | Assembly Bill 294 | _ | Assembly Bill 929 |
| Assembly Bill 61 | Assembly Bill 295 | Assembly Bill 579 | Assembly Bill 930 |
| Assembly Bill 64 | Assembly Bill 298 | Assembly Bill 584 | Assembly Bill 941 |
| Assembly Bill 67 | Assembly Bill 314 | Assembly Bill 625 | Assembly Bill 944 |
| Assembly Bill 72 | Assembly Bill 326 | Assembly Bill 641 | Assembly Bill 945 |
| Assembly Bill 74 | Assembly Bill 351 | Assembly Bill 657 | Assembly Bill 952 |
| Assembly Bill 81 | Assembly Bill 352 | Assembly Bill 669 | • |
| Assembly Bill 85 | Assembly Bill 381 | Assembly Bill 679 | Assembly Bill 969 |
| Assembly Bill 87 | Assembly Bill 386 | Assembly Bill 698 | Assembly Bill 980 |
| Assembly Bill 121 | Assembly Bill 401 | Assembly Bill 710 | Assembly Bill 988 |
| Assembly Bill 123 | Assembly Bill 452 | Assembly Bill 715 | Assembly Bill 1014 |
| Assembly Bill 159 | Assembly Bill 457 | Assembly Bill 729 | Assembly Bill 1017 |
| Assembly Bill 185 | Assembly Bill 468 | Assembly Bill 738 | Assembly Bill 1063 |
| Assembly Bill 197 | Assembly Bill 484 | Assembly Bill 740 | Assembly Bill 1064 |
| Assembly Bill 203 | Assembly Bill 492 | Assembly Bill 746 | Assembly Bill 1082 |
| Assembly Bill 208 | Assembly Bill 512 | Assembly Bill 761 | |
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SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 91-63

Relating to milk quality standards and testing of raw milk for inhibitory substances.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Withdrawn by agency, March 20, 1992.

Senate Clearinghouse Rule 91-149

Relating to the safety, maintenance and operation of public swimming pools including whirlpools.

Submitted by Department of Health and Social Services.

Report received from agency, March 25, 1992.

Referred to committee on Agriculture, Corrections, Health and Human Services, April 2, 1992.

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

Senate Clearinghouse Rule 91-185

Relating to the Wisconsin land information program. No action taken.

John R. Plewa Chair State of Wisconsin Revisor of Statutes Bureau

April 1, 1992

To the Honorable the Legislature:

The following rules have been published and are effective:

Clearinghouse Rule 89-37 effective April 1, 1992. Clearinghouse Rule 90-233 effective April 1, 1992. Clearinghouse Rule 91-45 effective April 1, 1992.

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Clearinghouse Rule 91-59 effective April 1, 1992.
Clearinghouse Rule 91-80 effective April 1, 1992.
Clearinghouse Rule 91-107 effective April 1, 1992.
Clearinghouse Rule 91-115 part eff. April 1, 1992.
Clearinghouse Rule 91-115 part eff. July 1, 1992.
Clearinghouse Rule 91-116 effective April 1, 1992.
Clearinghouse Rule 91-118 effective April 1, 1992.
Clearinghouse Rule 91-126 effective April 1, 1992.
Clearinghouse Rule 91-127 effective April 1, 1992.
Clearinghouse Rule 91-128 effective April 1, 1992.
Clearinghouse Rule 91-132 effective April 1, 1992.
Clearinghouse Rule 91-134 effective April 1, 1992.
Clearinghouse Rule 91-137 effective April 1, 1992.
Clearinghouse Rule 91-154 effective April 1, 1992.
Clearinghouse Rule 91-160 effective April 1, 1992.
Clearinghouse Rule 91-165 effective April 1, 1992.
Clearinghouse Rule 91-190 effective April 1, 1992.
Clearinghouse Rule 91-191 effective April 1, 1992.
                   Sincerely,
                    GARY L. POULSON
                    Deputy Revisor
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Senator Chvala, with unanimous consent, asked that the Senate adjourn until 10:00 A.M. Tuesday, April 7, 1992.

10:01 A.M.

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 54. Senate Bill 226.

Correctly enrolled and presented to the Governor on March 31, 1992.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 397

Assembly Amendment 3

- 1. Page 1, line 18: delete the 2nd comma.
- 2. Page 2, line 4: delete "requirement" and substitute "requirements".