

STATE OF WISCONSIN

Senate Journal

Ninetieth Regular Session

10:00 A.M.

Tuesday, May 19, 1992

The senate met.

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

LEAVE OF ABSENCE

Senator Ellis, with unanimous consent, asked that Senator Stitt be granted a leave of absence for the balance of today's session.

The roll was called and the following senators answered to their names:

Senators Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Cowles, Czarnecki, Decker, Ellis, Farrow, Feingold, George, Helbach, Huelsman, Jauch, Lasee, Lekan, Lorman, Moen, Petak, Plewa, Potter, Risser, Roshell, Rude, Schultz, Ulichny, Van Sistine and Weeden — 31.

Absent — Senator Adelman — 1.
Absent with leave — Senator Stitt — 1.

The Senate stood for a moment of silent meditation.

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

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 94

Relating to the life and public service of Arthur Padrutt.

By Senator Risser.
Read.

Considered as privileged and taken up.

Adopted by unanimous rising vote.

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends the following nomination to committee for appointment by the Senate:

Senator Lasee to the Transportation Projects Commission.

The question was: Confirmation?
Confirmed.

Fred A. Risser
Chair

In accordance with Joint Rule 81(2), it is moved that the Legislature expand the purpose of the extraordinary session which began on April 14, 1992, and expand the purpose of Floorperiod VI, to include the purpose of acting upon legislation relating to the ratification of state employe contracts as introduced by the Joint Committee on Employment Relations. Action by the legislature may be taken during the extraordinary session or during the floorperiod VI scheduled to convene on May 19, 1992.

Senate Organization Committee:

Ayes, 5 -- Senators Risser, Helbach, Chvala, Ellis and Rude;

Noes, 0 -- None.

Assembly Organization Committee:

Ayes, 8 -- Representatives Kunicki, Travis, Notestein, Clarenbach, Barca, Prosser, Radtke and Welch;

Noes, 0 -- None.

The joint committee on Employment Relations reports and recommends:

Senate Bill 580

An act to ratify the agreement negotiated between the state of Wisconsin and the Association of State Prosecutors for the 1991-93 biennium, covering employes in the assistant district attorneys collective bargaining unit, and authorizing an expenditure of funds.

Introduction:

Ayes, 6 -- Senators Risser and George; Representatives Kunicki, Travis, Linton and Prosser;

Noes, 0 -- None.

Read first time and referred to committee on Senate Rules.

Senate Bill 581

An act to ratify the agreement negotiated between the state of Wisconsin and the Milwaukee Graduate Assistants Association, AFT, Local 2169, AFL-CIO, for the 1991-93 biennium, covering employes in the program, project and teaching assistants of the university of Wisconsin-Milwaukee collective bargaining unit, and authorizing an expenditure of funds.

Introduction:

Ayes, 6 -- Senators Risser and George; Representatives Kunicki, Travis, Linton and Prosser;

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Noes, 0 -- None.

Read first time and referred to committee on Senate Rules.

Fred A. Risser
Co-chair

Walter Kunicki
Co-chair

Senator Helbach, with unanimous consent, asked that **Senate Bills 580 and 581** be withdrawn from committee on Senate Rules and taken up.

LEAVE OF ABSENCE

Senator Helbach, with unanimous consent, asked that Senator Adelman be granted a leave of absence for the balance of today's session.

Senate Bill 580

An act to ratify the agreement negotiated between the state of Wisconsin and the Association of State Prosecutors for the 1991-93 biennium, covering employes in the assistant district attorneys collective bargaining unit, and authorizing an expenditure of funds.

Read a second time.

Ordered to a third reading.

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

Senate Bill 580

Read a third time.

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

Ayes — Senators Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Cowles, Czarnecki, Decker, Ellis, Farrow, Feingold, George, Helbach, Huelsman, Jauch, Lasee, Lekan, Lorman, Moen, Petak, Plewa, Potter, Risser, Roshell, Rude, Schultz, Ulichny, Van Sistine and Weeden — 31.

Noes — Senators — 0.

Absent or not voting — Senators Adelman and Stitt — 2.

Passed.

Senate Bill 581

An act to ratify the agreement negotiated between the state of Wisconsin and the Milwaukee Graduate Assistants Association, AFT, Local 2169, AFL-CIO, for the 1991-93 biennium, covering employes in the program, project and teaching assistants of the university of Wisconsin-Milwaukee collective bargaining unit, and authorizing an expenditure of funds.

Read a second time.

Ordered to a third reading.

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

Senate Bill 581

Read a third time.

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

Ayes — Senators Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Cowles, Czarnecki, Decker, Ellis, Farrow, Feingold, George, Helbach, Huelsman, Jauch, Lasee, Lekan, Lorman, Moen, Petak, Plewa, Potter, Risser, Roshell, Rude, Schultz, Ulichny, Van Sistine and Weeden — 31.

Noes — Senators — 0.

Absent or not voting — Senators Adelman and Stitt — 2.

Passed.

Senator Helbach, with unanimous consent, asked that all action be ordered immediately messaged.

Senator Roshell, with unanimous consent, asked that the Senate recess until 11:32 A.M..

10:25 A.M.

RECESS

11:32 A.M.

The Senate reconvened.

The committee on Aging, Banking, Communications and Taxation reports and recommends:

Senate Bill 579

Relating to increasing the lottery credit.

Passage:

Ayes, 3 -- Senators Feingold, Burke and Moen;

Noes, 2 -- Senators Buettner and Petak.

Russell D. Feingold
Chair

EXECUTIVE COMMUNICATIONS

CALENDAR OF MAY 19, 1992

Senator Helbach, with unanimous consent, asked that all the appointments be withdrawn from committee on Senate Rules.

Senator Helbach, with unanimous consent, asked that all the appointments be taken up en masse except for John Budzinski, Jane Carity, Kathleen Hempel and George W. Whittow.

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BURNS, TIMOTHY D., of Richland Center, as a member of the Board of Nursing, to serve for the interim term ending July 1, 1995.

Read.

BYBEE, JAMES E., of Monroe, as a member of the Prison Industries Board, to serve for the term ending May 1, 1995.

Read.

JACKO-CLEMENCE, BETH E., of Hales Corners, as a member of the Dentistry Examining Board, to serve for the term ending July 1, 1996.

Read.

JOHNSON, JAMES, of Middleton, as a member of the Prison Industries Board, to serve for the term ending May 1, 1995.

Read.

MEHR, DR. MICHAEL P., of Marshfield, as a member of the Medical Examining Board, to serve for the term ending July 1, 1996.

Read.

NEVIASER, B. ANN, of Madison, as a member of the Medical Examining Board, to serve for the term ending July 1, 1996.

Read.

OSWALT, SALLY H., of La Crosse, as a member of the Pharmacy Internship Board, to serve for the term ending July 1, 1996.

Read.

PATTERSON, MIKKI, of Madison, as a member of the Medical Examining Board, to serve for the term ending July 1, 1996.

Read.

PRATT, DIANNE P., of Milwaukee, as a member of the Funeral Directors Examining Board, to serve for the term ending July 1, 1992, and for the full term ending July 1, 1996.

Read.

RAEMISCH, RICHARD F., of Waunakee, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 1995.

Read.

STARR, DR. ROBERT A., of Viroqua, as a member of the Medical Examining Board, to serve for the term ending May 1, 1996.

Read.

WARD, MILTON D., of Union Grove, as a member of the Prison Industries Board, to serve for the term ending May 1, 1995.

Read.

The question was: Confirmation of the appointments?

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Cowles, Czarnezki, Decker, Ellis, Farrow, Feingold, George, Helbach, Huelsman, Jauch, Lasee, Lekan, Lorman, Moen, Petak, Plewa, Potter, Risser, Roshell, Rude, Schultz, Ulichny, Van Sistine and Weeden — 32.

Noes — None.

Absent or not voting — Senator Stitt — 1.

Confirmed.

BUDZINSKI, JOHN, of Whitefish Bay, as a member of the University of Wisconsin System Board of Regents, to serve for the term ending May 1, 1999.

Read.

The ayes and noes were required and the vote was: ayes, 30; noes, 2; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Czarnezki, Decker, Ellis, Farrow, Feingold, George, Helbach, Huelsman, Jauch, Lekan, Lorman, Moen, Petak, Plewa, Potter, Risser, Roshell, Rude, Schultz, Ulichny, Van Sistine and Weeden — 30.

Noes — Senators Cowles and Lasee — 2.

Absent or not voting — Senator Stitt — 1.

Confirmed.

CARITY, JANE, of Wauwatosa, as a member of the Bradley Center Sports and Entertainment Corporation, to serve for the term ending July 1, 1999.

Read.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Cowles, Czarnezki, Decker, Ellis, Farrow, Feingold, George, Helbach, Huelsman, Jauch, Lasee, Lekan, Lorman, Moen, Petak, Plewa, Potter, Risser, Roshell, Rude, Schultz, Ulichny, Van Sistine and Weeden — 32.

Noes — None.

Absent or not voting — Senator Stitt — 1.

Confirmed.

HEMPEL, KATHLEEN J., of Green Bay, as a member of the University of Wisconsin System Board of Regents, to serve for the term ending May 1, 1999.

JOURNAL OF THE SENATE [May 19, 1992]

Read.

The ayes and noes were required and the vote was: ayes, 30; noes, 2; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Czarnecki, Decker, Ellis, Farrow, Feingold, George, Helbach, Huelsman, Jauch, Llean, Lorman, Moen, Petak, Plewa, Potter, Risser, Roshell, Rude, Schultz, Ulichny, Van Sistine and Weeden — 30.

Noes — Senators Cowles and Lasee — 2.

Absent or not voting — Senator Stitt — 1.

Confirmed.

WHITTOW, GEORGE W., of Milwaukee, as a member of the Bradley Center Sports and Entertainment Corporation, to serve for the term ending July 1, 1999.

Read.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Cowles, Czarnecki, Decker, Ellis, Farrow, Feingold, George, Helbach, Huelsman, Jauch, Lasee, Llean, Lorman, Moen, Petak, Plewa, Potter, Risser, Roshell, Rude, Schultz, Ulichny, Van Sistine and Weeden — 32.

Noes — None.

Absent or not voting — Senator Stitt — 1.

Confirmed.

Senator Helbach, with unanimous consent, asked that the vetoed portions of **Senate Bill 281** be taken up.

Senate Bill 281

Relating to the preparation and adoption of a model livestock exclusion ordinance, the management of priority watersheds, issuance of orders related to nonpoint source pollution, establishing performance standards for drainage districts and the organization and management of drainage districts, construction site erosion control, creating a vehicle title and title transfer fee and highway salt tax to finance nonpoint source pollution abatement, granting bonding authority, granting rule-making authority, providing an exemption from rule-making procedures, providing penalties and making appropriations.

Read.

Senator Helbach, with unanimous consent, asked that Item 10 Conservation Easements *Section 78 (as it relates to s. 144.25(8)(m))* be taken up.

Item 10 Conservation Easements

Section 78 (as it relates to s. 144.25 (8)(m))

The question was: Shall the vetoed portion of the bill pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 23; noes, 9; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Berndt, Breske, Burke, Chvala, Cowles, Czarnecki, Decker, Feingold, George, Helbach, Jauch, Llean, Moen, Plewa, Potter, Risser, Roshell, Ulichny, Van Sistine and Weeden — 23.

Noes — Senators Buettner, Ellis, Farrow, Huelsman, Lasee, Lorman, Petak, Rude and Schultz — 9.

Absent or not voting — Senator Stitt — 1.

More than two-thirds having voted in the affirmative, the vetoed portion of the bill passed notwithstanding the objections of the Governor.

Senator Helbach, with unanimous consent, asked that the vetoed portions of **Senate Bill 483** be taken up.

Senate Bill 483

Relating to: transferring the property tax deferral program to the Wisconsin housing and economic development authority; placing certain prison industries sales personnel in the state unclassified civil service and authorizing their salaries and commissions; stopping or inspecting vehicles to enforce certain state and local laws; imposing the real estate transfer fee on land contracts when they are recorded; lapses and expenditure reestimates affecting certain appropriations made to state agencies from general purpose revenue; increasing the rate of the cigarette tax; the due dates for payments of sales tax collections and amounts withheld for income tax purposes; construction of a parking facility in the city of Madison; funding for the Frank Lloyd Wright terrace project in the city of Madison; the method of setting fees for parking at state facilities; authorized uses for state parking facility revenues; purchase and remodeling of a state office building in the Madison area; the lottery credit estimated fair market value; the school levy tax credit for mobile homes; security services for the historical society headquarters building; abolishing the board on the U.S.S. Wisconsin; elimination of various health-related programs and allocations and the allocation of moneys to alcohol and other drug abuse treatment and prevention programs; the children-in-crisis program and before-school and after-school services; eliminating the office of the commissioner of transportation; eliminating certain railroad regulations; transferring certain responsibilities and railroad regulation duties to the department of transportation; expanding the division of hearings and appeals in the department of administration; a nonstock, nonprofit corporation that raises funds for the Wisconsin radio and television networks; early intervention services to handicapped children and their families; determination of income and assets for aid to families with dependent children; medical assistance administration and eligibility determinations; requiring certain recipients of

aid to families with dependent children to attend school; aid to families with dependent children payments to certain parents; aid to families with dependent children payments for individuals who move from other states; the amount that a county or tribal governing body may retain from a recovered food stamp overpayment; removal of a person from the aid to families with dependent children payment because of the person's fraudulent acts; eligibility for general relief; membership of the state capitol and executive residence board; the method of financing information technology services provided by the department of administration to state agencies; transferring the incumbent in a position from the educational communications board to the department of administration; income tax extensions; the discount given to retailers for collecting the sales tax and the use tax; the penalty for failing to file a sales tax or use tax return; the penalty for underreporting the value of property that is required to be registered or titled; imposing the sales tax on fitness centers; disallowing the inclusion of certain miscellaneous itemized deductions in the calculation of the individual income tax itemized deductions credit; repealing an initial applicability provision that does not apply to any statutory section; certificates of title for boats and security interests in boats; increasing the aid rate per mile for local transportation aids; permitting petitions to the court to modify protective placement orders; a rebate of county sales tax administrative revenue; permitting certain county trunk highway improvements to be performed by county highway departments; authorizing a county board to establish a tax stabilization fund; the total amount of shared revenue distributions; providing grants to the committees on area promotion; transferring moneys from the Wisconsin development reserve fund; a contract for dental education with Marquette dental school; inmate wages; products made by inmates; the date on which county assessment aid is paid; the funding source for a position in the legislative audit bureau; abolishing the high-risk pregnancy grant program; emergency medical services; fees for tests conducted by the state laboratory of hygiene; removing the right to carry forward moneys from one calendar year to the next for relocation services for mentally ill persons; the intensive aftercare pilot program and the early intervention program for high-risk youths; recycling surcharge administration; the Wisconsin job opportunity business subsidy program; the educational assessment program; educational program reviews; school board management restructuring programs; grants for school district collaborative projects; grants for mathematics and science programs; grants for staff development; state aid for additional school days; state aid incentives for school district consolidation; state aid for professional development activities; interdistrict special transfer bonus aid; a uniform pupil transcript; advanced placement examinations; head start supplements; the postsecondary enrollment options program; community service activities; issuance of promissory notes by 1st class city school districts;

revocation of child labor permits; the pupil minimum competency testing program; the school performance report; school district audits; creating an educational goals committee and a student readiness study committee; the institutional matching requirement under the academic excellence higher education program; lapsing an amount appropriated to the department of development for tourism; administration of the state health insurance pilot projects; controlled substances; drug enforcement; law enforcement; district attorneys; legal representation for indigent respondents in paternity actions; municipal insurance mutuals; grants for the costs of salaries and fringe benefits of drug enforcement officers; trust lands and investments; department of employment relations publications; use of property acquired by the department of transportation; regulating by permit the use of rail corridors; payments to the medical college of Wisconsin, inc., for health manpower training; allowing the state supplement to the women, infants and children program to be transferred between fiscal years; vocational rehabilitation clients' responsibility for postsecondary education costs; reversion of certain program revenues to the general fund; circuit court judicial assistants, law clerks and law libraries; creating a court support services fee; privacy of personally identifiable information in state and local government records; disclosure of patient health care records; humane treatment of animals; use of bait or lures for dog racing purposes; the Portage levee system; the local aid program for dams; issuance of fish and game approvals by county clerks; requirements for state aids for acquisition and development of local parks and an application for such state aids by the village of Williams Bay; regulation of continuing care contracts by the office of the commissioner of insurance; nondisclosure of information in insurance matters; licensing and regulation of managing general agents and reinsurance agents; a transfer from the local government property insurance fund; a lapse of program revenue in the office of the commissioner of banking; guideline matrices provided by the sentencing commission; composition of the Wisconsin health education loan repayment fund; seed labeler license fees; a transfer from the transportation fund to the general fund; a lapse to the general fund from the appropriation for gasoline vapor recovery grants; contracting for the implementation of a certain long-range plan affecting the Fox river and the Winnebago pool; authorizing cities, villages and towns to create architectural conservancy districts; the annual earnings period for judges under the Wisconsin retirement system; underwater archaeology and submerged cultural resources; creating a submerged cultural resources council; creating a historical markers program; a management and efficiency study of the department of natural resources; substitution of judges; holding a juvenile in a secure detention facility; short-term detention for juveniles; permitting law enforcement officers to take truants into custody; extended juvenile court jurisdiction; waiver of juvenile court jurisdiction; juvenile court orders applicable to parents, guardians

and legal custodians; prohibiting sheltering and concealing runaway children; payment of restitution by juveniles; providing short-term detention as a sanction for violating a dispositional order; proposing legislation related to confidential juvenile records; reimbursement to juvenile correctional institutions for the cost of caring for violent juvenile offenders; elimination of the authority to carry forward community aids moneys due to an audit adjustment; day care programs for student parents; specifying that computer programs except custom programs are subject to the sales tax and use tax; instruction permits for commercial motor vehicle or school bus operation; licenses and fees for the sale or distribution of pesticides, fertilizers, commercial feed and soil and plant additives; living arrangement requirements for certain recipients of aid to families with dependent children; general relief benefits, eligibility, procedures and reimbursements; changes in the public assistance bill of rights; creating a multifamily dwelling code council in the department of industry, labor and human relations; adopting a statewide multifamily dwelling code; regulation of video gaming machines; imposing an occupational tax on the operation of a video gaming machine; certain floodplain and shoreland zoning ordinances for Pierce county regulating improvements to nonconforming buildings or buildings with nonconforming uses; a sea lamprey barrier at the Rapide Croche lock on the Fox river; small municipality shared revenue payments; treatment of income and resources of certain institutionalized individuals who apply for or receive medical assistance; recipient cost sharing under the medical assistance program; medical assistance coverage of care coordination for pregnant women; limiting medical malpractice noneconomic damage awards; valuation of the accumulated unused sick leave of a state constitutional officer, member or officer of the legislature, head of a state agency who is appointed by the governor or head of a legislative service agency for the payment of his or her postretirement health insurance premiums under the state group health insurance program; creating a gaming commission; supplementing or decreasing payments to certain nursing homes for care provided to medical assistance recipients; seizure and sale of vehicles; occupational license restrictions; alcohol and controlled substance use assessment; reimbursement from the parents or guardian of a child who is alleged to be delinquent or in need of protection or services for legal representation provided by the state or counties to that child; a statewide lien system report; grain dealer bond and security requirements; specific information highway signs on the tri-county expressway; community-based economic development grants to the city of Beloit for riverfront development; provision of health insurance data collection and analysis services to the group insurance board by the office of health care information; enforcement of gaming laws by the department of justice; creating a division of criminal investigation in the department of justice; restrictions on requiring insureds to use particular vendors for repair or replacement of

motor vehicle glass; air pollution from motor vehicles; employe trip reduction; clean fuels and clean-fuel vehicles; reformulated gasoline; petroleum product specifications; a grant to the General Mitchell international airport; actions finding solid waste facilities to be nuisances; medical assistance reimbursement for home health services; reimbursement for local administration of the lottery credit; increasing the amount of public debt that the building commission may contract for related to veterans mortgage refunding bonds; seeking federal authority for a pilot program concerning the method of payment of aid to families with dependent children benefits; the date on which certain unencumbered moneys appropriated for racing special programs will lapse to the general fund; payment of incentive bonuses to lottery retailers; school district expenditure limits; the additional oil inspection fee; state aid for driver education programs; authorizing the use of office of justice assistance funds for a law enforcement grant to a city having a population of more than 150,000 and less than 500,000; permits for air contaminant sources; creating a small business environmental council; assistance for small businesses that emit air contaminants; recovery of medical assistance benefits; grants to the city of West Allis for the provision of crowd and traffic control services related to events held at the state fair park; minor technical changes to the designation of state park names; the capital access program; adjustment of authorized positions for state agencies; providing an exemption from emergency rule procedures; granting bonding authority; granting rule-making authority; providing penalties; and decreasing and making appropriations.

Read.

Senator Helbach, with unanimous consent, asked that Item D-1 Healthy Start Expansion *Sections 455g, 455h, 455i, 455k, 455m and 9425(7p)* be taken up.

Item D-1 Healthy Start Expansion
Sections 455g, 455h, 455i, 455k, 455m and 9425(7p)

The question was: Shall the vetoed portion of the bill pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 18; noes, 14; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Breske, Burke, Chvala, Czarnecki, Decker, Feingold, George, Helbach, Jauch, Moen, Plewa, Potter, Risser, Ulichny and Van Sistine — 18.

Noes — Senators Berndt, Buettner, Cowles, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Petak, Roshell, Rude, Schultz and Weeden — 14.

Absent or not voting — Senator Stitt — 1.

Less than two-thirds having voted in the affirmative, the vetoed portion of the bill was refused passage notwithstanding the objections of the Governor.

Senator Helbach, with unanimous consent, asked that **Senate Bill 579** be withdrawn from committee on Senate Rules and taken up.

Senate Bill 579

Relating to increasing the lottery credit.

Read a second time.

Senator George, with unanimous consent, asked that **Senate Bill 579** be referred to joint committee on Finance.

Senator Helbach, with unanimous consent, asked that all action be ordered immediately messaged.

Senator Helbach, with unanimous consent, asked that vetoed portions of **Senate Bill 483** be taken up.

Senate Bill 483

Relating to: transferring the property tax deferral program to the Wisconsin housing and economic development authority; placing certain prison industries sales personnel in the state unclassified civil service and authorizing their salaries and commissions; stopping or inspecting vehicles to enforce certain state and local laws; imposing the real estate transfer fee on land contracts when they are recorded; lapses and expenditure reestimates affecting certain appropriations made to state agencies from general purpose revenue; increasing the rate of the cigarette tax; the due dates for payments of sales tax collections and amounts withheld for income tax purposes; construction of a parking facility in the city of Madison; funding for the Frank Lloyd Wright terrace project in the city of Madison; the method of setting fees for parking at state facilities; authorized uses for state parking facility revenues; purchase and remodeling of a state office building in the Madison area; the lottery credit estimated fair market value; the school levy tax credit for mobile homes; security services for the historical society headquarters building; abolishing the board on the U.S.S. Wisconsin; elimination of various health-related programs and allocations and the allocation of moneys to alcohol and other drug abuse treatment and prevention programs; the children-in-crisis program and before-school and after-school services; eliminating the office of the commissioner of transportation; eliminating certain railroad regulations; transferring certain responsibilities and railroad regulation duties to the department of transportation; expanding the division of hearings and appeals in the department of administration; a nonstock, nonprofit corporation that raises funds for the Wisconsin radio and television networks; early intervention services to handicapped children and their families; determination of income and assets for aid to families with dependent children; medical assistance administration and eligibility determinations; requiring certain recipients of aid to families with dependent children to attend school; aid to families with dependent children payments to certain parents; aid to families with dependent children payments for individuals who move from other states; the amount that a county or tribal governing body may

retain from a recovered food stamp overpayment; removal of a person from the aid to families with dependent children payment because of the person's fraudulent acts; eligibility for general relief; membership of the state capitol and executive residence board; the method of financing information technology services provided by the department of administration to state agencies; transferring the incumbent in a position from the educational communications board to the department of administration; income tax extensions; the discount given to retailers for collecting the sales tax and the use tax; the penalty for failing to file a sales tax or use tax return; the penalty for underreporting the value of property that is required to be registered or titled; imposing the sales tax on fitness centers; disallowing the inclusion of certain miscellaneous itemized deductions in the calculation of the individual income tax itemized deductions credit; repealing an initial applicability provision that does not apply to any statutory section; certificates of title for boats and security interests in boats; increasing the aid rate per mile for local transportation aids; permitting petitions to the court to modify protective placement orders; a rebate of county sales tax administrative revenue; permitting certain county trunk highway improvements to be performed by county highway departments; authorizing a county board to establish a tax stabilization fund; the total amount of shared revenue distributions; providing grants to the committees on area promotion; transferring moneys from the Wisconsin development reserve fund; a contract for dental education with Marquette dental school; inmate wages; products made by inmates; the date on which county assessment aid is paid; the funding source for a position in the legislative audit bureau; abolishing the high-risk pregnancy grant program; emergency medical services; fees for tests conducted by the state laboratory of hygiene; removing the right to carry forward moneys from one calendar year to the next for relocation services for mentally ill persons; the intensive aftercare pilot program and the early intervention program for high-risk youths; recycling surcharge administration; the Wisconsin job opportunity business subsidy program; the educational assessment program; educational program reviews; school board management restructuring programs; grants for school district collaborative projects; grants for mathematics and science programs; grants for staff development; state aid for additional school days; state aid incentives for school district consolidation; state aid for professional development activities; interdistrict special transfer bonus aid; a uniform pupil transcript; advanced placement examinations; head start supplements; the postsecondary enrollment options program; community service activities; issuance of promissory notes by 1st class city school districts; revocation of child labor permits; the pupil minimum competency testing program; the school performance report; school district audits; creating an educational goals committee and a student readiness study committee; the institutional matching requirement under the academic excellence

higher education program; lapsing an amount appropriated to the department of development for tourism; administration of the state health insurance pilot projects; controlled substances; drug enforcement; law enforcement; district attorneys; legal representation for indigent respondents in paternity actions; municipal insurance mutuals; grants for the costs of salaries and fringe benefits of drug enforcement officers; trust lands and investments; department of employment relations publications; use of property acquired by the department of transportation; regulating by permit the use of rail corridors; payments to the medical college of Wisconsin, inc., for health manpower training; allowing the state supplement to the women, infants and children program to be transferred between fiscal years; vocational rehabilitation clients' responsibility for postsecondary education costs; reversion of certain program revenues to the general fund; circuit court judicial assistants, law clerks and law libraries; creating a court support services fee; privacy of personally identifiable information in state and local government records; disclosure of patient health care records; humane treatment of animals; use of bait or lures for dog racing purposes; the Portage levee system; the local aid program for dams; issuance of fish and game approvals by county clerks; requirements for state aids for acquisition and development of local parks and an application for such state aids by the village of Williams Bay; regulation of continuing care contracts by the office of the commissioner of insurance; nondisclosure of information in insurance matters; licensing and regulation of managing general agents and reinsurance agents; a transfer from the local government property insurance fund; a lapse of program revenue in the office of the commissioner of banking; guideline matrices provided by the sentencing commission; composition of the Wisconsin health education loan repayment fund; seed labeler license fees; a transfer from the transportation fund to the general fund; a lapse to the general fund from the appropriation for gasoline vapor recovery grants; contracting for the implementation of a certain long-range plan affecting the Fox river and the Winnebago pool; authorizing cities, villages and towns to create architectural conservancy districts; the annual earnings period for judges under the Wisconsin retirement system; underwater archaeology and submerged cultural resources; creating a submerged cultural resources council; creating a historical markers program; a management and efficiency study of the department of natural resources; substitution of judges; holding a juvenile in a secure detention facility; short-term detention for juveniles; permitting law enforcement officers to take truants into custody; extended juvenile court jurisdiction; waiver of juvenile court jurisdiction; juvenile court orders applicable to parents, guardians and legal custodians; prohibiting sheltering and concealing runaway children; payment of restitution by juveniles; providing short-term detention as a sanction for violating a dispositional order; proposing legislation related to confidential juvenile records; reimbursement to juvenile correctional institutions for the cost of caring

for violent juvenile offenders; elimination of the authority to carry forward community aids moneys due to an audit adjustment; day care programs for student parents; specifying that computer programs except custom programs are subject to the sales tax and use tax; instruction permits for commercial motor vehicle or school bus operation; licenses and fees for the sale or distribution of pesticides, fertilizers, commercial feed and soil and plant additives; living arrangement requirements for certain recipients of aid to families with dependent children; general relief benefits, eligibility, procedures and reimbursements; changes in the public assistance bill of rights; creating a multifamily dwelling code council in the department of industry, labor and human relations; adopting a statewide multifamily dwelling code; regulation of video gaming machines; imposing an occupational tax on the operation of a video gaming machine; certain floodplain and shoreland zoning ordinances for Pierce county regulating improvements to nonconforming buildings or buildings with nonconforming uses; a sea lamprey barrier at the Rapide Croche lock on the Fox river; small municipality shared revenue payments; treatment of income and resources of certain institutionalized individuals who apply for or receive medical assistance; recipient cost sharing under the medical assistance program; medical assistance coverage of care coordination for pregnant women; limiting medical malpractice noneconomic damage awards; valuation of the accumulated unused sick leave of a state constitutional officer, member or officer of the legislature, head of a state agency who is appointed by the governor or head of a legislative service agency for the payment of his or her postretirement health insurance premiums under the state group health insurance program; creating a gaming commission; supplementing or decreasing payments to certain nursing homes for care provided to medical assistance recipients; seizure and sale of vehicles; occupational license restrictions; alcohol and controlled substance use assessment; reimbursement from the parents or guardian of a child who is alleged to be delinquent or in need of protection or services for legal representation provided by the state or counties to that child; a statewide lien system report; grain dealer bond and security requirements; specific information highway signs on the tri-county expressway; community-based economic development grants to the city of Beloit for riverfront development; provision of health insurance data collection and analysis services to the group insurance board by the office of health care information; enforcement of gaming laws by the department of justice; creating a division of criminal investigation in the department of justice; restrictions on requiring insureds to use particular vendors for repair or replacement of motor vehicle glass; air pollution from motor vehicles; employe trip reduction; clean fuels and clean-fuel vehicles; reformulated gasoline; petroleum product specifications; a grant to the General Mitchell international airport; actions finding solid waste facilities to be nuisances; medical assistance reimbursement for home health services; reimbursement for local

administration of the lottery credit; increasing the amount of public debt that the building commission may contract for related to veterans mortgage refunding bonds; seeking federal authority for a pilot program concerning the method of payment of aid to families with dependent children benefits; the date on which certain unencumbered moneys appropriated for racing special programs will lapse to the general fund; payment of incentive bonuses to lottery retailers; school district expenditure limits; the additional oil inspection fee; state aid for driver education programs; authorizing the use of office of justice assistance funds for a law enforcement grant to a city having a population of more than 150,000 and less than 500,000; permits for air contaminant sources; creating a small business environmental council; assistance for small businesses that emit air contaminants; recovery of medical assistance benefits; grants to the city of West Allis for the provision of crowd and traffic control services related to events held at the state fair park; minor technical changes to the designation of state park names; the capital access program; adjustment of authorized positions for state agencies; providing an exemption from emergency rule procedures; granting bonding authority; granting rule-making authority; providing penalties; and decreasing and making appropriations.

Read.

Senator Helbach, with unanimous consent, asked that Item D-15 Get-Well Hotline *Section 290m* be taken up.

Item D-15 Get-Well Hotline
Section 290m

The question was: Shall the vetoed portion of the bill pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 20; noes, 12; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Breske, Burke, Chvala, Cowles, Czarnezki, Decker, Feingold, George, Helbach, Jauch, Moen, Plewa, Potter, Risser, Roshell, Ulichny and Van Sistine — 20.

Noes — Senators Berndt, Buettner, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Petak, Rude, Schultz and Weeden — 12.

Absent or not voting — Senator Stitt — 1.

Less than two-thirds having voted in the affirmative, the vetoed portion of the bill was refused passage notwithstanding the objections of the Governor.

Senator Helbach, with unanimous consent, asked that Item B-23 Environmentally-Preferred Labeling *Section 775vy* be taken up.

Item B-23
Section 775vy

The question was: Shall the vetoed portion of the bill pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 23; noes, 9; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Cowles, Czarnezki, Decker, Feingold, George, Helbach, Jauch, Leean, Moen, Plewa, Potter, Risser, Roshell, Ulichny and Van Sistine — 23.

Noes — Senators Ellis, Farrow, Huelsman, Lasee, Lorman, Petak, Rude, Schultz and Weeden — 9.

Absent or not voting — Senator Stitt — 1.

More than two-thirds having voted in the affirmative, the vetoed portion of the bill passed notwithstanding the objections of the Governor.

Senator Helbach, with unanimous consent, asked that all action be ordered immediately messaged.

Senator Chvala, with unanimous consent, asked that the Senate recess until 12:53 P.M..

12:43 P.M.

RECESS

12:53 P.M.

The Senate reconvened.

Senator Rude, with unanimous consent, asked that Item D-17 Independent Living Centers *Sections 9125(10j) and 9225(27j)* be taken up.

Item D-17
Sections 9125(10j) and 9225(27j)

The question was: Shall the vetoed portion of the bill pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 16; noes, 16; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Burke, Chvala, Decker, Feingold, George, Helbach, Jauch, Moen, Plewa, Potter, Risser, Rude and Van Sistine — 16.

Noes — Senators Berndt, Breske, Buettner, Cowles, Czarnezki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Petak, Roshell, Schultz, Ulichny and Weeden — 16.

Absent or not voting — Senator Stitt — 1.

Less than two-thirds having voted in the affirmative, the vetoed portion of the bill was refused passage notwithstanding the objections of the Governor.

Senator Leean, with unanimous consent, asked that Item C-4 Green Lights Program Mandate *Section 9101(5j)* be taken up.

Item C-4
Section 9101(5j)

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The question was: Shall the vetoed portion of the bill pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 23; noes, 9; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Berndt, Breske, Buettner, Burke, Chvala, Cowles, Czarnecki, Decker, Feingold, George, Helbach, Jauch, Lekan, Moen, Petak, Plewa, Potter, Risser, Ulichny and Van Sistine — 23.

Noes — Senators Ellis, Farrow, Huelsman, Lasee, Lorman, Roshell, Rude, Schultz and Weeden — 9.

Absent or not voting — Senator Stitt — 1.

More than two-thirds having voted in the affirmative, the vetoed portion of the bill passed notwithstanding the objections of the Governor.

Senator Helbach, with unanimous consent, asked that all pending items on the calendar of May 19, 1992 be laid on the table.

Senator Helbach, with unanimous consent, asked that all action be ordered immediately messaged.

Senator Helbach, with unanimous consent, asked that the Senate recess until 1:24 P.M..

1:12 P.M.

RECESS

1:24 P.M.

The Senate reconvened.

SENATE CLEARINGHOUSE ORDERS

The committee on Urban Affairs, Environmental Resources and Elections reports and recommends:

Senate Clearinghouse Rule 91-170

Relating to hazardous waste management.

No action taken.

Brian Burke
Chair

ADJOURNMENT

Senator Chvala, with unanimous consent, asked that the Senate adjourn until 10:00 A.M. Wednesday, May 20.

1:30 P.M.