

STATE OF WISCONSIN

Senate Journal

Ninetieth Regular Session

2:20 P.M.

Thursday, May 21, 1992

The senate met.

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

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

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

Absent — Senator Petak — 1.

Absent with leave — None.

The Senate stood for a moment of silent meditation.

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

LEAVE OF ABSENCE

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

Senator Helbach, with unanimous consent, asked that the Chief Clerk be allowed to introduce a visitor from Costa Rica.

The Chief Clerk introduced Miguel Chacon from Costa Rica.

Senator Helbach, with unanimous consent, asked that the Senate recess until 2:51 P.M..

2:29 P.M.

RECESS

2:51 P.M.

The Senate reconvened.

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 91-194

Relating to adoption of children with special needs.

Submitted by Department of Health and Social Services.

Report received from agency, May 19, 1992.

Referred to committee on Agriculture, Corrections, Health and Human Services, May 21, 1992.

Senate Clearinghouse Rule 92-50

Relating to student nonacademic misconduct and discriminatory harassment.

Submitted by University of Wisconsin System.

Report received from agency, May 20, 1992.

Referred to committee on Higher Education, May 21, 1992.

MESSAGE FROM THE ASSEMBLY

By Thomas T. Melvin, chief clerk.

Mr. President:

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

Assembly Bill 1093

Concurred in:

Senate Bill 579

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 1093

Relating to public access to and creation of records of the identities of certain nominees or applicants for certain public offices or positions and creation of a joint committee on information policy.

By Representative Schneider, by request of committee on Assembly Organization.

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

Senator Adelman, with unanimous consent, asked that **Assembly Bill 1093** be withdrawn from committee on Judiciary and Consumer Affairs and be referred to committee on Senate Rules.

Senator Adelman, with unanimous consent, asked that **Senate Bill 583** be withdrawn from committee on Judiciary and Consumer Affairs and be referred to committee on Senate Rules.

Senator Helbach, with unanimous consent, asked that **Senate Bill 582** be withdrawn from committee on Senate Rules and taken up.

Senate Bill 582

Relating to holding a child in a secure detention facility and the incarceration of a child who has committed a traffic or boating violation.

Read a second time.

The question was: Adoption of Senate amendment 1? Adopted.

Ordered to a third reading.

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

Senate Bill 582

Read a third time.

The ayes and noes were required and the vote was: ayes, 21; noes, 11; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Breske, Buettner, Burke, Chvala, Czarnezki, Farrow, Feingold, George, Helbach, Huelsman, Jauch, Lorman, Moen, Plewa, Potter, Risser, Ulichny and Van Sistine — 21.

Noes — Senators Berndt, Cowles, Decker, Ellis, Lasee, Leraan, Roshell, Rude, Schultz, Stitt and Weeden — 11.

Absent or not voting — Senator Petak — 1.

Passed.

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

Senator Helbach, with unanimous consent, asked that the Senate recess until 3:31 P.M..

2:59 P.M.

RECESS

3:31 P.M.

The Senate reconvened.

Senator Helbach, with unanimous consent, asked that **Assembly Bill 1093** be withdrawn from committee on Senate Rules and taken up.

Assembly Bill 1093

Relating to public access to and creation of records of the identities of certain nominees or applicants for certain public offices or positions and creation of a joint committee on information policy.

Read a second time.

Senate amendment 1 to **Assembly Bill 1093** offered by Senator Adelman.

The question was: Adoption of Senate amendment 1?

Senator Berndt moved rejection of Senate amendment 1.

The question was: Rejection of Senate amendment 1?

CHAIR

3:35 P.M.

Senator Czarnezki in the Chair.

The question was: Rejection of Senate amendment 1?

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

Ayes — Senators Andrea, Berndt, Breske, Cowles, Ellis, Farrow, Helbach, Leraan, Lorman, Plewa, Roshell, Schultz, Ulichny and Van Sistine — 14.

Noes — Senators Adelman, Barrett, Buettner, Burke, Chvala, Czarnezki, Decker, Feingold, George, Huelsman, Jauch, Lasee, Moen, Potter, Risser, Rude, Stitt and Weeden — 18.

Absent or not voting — Senator Petak — 1.

Refused rejection.

The question was: Adoption of Senate amendment 1? Adopted.

Ordered to a third reading.

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

Assembly Bill 1093

Read a third and concurred in as amended.

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

Senator Helbach, with unanimous consent, asked that the Senate recess until 4:50 P.M..

4:14 P.M.

RECESS

4:50 P.M.

The Senate reconvened.

The Chair, with unanimous consent, asked that the Senate return to the fourth order of business.

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends:

Senate Joint Resolution 95

Relating to distinguishing the state lottery from prohibited gambling, defining 'lottery', and removing from the gambling section of the constitution the

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prohibition of individual divorce grants by the legislature (first consideration).

By request of Senators Adelman, Leraan and Decker.
Introduction:

Ayes, 3 -- Senators Risser, Helbach and Chvala;

Noes, 2 -- Senators Ellis and Rude.

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

Fred A. Risser
Chair

Senator Helbach, with unanimous consent, asked that the Senate recess until 5:42 P.M..

4:51 P.M.

RECESS

5:42 P.M.

The Senate reconvened.

CHAIR

5:42 P.M.

Senator Risser in the Chair.

The Chair, with unanimous consent, asked that the Senate return to the eighth order of business.

MESSAGE FROM THE ASSEMBLY

By Thomas T. Melvin, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has nonconcurrred in:

Assembly Bill 1093, Senate amendment 1

Senator Helbach, with unanimous consent, asked that **Assembly Bill 1093** be withdrawn from committee on Senate Rules and taken up.

Assembly Bill 1093

Relating to public access to and creation of records of the identities of certain nominees or applicants for

certain public offices or positions and creation of a joint committee on information policy.

Read.

The question was: Shall the Senate adhere to its position?

Senator Helbach moved the Senate recede from its position.

The question was: Shall the Senate recede from its position?

The Senate recesses.

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

ANNOUNCEMENTS

Senator Helbach, with unanimous consent, asked that when the Senate adjourn today it do so in honor of Daniel B. Fields, Senate Sergeant-At-Arms, who will be celebrating his 40th birthday tomorrow.

Senator Czarnecki, with unanimous consent, asked that when the Senate adjourn today it do so in honor of the students of the Science Olympiad team of the Samuel Morse Middle School in Milwaukee. Samuel Morse won the 1992 Wisconsin Science Olympiad and finished 11th at the national Science Olympiad at Auburn University last weekend.

Senator Buettner, with unanimous consent, asked that when the Senate adjourn today it do so in honor of the 5th graders at Lakeshore Elementary School who are Wisconsin's Odessay of the Mind Champions.

Senator Helbach, with unanimous consent, asked that when the Senate adjourn today it do so in honor of Donald J. Schneider, Senate Chief Clerk, who will be celebrating his 45th birthday on May 29.

Senator Helbach, with unanimous consent, asked that the Senate adjourn pursuant to **Senate Joint Resolution 1**.

5:56 P.M.