

STATE OF WISCONSIN

Senate Journal

Eighty-Ninth Regular Session

10:00 A.M.

Tuesday, October 17, 1989

The senate met.

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

Senator Cowles, with unanimous consent, asked that the senate recess until 10:23 A.M..

10:04 A.M.

RECESS

10:23 A.M.

The senate reconvened.

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

Senators Adelman, Andrea, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Ellis, Farrow, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Leraan, Lorman, Moen, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 31.

Absent — None.

Absent with leave — None.

The senate stood for a moment of silent prayer.

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

Senator Strohl, with unanimous consent, asked that the former Senator from the 5th Senate District, Senator Lee, be allowed to give his farewell speech before the body of the Senate.

Senator Strohl, with unanimous consent, asked that the senate recess until 11:04 A.M..

10:47 A.M.

RECESS

11:04 A.M.

The senate reconvened.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 59

Relating to memorializing congress to repeal the earnings limits for social security recipients.

By Senators Buettner, Rude, Kreul, Van Sistine and Lorman; cosponsored by Representatives Klusman, Goetsch, Robson, Lepak, Lahn, Deininger, Boyle, Van Gorden, Ladwig, Radtke, Underheim, Zeuske, Bolle, Lorge and Gard.

To committee on Aging, Banking, Commercial Credit and Taxation.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 321

Relating to various changes affecting district attorneys and employes of the office of district attorney and making appropriations.

By Senator Te Winkle; cosponsored by Representative Huber.

To committee on Judiciary and Consumer Affairs.

Senate Bill 322

Relating to certain name changes on birth certificates after acknowledgement of paternity.

By Senators Rude and Buettner.

To committee on Judiciary and Consumer Affairs.

Senate Bill 323

Relating to restrictions on state employment and student financial assistance based on failure to register with the selective service system.

By Senators Van Sistine, Roshell, Kreul and Lorman; cosponsored by Representatives Schneider, Bolle, Volk, Van Gorden, Musser, Schultz, Schmidt, Tregoning, Johnsrud, Panzer, Loucks and Goetsch.

To committee on Labor, Business, Insurance, Veterans' and Military Affairs.

Senate Bill 324

Relating to allowing counties to exchange tax delinquent land for other land for use as a park or recreational area.

By Senators Roshell and Chilsen; cosponsored by Representative Larson.

To committee on Transportation, Conservation and Mining.

Senate Bill 325

Relating to training and competency requirements for nurse's assistants and home health aides.

By Senators Moen and Lorman; cosponsored by Representatives Barrett, Rosenzweig and Krusick, by request of Department of Health and Social Services.

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

Senate Bill 326

Relating to the release of helium balloons and providing a penalty.

By Senators Adelman and Farrow; cosponsored by Representative Seery.

To committee on Judiciary and Consumer Affairs.

Senate Bill 327

Relating to permitting meetings of boards of directors of corporations, cooperatives and financial institutions to be conducted by telephone or by other communication technology.

By Senator Van Sistine; cosponsored by Representative Holperin.

To committee on Labor, Business, Insurance, Veterans' and Military Affairs.

Senate Bill 328

Relating to interest on late order and contract payments by local governmental units and contractors, and notification of improperly completed invoices to local governmental units.

By Senators Plewa, Burke, Chilsen, Roshell, Van Sistine, Rude, Lorman, Kreul, Lasee, Andrea, Chvala, Davis, Farrow, Strohl and Ulichny; cosponsored by Representatives Wineke, Fergus, Lewis, Hubler, Radtke, Loucks, Vergeront, Lorge, Williams, Boyle, Bolle, Schmidt, Rosenzweig, Moore and Tregoning.

To committee on Housing, Government Operations and Cultural Affairs.

Senate Bill 329

Relating to various changes in the requirements for conducting bingo and raffles and granting rule-making authority.

By Senators Plewa, Rude, Jauch, Czarnecki, Burke, Van Sistine and Lorman; cosponsored by Representatives Holperin, Grobschmidt, Medinger, Porter, Panzer, Van Gorden, Boyle, Johnsrud and Musser.

To committee on Labor, Business, Insurance, Veterans' and Military Affairs.

Senate Bill 330

Relating to escrow accounts on residential mortgage loans.

By Senators Chvala, Feingold, Burke and Czarnecki; cosponsored by Representatives Bock, Notestein, Fortis, Clarenbach, Carpenter, Boyle, Seery, Barca, Stower, Wineke, Rohan, Bolle, Musser, Schneiders and Huelsman.

To committee on Aging, Banking, Commercial Credit and Taxation.

Senate Bill 331

Relating to authorizing the governor to enter into compacts on behalf of the state that have been negotiated under the federal Indian gaming regulatory act.

By Senators Kincaid and Van Sistine; cosponsored by Representative Volk.

To committee on Transportation, Conservation and Mining.

Senator Strohl, with unanimous consent, asked that **Senate Bill 327** be withdrawn from committee on Labor, Business, Insurance, Veterans' and Military Affairs, and be referred to the committee on Senate Organization.

PETITIONS AND COMMUNICATIONS

State of Wisconsin

Senator Ulichny

October 17, 1989

To the Honorable the Senate:

Due to scheduling conflicts, I am requesting that I be relieved of my position on the Joint Committee on Audit. It is with deep regret that I make this request, but I believe that it is the best decision for all parties.

Thank you for your consideration of this matter.

Sincerely,

BARBARA ULICHNY

State Senator

4th District

EXECUTIVE COMMUNICATIONS

CALENDAR OF OCTOBER 17, 1989

Senator Strohl, with unanimous consent, asked that all the appointments be taken up en mass.

BRAUN, RICHARD A., of Kewaunee, as a member of the Banking Review Board, to serve for the term ending May 1, 1994.

Read.

TIMKEN, THOMAS R., of Wausau, as a member of the Tax Appeals Commission, to serve for the term ending March 1, 1995.

Read.

WAGNER-MALLOY, MARY K., of Kenosha, as a member of the Tax Appeals Commission, to serve for the interim term ending March 1, 1993.

Read.

The question was: Confirmation of the appointments?

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

Ayes — Senators Adelman, Andrea, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Ellis, Farrow, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasec, Lecan, Lorman, Moen, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden -- 31.

Noes — None.

Absent or not voting — None.

Confirmed.

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 87-65

Relating to loans for inmates of adult correctional institutions to pay for photocopying, postage and supplies related to their legal correspondence.

Submitted by Department of Health and Social Services.

Report received from agency, October 12, 1989.

Referred to committee on Agriculture, Corrections, Health and Human Services, October 17, 1989.

Senate Clearinghouse Rule 89-14

Relating to restaurants.

Submitted by Department of Health and Social Services.

Report received from agency, October 13, 1989.

Referred to committee on Agriculture, Corrections, Health and Human Services, October 17, 1989.

Senate Clearinghouse Rule 89-51

Relating to boilers and pressure vessels.

Submitted by Department of Industry, Labor and Human Relations.

Report received from agency, October 12, 1989.

Referred to committee on Labor, Business, Insurance, Veterans' and Military Affairs, October 17, 1989.

Senate Clearinghouse Rule 89-101

Relating to the uniform traffic citation.

Submitted by Department of Transportation.

Report received from agency, October 16, 1989.

Referred to committee on Transportation, Conservation and Mining, October 17, 1989.

Senate Clearinghouse Rule 89-139

Relating to facilities housing hazardous chemicals.

Submitted by State Emergency Response Commission.

Report received from agency, October 13, 1989.

Referred to committee on Urban Affairs, Environmental Resources, Utilities and Elections, October 17, 1989.

The committee on Labor, Business, Insurance, Veterans' and Military Affairs reports and recommends:

Senate Clearinghouse Rule 88-70

Relating to employment relationships in the logging industry.

No action taken.

Senate Clearinghouse Rule 89-127

Relating to the regulation of mortgage guaranty insurance and mortgage guaranty insurers.

No action taken.

Senate Clearinghouse Rule 89-128

Relating to refunds, prima facie premium rates, reporting of experience data and financial statement minimum reserves connected with credit life and credit accident and sickness insurance.

No action taken.

Jerome Van Sistine
Chair

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

Senate Clearinghouse Rule 89-6

Relating to the extent to which and the conditions under which enrollment of an aid to families with dependent children recipient in a vocational or technical school or an undergraduate program at an academic college or university meets the requirement that a recipient participate in employment and training activities as a condition of eligibility for aid to families with dependent children.

Objection:

Ayes, 4 -- Senators Moen, Te Winkle, Feingold and Jauch;

Noes, 2 -- Senators Lorman and Weeden.

Rodney C. Moen
Chair

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

SECOND READING AND AMENDMENTS
OF SENATE JOINT RESOLUTIONS AND
SENATE BILLS

CALENDAR OF OCTOBER 17, 1989

Senate Joint Resolution 1

Relating to abolishing the offices of secretary of state and state treasurer (first consideration).

Read a second time.

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the joint resolution be considered for final action at this time.

Senate Joint Resolution 1

Read a third time.

The ayes and noes were required and the vote was: ayes, 24; noes, 7; absent or not voting, 0; as follows:

Ayes -- Senators Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Ellis, Farrow, George, Helbach, Jauch, Kincaid, Kreul, Lasec, Lecan, Lorman,

Plewa, Risser, Roshell, Strohl, Te Winkle, Ulichny and Weeden - 24.

Noes Senators Adelman, Andrea, Feingold, Moen, Rude, Stitt and Van Sistine - 7.

Absent or not voting - None.

Adopted.

Senate Bill 152

Relating to conflicts of interest of vendors providing management consultation services to the lottery board.

Read a second time.

Ordered to a third reading.

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

Senate Bill 152

Read a third time and passed.

Senate Bill 253

Relating to child support and paternity.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 253** offered by Senator Adelman.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

Adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

Senate Bill 253

Read a third time and passed.

Senate Bill 260

Relating to ballots, voting systems, nominations, canvassing, referenda, registration and voting procedure, administration of elections, campaign financing, prohibited election practices and granting rule-making authority.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 260** offered by Senator Chvala.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

Adopted.

Senate amendment 2 to senate substitute amendment 1 to **Senate Bill 260** offered by Senator Strohl.

The question was: Adoption of senate amendment 2 to senate substitute amendment 1?

Adopted.

Senate amendment 3 to senate substitute amendment 1 to **Senate Bill 260** offered by Senator Ellis.

The question was: Adoption of senate amendment 3 to senate substitute amendment 1?

Adopted.

Senate amendments 4 and 5 to senate substitute amendment 1 to **Senate Bill 260** offered by Senator Davis.

The question was: Adoption of senate amendment 4 to senate substitute amendment 1?

Senator Chvala moved rejection of senate amendment 4 to senate substitute amendment 1.

The question was: Rejection of senate amendment 4 to senate substitute amendment 1?

Rejected.

The question was: Adoption of senate amendment 5 to senate substitute amendment 1?

Senator Davis, with unanimous consent, asked that **Senate Bill 260** be placed behind **Assembly Bill 128**.

SECOND READING AND AMENDMENTS
OF ASSEMBLY JOINT RESOLUTIONS AND
ASSEMBLY BILLS

Assembly Bill 128

Relating to prohibiting age discrimination against adults seeking accommodations in hotels and similar establishments.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

Assembly Bill 128

Read a third time and concurred in as amended.

Senate Bill 260

Relating to ballots, voting systems, nominations, canvassing, referenda, registration and voting procedure, administration of elections, campaign financing, prohibited election practices and granting rule-making authority.

Read a second time.

The question was: Adoption of senate amendment 5 to senate substitute amendment 1?

Adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the rules be suspended and that the bill be considered for final action at this time.

Senate Bill 260

Read a third time.

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

Ayes — Senators Adelman, Andrea, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Ellis, Farrow, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Leman, Lorman, Moen, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 31.

Noes — None.

Absent or not voting — None.

Passed.

Assembly Bill 262

An act relating to directing the state superintendent to study specialized physical health care services in schools.

Read a second time.

Senate amendment I to **Assembly Bill 262** offered by Senator Moen.

The question was: Adoption of senate amendment I? Adopted.

Ordered to a third reading.

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

Assembly Bill 262

Read a third time and concurred in as amended.

MOTIONS

Senator Chilsen, with unanimous consent, asked that the Senate adjourn in honor of former Senator Everett Bidwell's 90th birthday.

Senator Buettner, with unanimous consent, asked that the Senate adjourn in memory of former Representative Earl McEssy who served a distinguished 32 years in the state legislature.

The Chair, with unanimous consent, asked that the rules be suspended and that the senate return to the 2nd order of business.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 60

Relating to recognizing the authority of the governor to enter into, on behalf of this state, any compact that has been negotiated under the federal Indian gaming regulatory act.

By Senators Kincaid and Van Sistine; cosponsored by Representative Volk.

To committee on Transportation, Conservation and Mining.

Senator Strohl, with unanimous consent, asked that the senate recess until 12:13 P.M.

12:10 P.M.

RECESS

12:13 P.M.

The senate reconvened.

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

ADJOURNMENT

Senator Strohl, with unanimous consent, asked that the Senate adjourn until 10:00 A.M. Thursday, October 19.

12:17 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 115

I. Page 2, line 19: after "161" insert a period.

Senate Bill 225

I. Page 6, line 11: after "343.305" insert "(9)(a)5."

Senate Bill 247

I. Page 10, line 26: after "161" insert a period.