

STATE OF WISCONSIN

Senate Journal

Eighty-Ninth Regular Session

10:00 A.M.

Thursday, October 19, 1989

The senate met.

The senate was called to order by Senator Jerome Van Sistine.

Senator Van Sistine, with unanimous consent, asked that the roll, the prayer and the pledge be dispensed with.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 5

Relating to requesting the judicial council to study the rotation of trial and appellate court judges.

By Senator Adelman.

To committee on Judiciary and Consumer Affairs.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 332

Relating to controlled substances and providing penalties.

By Senators Te Winkle and Burke; cosponsored by Representative Lautenschlager.

To committee on Judiciary and Consumer Affairs.

Senate Bill 333

Relating to granting to counties the right to prohibit by ordinance and impose forfeitures for certain conduct that is prohibited by statute.

By Senators Andrea, Roshell, Van Sistine and Leean; cosponsored by Representatives Huelsman, Volk, Van Gorden, Porter, Boyle, Vergeront, Lorge, Goetsch, Vanderperren, Tregoning, Rosenzweig, Bolle and Underheim.

To committee on Judiciary and Consumer Affairs.

Senate Bill 334

Relating to immunity from criminal or forfeiture prosecution if a person has been compelled to testify or produce evidence.

By Senators Te Winkle and Burke; cosponsored by Representative Lautenschlager.

To committee on Judiciary and Consumer Affairs.

Senator Van Sistine, with unanimous consent, asked that **Senate Bill 295** be withdrawn from committee on Senate Organization and referred to committee on Aging, Banking, Commercial Credit and Taxation.

COMMITTEE REPORTS

The committee on Transportation, Conservation and Mining reports and recommends:

Senate Bill 324

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

Passage:

Ayes, 5 -- Senators Kincaid, Moen, Roshell, Andrea and Kreul;

Noes, 0 -- None.

Lloyd Kincaid
Chair

The committee on Science, Technology, Communications and Energy reports and recommends:

Senate Bill 282

Relating to the regulation of telecommunications utilities.

Introduction and adoption of Senate amendment 1:

Ayes, 5 -- Senators Te Winkle, Plewa, Ulichny, Cowles and Chilsen;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Te Winkle, Plewa, Ulichny, Cowles and Chilsen;

Noes, 0 -- None.

William Te Winkle
Chair

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

Senate Joint Resolution 52

Relating to endorsing the efforts of the farm workers of California to boycott grapes grown with pesticides.

Introduction and adoption of Senate amendment 1:

Ayes, 6 -- Senators Moen, Te Winkle, Feingold, Jauch, Lorman and Weeden;

Noes, 0 -- None.

Adoption as amended:

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

Noes, 2 -- Senators Lorman and Weeden.

Senate Joint Resolution 57

Relating to Economic Support Specialist Day.

Adoption:

Ayes, 6 -- Senators Moen, Te Winkle, Feingold, Jauch, Lorman and Weeden;

Noes, 0 -- None.

Senate Bill 121

Relating to home visits, leaves, conditional releases and discharges of persons subject to criminal commitment orders, rights of crime victims and liability for failure to follow notification procedures.

Passage:

Ayes, 6 -- Senators Moen, Te Winkle, Feingold, Jauch, Lorman and Weeden;

Noes, 0 -- None.

Senate Bill 191

Relating to the regulation of respiratory care practitioners by the medical examining board and creating a respiratory care practitioners examining council.

Passage:

Ayes, 6 -- Senators Moen, Te Winkle, Feingold, Jauch, Lorman and Weeden;

Noes, 0 -- None.

Senate Bill 290

Relating to the funding and provision of social, mental health, developmental disability and alcohol and other drug abuse services, granting rule-making authority and making appropriations.

Introduction and adoption of Senate amendment 1:

Ayes, 6 -- Senators Moen, Te Winkle, Feingold, Jauch, Lorman and Weeden;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 2:

Ayes, 5 -- Senators Moen, Te Winkle, Feingold, Jauch and Lorman;

Noes, 1 -- Senator Weeden.

Passage as amended:

Ayes, 6 -- Senators Moen, Te Winkle, Feingold, Jauch, Lorman and Weeden;

Noes, 0 -- None.

Senate Bill 292

Relating to review of applications for approval of certain additional beds or of certain activities by a nursing home under the resource allocation program of the department of health and social services; reporting information concerning cancer to the department of health and social services; applying certain insurance laws to federally regulated self-insured health and disability plans; the telecommunications assistance program; medical assistance eligibility of children in certain adoption placements; assignment by medical assistance recipients of rights to payment of medical expenses; treatment of income in determining eligibility for medical assistance; recovery of public assistance overpayments; and verification of eligibility for certain public assistance benefits (suggested as remedial legislation by the department of health and social services).

Introduction and adoption of Senate amendment 1:

Ayes, 6 -- Senators Moen, Te Winkle, Feingold, Jauch, Lorman and Weeden;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Moen, Te Winkle, Feingold, Jauch, Lorman and Weeden;

Noes, 0 -- None.

Senate Bill 325

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

Introduction and adoption of Senate amendment 1:

Ayes, 6 -- Senators Moen, Te Winkle, Feingold, Jauch, Lorman and Weeden;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Moen, Te Winkle, Feingold, Jauch, Lorman and Weeden;

Noes, 0 -- None.

Assembly Joint Resolution 28

Relating to observing the week of May 7 to 13, 1989, as Suicide Awareness Week.

Introduction and adoption of Senate amendment 1:

Ayes, 6 -- Senators Moen, Te Winkle, Feingold, Jauch, Lorman and Weeden;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 6 -- Senators Moen, Te Winkle, Feingold, Jauch, Lorman and Weeden;

Noes, 0 -- None.

Assembly Joint Resolution 44

Relating to the inequity of medicare reimbursements between rural and urban physicians.

Concurrence:

Ayes, 6 -- Senators Moen, Te Winkle, Feingold, Jauch, Lorman and Weeden;

Noes, 0 -- None.

Rodney C. Moen
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Office of the Secretary of State

October 16, 1989

To the Honorable the Senate

I have the honor to transmit to you the following information pursuant to s. 13.685(7).

If you have any questions concerning this transmittal, please contact Teresa Walker, Lobbyist Specialist, at (608) 266-5503.

NEWLY REGISTERED LOBBYISTS AND THEIR PRINCIPALS:

Dismas Becker October 12, 1989, 7 N. Pinckney St., Ste. 320, Madison WI 53703; (608)255-3405.

1) American Civil Liberties Union of WI 207 E. Buffalo St., Ste. 325, Milwaukee WI 53202-5712; (414)272-4032.

Subjects: Advance civil liberties in all areas of legislative and administrative action particularly relating to:

judiciary, criminal justice, health/social services, public education, regulation and licensing, etc.

Michael F. Brozek October 13, 1989, 22 N. Carroll St., Ste. 200, Madison WI 53703; (608)251-0267.

1) Oscar Mayer Food Corp. Dr. Charles F. Cook; 910 Mayer Ave., Madison WI 53704; (608)241-3311.

Subjects: Matters relating to administrative rules process, taxation, health, banking, agriculture, environment, consumer, transportation, securities, insurance and any matters affecting general legislation.

Joseph M. Chrnclich October 10, 1989, 2 E. Mifflin St., Ste. 400, Madison WI 53703; (608)283-2593.

1) Anvan Development Corp. William J. Bissett; 1919 S. Highland Ave., Lombard IL 60148; (312)932-5700.

Subjects: Functions and activities of state and local government and units thereof; environment; regulation of business and finance; economic development; taxation; education.

2) Geneva Lakes Kennel Club, Inc. Anthony A. Antoniou; Hwy. 50, Delavan WI 53115; (414) 728-8000. Subjects: Functions and activities of state and local government and units thereof; environment; regulation of business and finance; economic development; taxation; education.

Kathryn Schalow October 13, 1989, %Planned Parenthood of WI, Inc., 744 N. 4th St., Milwaukee WI 53203; (414) 271-8045.

1) Planned Parenthood of WI, Inc. Jeffrey Komisarek; 744 N. 4th St., Milwaukee WI 53203; (414)271-8045.

Subjects: Reproductive health and related issues.

Janet R. Swandby October 13, 1989, 1007 S. Layton Blvd., Milwaukee WI 53215; (414)672-0123.

1) Barry Health Care Services Barbara Barry; 312 E. Wisconsin Ave., Milwaukee WI 53202; (414)272-9990. Subjects: Health care, small business.

TERMINATION OF LOBBYIST LICENSES:

Frank Burdick terminated as of October 12, 1989 for WI Education Assn. Council.

Joseph M. Chrnclich terminated as of October 9, 1989 for St. Croix Greyhound Racing, Inc..

David B. Glomp terminated as of October 11, 1989 for WI Optometric Assn..

James E. Hough terminated as of October 9, 1989 for St. Croix Greyhound Racing, Inc..

Jeffrey L. Wiswell, Sr. terminated as of October 11, 1989 for Madison Corporate Center.

TERMINATION OF PRINCIPALS:

Madison Corporate Center terminated as of October 11, 1989.

St. Croix Greyhound Racing, Inc. terminated as of October 9, 1989.

AMENDMENT TO PRINCIPAL INFORMATION:

PRINCIPAL: WI Dairy Products Assn., Inc.
NEW ADDRESS: 802 W. Broadway, Ste. 211,
Madison WI 53713

NEW TELEPHONE: (608)221-1035

Sincerely,
DOUGLAS LAFOLLETTE
Secretary of State

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

October 10, 1989

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MELVYN G. HOFFMAN of La Crosse, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board pursuant to the statute governing, to serve for the interim term ending July 1, 1991.

Respectfully,
TOMMY THOMPSON
Governor

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

State of Wisconsin
Office of the Governor

October 10, 1989

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DENNIS G. BROWN of Waunakee, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board pursuant to the statute governing, to serve for the term ending July 1, 1991.

Respectfully,
TOMMY THOMPSON
Governor

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

State of Wisconsin
Office of the Governor

October 11, 1989

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MARVIN DEVRIES of Madison, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board pursuant to the statute governing, to serve for the term ending July 1, 1993.

Respectfully,
TOMMY THOMPSON
Governor

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

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 88-113

Relating to design, construction and security of jails.
Submitted by Department of Health and Social Services.

Report received from agency, October 17, 1989.
Referred to committee on Agriculture, Corrections, Health and Human Services, October 19, 1989.

Senate Clearinghouse Rule 88-198

Relating to the design, construction and security of municipal lockup facilities.

Submitted by Department of Health and Social Services.

Report received from agency, October 17, 1989.
Referred to committee on Agriculture, Corrections, Health and Human Services, October 19, 1989.

Senate Clearinghouse Rule 88-199

Relating to labeling plastic containers for recycling, reclamation and reuse.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from agency, October 17, 1989.
Referred to committee on Urban Affairs, Environmental Resources, Utilities and Elections, October 19, 1989.

Senate Clearinghouse Rule 89-98

Relating to wildlife damage control.
Submitted by Department of Natural Resources.
Report received from agency, October 18, 1989.
Referred to committee on Transportation, Conservation and Mining, October 19, 1989.

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 62

Passed and asks concurrence in:

- Assembly Bill 164**
- Assembly Bill 202**
- Assembly Bill 272**
- Assembly Bill 363**
- Assembly Bill 450**
- Assembly Bill 487**
- Assembly Bill 359**

Concurred in:

- Senate Bill 134**
- Senate Bill 168**

The Assembly requests a Committee on Conference on **Assembly Bill 146** and appoints Representatives Potter, Roberts, and Deiningger as conferees on it's part.

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Joint Resolution 62

Relating to memorializing the congress and President of the United States to eliminate the federal legislation that ties federal highway funding to the drinking age.

By Representatives Musser, Boyle, Hasenohrl, Lehman, Carpenter, Bolle, Zien, Van Gorden, Zweck, Schmidt, Holschbach, Huber, Johnsrud, Duff, Lahn, Brancel, Schultz, Deiningger, Gronemus, Lorge, Larson and Zeuske, cosponsored by Senators Feingold, Van Sistine and Rude.

Read and referred to committee on Transportation, Conservation and Mining.

Assembly Bill 164

Relating to mandatory health insurance coverage of adopted children.

By Representatives Medinger, Stower, Hamilton, Boyle, Musser, Grobschmidt, Baldus, Roberts, Wood, Lorge, Holschbach, Lautenschlager, Volk, Duff, Bock, Plache, Porter, Carpenter and Barca, cosponsored by Senators Plewa, Burke, Buettner, Weeden and Lasec.

Read first time and referred to committee on Labor, Business, Insurance, Veterans' and Military Affairs.

Assembly Bill 202

Relating to the sale and installation of cemetery monuments, granting rule-making authority and providing a penalty.

By Representatives Porter, Goetsch, Rutkowski, Deiningger, Holschbach, Schultz, Walling, Young, Lehman, Hasenohrl, Duff, Notestein, Robson, Van Gorden, Volk, Musser, Vergeront, Turba, Brandemuehl, Hamilton, Ott, Zeuske, Bolle and Klusman, cosponsored by Senators Andrea, Helbach, Kreul, Kincaid, Lorman and Van Sistine, by request of Wisconsin Association of Monument Builders of North America.

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

Assembly Bill 272

Relating to the placement of children outside of their homes and termination of parental rights.

By Representatives Medinger, Baldus, Van Dreel, Musser, Lorge, Gronemus, Zweck, Rohan, Duff, Huelsman, Schneiders and Goetsch, cosponsored by Senators Kincaid, Kreul and Weeden.

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

Assembly Bill 363

Relating to operation of mopeds, motor bicycles and Type 1 motorcycles and granting rule-making authority.

By Representatives Holschbach, Plache, Vanderperren, Baldus, Musser, Holperin, Wood, Duff, Klusman, Barca, Hamilton, Lorge, Underheim and Goetsch, cosponsored by Senators Te Winkle, Plewa, Kincaid and Andrea.

Read first time and referred to committee on Transportation, Conservation and Mining.

Assembly Bill 450

Relating to waiver of the operating skill examination for applicants for motorcycle licenses who have an instruction permit and have passed a rider education course.

By Representatives Thompson, Ott, Vanderperren, Musser, Zien and Zeuske.

Read first time and referred to committee on Transportation, Conservation and Mining.

Assembly Bill 487

Relating to removing the corporation counsel in populous counties from the classified service and formalizing the informal position of deputy corporation counsel.

By Representatives Hauke, Rosenzweig, Rutkowski, Bell, Notestein and Barrett, cosponsored by Senators Burke, Lee, George and Czarnecki.

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

Assembly Bill 359

Relating to permits to hunt wild turkeys.

By Representatives Roberts, Hasenohrl, Lehman, Musser, Goetsch, Boyle, Brandemuehl, Medinger, Johnsrud and Van Gorden, cosponsored by Senators Moen, Kreul and Rude.

Read first time and referred to committee on Transportation, Conservation and Mining.

Senator Van Sistine, with unanimous consent, asked that the Senate adjourn until 10:00 A.M. Tuesday, October 24.

10:01 A.M.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 299** offered by Senator Andrea.

Senate amendment 2 to **Senate Bill 299** offered by Senator Andrea.

Senate amendment 1 to **Senate Bill 300** offered by Senators Lekan, Rude, Ellis, Kreul, Cowles and Farrow.

Senate amendment 2 to **Senate Bill 300** offered by Senators Buettner, Ellis, Kreul, Lekan and Cowles.

Senate amendment 3 to **Senate Bill 300** offered by Senators Lekan, Rude, Kreul, Ellis and Farrow.

Senate amendment 4 to **Senate Bill 300** offered by Senators Lekan, Cowles, Ellis, Kreul and Farrow.

Senate amendment 5 to **Senate Bill 300** offered by Senators Lekan, Rude, Ellis, Kreul and Farrow.

Senate amendment 6 to **Senate Bill 300** offered by Senators Lekan, Ellis and Kreul.

Senate amendment 7 to **Senate Bill 300** offered by Senators Lekan, Rude, Ellis, Kreul and Farrow.

Senate amendment 8 to **Senate Bill 300** offered by Senators Lekan, Ellis, Kreul and Farrow.

Senate amendment 9 to **Senate Bill 300** offered by Senators Lekan, Cowles, Ellis, Kreul and Farrow.

Senate amendment 10 to **Senate Bill 300** offered by Senators Kreul, Lekan and Ellis.

Senate amendment 11 to **Senate Bill 300** offered by Senators Kreul, Lekan, Ellis and Farrow.

Senate amendment 12 to **Senate Bill 300** offered by Senators Lekan, Kreul, Ellis and Farrow.

Senate amendment 13 to **Senate Bill 300** offered by Senators Lekan, Kreul and Ellis.

Senate amendment 14 to **Senate Bill 300** offered by Senators Rude, Lekan, Cowles, Kreul, Ellis and Farrow.

Senate amendment 15 to **Senate Bill 300** offered by Senators Lekan, Kreul and Ellis.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 300

1. Page 20, line 12: delete "subchapter: (1)" and substitute: "subchapter: (1)".

Senate Bill 314

1. Page 1, line 4: substitute "April 22" for "May 1".