

STATE OF WISCONSIN

Senate Journal

Eighty-Ninth Regular Session

10:00 A.M.

Thursday, November 2, 1989

The senate met.

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

Senator Strohl, with unanimous consent, asked that the role be taken after the third order of business.

The senate stood for a moment of silent prayer.

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

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 362

Relating to mining for minerals on lands owned by the state and under the jurisdiction of the department of natural resources and providing a penalty.

By Senators Strohl, Chvala, Jauch, Czarnezki, Moen, Burke and Cowles; cosponsored by Representatives Black, Stower, Lautenschlager, Carpenter, Gruszynski, Scery, Ott, Wood, Notestein, Lorge, Schmidt, Hamilton, Krug, Young and Rohan.

To committee on Transportation, Conservation and Mining.

Senate Bill 363

Relating to dental and medical malpractice noneconomic damage awards.

By Senator Van Sistine; cosponsored by Representative Hubler.

To committee on Judiciary and Consumer Affairs.

Senate Bill 364

Relating to juvenile and adult corrections functions, the parole commission, the divisions of corrections hearings, hearings and appeals, and youth corrections, and making appropriations.

By Senator George; cosponsored by Representative Kunicki.

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

Senate Bill 365

Relating to juvenile and adult corrections functions, the parole commission, the divisions of corrections hearings, hearings and appeals, and youth corrections, and making appropriations.

By Senator George; cosponsored by Representative Kunicki.

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

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

Senators Adelman, Andrea, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnezki, 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.

Absent — None.

Absent with leave — None.

COMMITTEE REPORTS

The committee on Education, Economic Development, Financial Institutions and Fiscal Policies reports and recommends:

Senate Bill 335

An act relating to extended kindergarten and first grade programs in a 1st class city school district.

Passage:

Ayes, 6 -- Senators Ulichny, Adelman, Czarnezki, Helbach, Jauch, Chilsen;

Noes, 1 -- Senator Lorman.

Barbara Ulichny
Chair

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

Senate Joint Resolution 62

Relating to memorializing the U.S. congress to adopt legislation that extends indefinitely the 'Great Lakes set-aside' provisions of the Food Security Act of 1985.

Adoption:

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

Noes, 0 -- None.

Senate Bill 270

Relating to surrogate parenting, birth certificates and maternity.

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

Noes, 1 -- Senator Weeden.

Assembly Bill 272

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

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.

Rodney C. Moen
Chair

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

Senate Bill 218

Relating to records of executive action upon legislation.

Passage:

Ayes, 4 -- Senators Plewa, Ulichny, Van Sistine and Burke;

Noes, 2 -- Senators Rude and Lorman.

Senate Bill 275

Relating to the structure of the affirmative action office and the procedure for legislative approval of the compensation plan for certain state employes (suggested as remedial legislation by the department of employment relations).

Passage:

Ayes, 6 -- Senators Plewa, Ulichny, Van Sistine, Burke, Rude and Lorman;

Noes, 0 -- None.

Senate Bill 278

Relating to assessment of risk management costs to state agencies, travel expenses of state officers and employes, obligation of certain estimated revenues to the transportation fund and treatment of those revenues and evaluation of contractor performance under contractual service agreements with state agencies (suggested as remedial legislation by the department of administration).

Passage:

Ayes, 6 -- Senators Plewa, Ulichny, Van Sistine, Burke, Rude and Lorman;

Noes, 0 -- None.

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.

Introduction and adoption of Senate amendment 1:

Ayes, 6 -- Senators Plewa, Ulichny, Van Sistine, Burke, Rude and Lorman;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Plewa, Ulichny, Van Sistine, Burke, Rude and Lorman;

Noes, 0 -- None.

Assembly Bill 463

Relating to the length of time that certain Milwaukee teachers participating in the Wisconsin retirement system are eligible for a special death benefit.

Concurrence:

Ayes, 6 -- Senators Plewa, Ulichny, Van Sistine, Burke, Rude and Lorman;

Noes, 0 -- None.

John R. Plewa
Chair

CALENDAR OF NOVEMBER 2, 1989

Assembly Bill 146

Relating to procedures for school district reorganization and making an appropriation.

Read.

The question was: Adoption of the committee of Conference report?

Senator Adelman moved rejection of the committee of Conference report.

The question was: Rejection of the committee of Conference report?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 18; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Chilsen, Cowles, Czarnecki, Ellis, Farrow, Kincaid, Kreul, Lasec, Lekan, Plewa, Roshell and Stitt — 13.

Noes — Senators Andrea, Buettner, Burke, Chvala, Davis, Feingold, George, Helbach, Jauch, Lorman, Moen, Risser, Rude, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 18.

Absent or not voting — None.

Rejection refused.

The question was: Adoption of the committee of Conference report?

The ayes and noes were required and the vote was: ayes, 18; noes, 13; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Buettner, Burke, Chvala, Davis, Feingold, George, Helbach, Jauch, Lorman, Moen, Risser, Rude, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 18.

Noes — Senators Adelman, Chilsen, Cowles, Czarnecki, Ellis, Farrow, Kincaid, Kreul, Lasec, Lekan, Plewa, Roshell and Stitt — 13.

Absent or not voting — None.

Adopted.

Senator Strohl, with unanimous consent, asked that **Assembly Bill 184** be withdrawn from committee on Senate Organization and be referred to committee on Judiciary and Consumer Affairs.

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

Senator Strohl, with unanimous consent, asked that **Assembly Bill 163** be withdrawn from committee on Senate Organization and be referred to committee on Agriculture, Corrections, Health and Human Services.

Senator Strohl, with unanimous consent, asked that **Assembly Bill 389** be withdrawn from committee on Urban Affairs, Environmental Resources, Utilities and Elections and referred to committee on Housing, Government Operations and Cultural Affairs.

Senator Strohl, with unanimous consent, asked that **Assembly Bill 391** be withdrawn from committee on Urban Affairs, Environmental Resources, Utilities and Elections and be referred to committee on Housing, Government Operations and Cultural Affairs.

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

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Legislative Audit Bureau

November 1, 1989

To the Honorable the Legislature:

We have completed our evaluation of the procedures the Wisconsin Racing Board used in reviewing the first group of applications for greyhound racetrack licenses, as directed by the Joint Legislative Audit Committee. While a number of lawsuits have raised questions about the legality of the decisions the Board made, we reviewed the Board's procedures, to determine whether improvements to the process could be made in the next round of application review.

We found that the Board's procedures were not sufficiently developed to assure the public that the review process was thorough. The procedures did not establish specific criteria against which applications were judged, nor did they lead to documentation and a record of the reasoning involved in the decisions sufficient to ensure public confidence that the decisions were appropriate.

To improve its procedures, the Board needs to: adopt more specific review criteria, clarify the required content of license applications, direct staff to provide a complete analysis of all application information, and provide an explanation of its decisions which it can document are based on the facts and evidence submitted.

It also appears that the Board gave inadequate consideration to involving the public in the process of application review. We have included recommendations

for improving notification to the public of Board meetings and allowing more public participation in the review of the tracks' environmental effects.

In addition, there appears to be a need to clarify various provisions of the racing regulations in ch. 562, Wis. Stats., especially regarding how the Board is to evaluate competing racetrack proposals.

We appreciate the courtesy and cooperation extended to us by the staff of the Racing Board and the other state agencies involved in the process of reviewing the license applications. The Racing Board's response is Appendix II.

Sincerely,
DALE CATTANACH
State Auditor

State of Wisconsin
Department of Veterans Affairs

October 31, 1989

To the Honorable the Legislature:

In compliance with section 45.35(3d)(b), Wis. Stats., as created by 1989 Wisconsin Act 36, the Council of Veterans Programs and the Wisconsin Department of Veterans Affairs (WDVA) are jointly submitting the attached general summary report of the activities and membership over the past two years of the Council and each of the 22 organizations represented on the Council.

The information contained in the report was compiled by WDVA staff from materials submitted by the Council Chair for its activities and membership, and by the representative from each organization on the Council.

Sincerely,
JOHN J. MAURER
Secretary
Wisconsin Department of

Veterans Affairs

CHAUNCEY J. DUNDAY
Chair
Council on Veterans Programs

EXECUTIVE COMMUNICATIONS

CALENDAR OF NOVEMBER 2, 1989

Senator Strohl, with unanimous consent, asked that all the appointments except for John T. Coughlin be taken up en masse.

HANNAH, FREDERICK M., SR., of Milwaukee, as a member of the Real Estate Examining Board, to serve for the term ending July 1, 1993.

Read.

KAY, ARLAN, of Oregon, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1993.

Read.

LECOUNT, LYNNE, of Sun Prairie, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1993.

Read.

QUINN, JEROME, of Green Bay, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1993.

Read.

ST. JOHN, JOHN., of Oak Creek, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1993.

Read.

THOMPSON, BERNARD E., of Platteville, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 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, Czarneczki, Davis, Ellis, Farrow, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasec, Leean, Lorman, Moen, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 31.

Noes — None.

Absent or not voting — None.

Confirmed.

Senator Strohl, with unanimous consent, asked the appointment of John T. Coughlin be placed at the foot of the calendar.

Senate Bill 31

An act relating to state finances and appropriations, constituting the general executive budget bill of the 1989 legislature, and making appropriations.

Read.

Senator Strohl, with unanimous consent, asked that **Senate Bill 31** be placed just before the appointment of John T. Coughlin at the foot of the calendar.

SENATE CLEARINGHOUSE ORDERS

State of Wisconsin
Revisor of Statutes Bureau

November 1, 1989

To the Honorable the Legislature:

The following rules have been published and are effective:

Clearinghouse Rule 87-177 effective November 1, 1989.

Clearinghouse Rule 88- 10 effective November 1, 1989.

Clearinghouse Rule 88-184 effective January 1, 1990.

Clearinghouse Rule 88-206 effective November 1, 1989.

Clearinghouse Rule 88-209 effective November 1, 1989.

Clearinghouse Rule 88-211 effective November 1, 1989.

Clearinghouse Rule 89- 38 effective November 1, 1989.

Clearinghouse Rule 89- 52 effective November 1, 1989.

Clearinghouse Rule 89- 56 effective November 1, 1989.

Clearinghouse Rule 89- 57 effective November 1, 1989.

Clearinghouse Rule 89- 58 effective November 1, 1989.

Clearinghouse Rule 89- 62 effective November 1, 1989.

Clearinghouse Rule 89- 78 effective November 1, 1989.

Clearinghouse Rule 89- 79 effective November 1, 1989.

Clearinghouse Rule 89- 80 effective November 1, 1989.

Clearinghouse Rule 89- 81 effective November 1, 1989.

Clearinghouse Rule 89- 82 effective November 1, 1989.

Clearinghouse Rule 89- 83 effective November 1, 1989.

Clearinghouse Rule 89- 84 effective November 1, 1989.

Clearinghouse Rule 89- 85 effective November 1, 1989.

Sincerely,
GARY L. POULSON
Assistant Revisor

Senate Clearinghouse Rule 89-104

Relating to income and franchise tax administrative provisions, residency, moving expenses, IRA deductions and manufacturers' sales tax credit.

Submitted by Department of Revenue.

Report received from agency, November 1, 1989.

Referred to committee on Aging, Banking, Commercial Credit and Taxation, November 2, 1989.

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 85
Assembly Bill 218
Assembly Bill 323
Assembly Bill 351
Assembly Bill 417
Assembly Bill 566
Assembly Bill 588

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Bill 85

Relating to liens on motor vehicles for towing and storage.

By Representatives Vanderperren, Hasenohrl, Porter, Boyle, Huber, Bolle, Brandemuehl, Volk, Van Gorden, Van Dreel and Robson, cosponsored by Senators Van Sistine, Moen, Andrea, Kreul and Roshell.

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

Assembly Bill 218

Relating to discrimination against students in the university of Wisconsin system and the vocational, technical and adult education system and granting rule-making authority.

By Representatives Notestein, Rohan, Nelsen, Panzer, Loftus, Clarenbach, M. Coggs, Loucks, Underheim, Krug, Seery, Medinger, Bell, Duff, Lewis, Plache, Young, Black, Lautenschlager, Bock, Lorge, S. Coggs, Barrett, Larson, Robson, Moore, Carpenter, Zeuske, Schneiders, Barcat, Zweck, Lepak, Gruszynski, Wincke, Huber, Foti, Boyle, Fortis, Fergus, Travis, Holperin, Antaramian, Baldus, Holschbach, Hasenohrl, Vanderperren, Klusman, Hinkfuss, Lahn, Hubler, Stower and Rosenzweig, cosponsored by Senators Czarnecki, Lorman, Risser, Te Winkle, Feingold, Andrea, Burke, Plewa, Chvala, Ulichny and Strohl.

Read first time and referred to committee on Educational Financing, Higher Education and Tourism.

Assembly Bill 323

Relating to prohibiting unsolicited advertisements transmitted by facsimile machine.

By Representatives Lewis, Medinger, Bolle, Panzer, Prosser, Rosenzweig, Farrow, Musser, Huelsman, Porter, Duff, Ott and Zeuske, cosponsored by Senators Lee, Lorman and Lecan.

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

Assembly Bill 351

Relating to the definition of a community-based residential facility.

By Representatives Notestein, Holperin, Radtke, Robson, Rohan, Seery, Bell and Young, cosponsored by Senators Chvala, Lorman and Czarnecki.

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

Assembly Bill 417

Relating to nutritional improvement programs for the elderly at university of Wisconsin centers and institutions, private institutions of higher education, vocational, technical and adult education districts and school districts, granting rule-making authority and making an appropriation.

By Representatives Rutkowski, Krusick, Rohan, Radtke, Grobschmidt, Bock, Notestein, Johnsrud, M. Coggs, Vanderperren, Schmidt, Robson, Stower, Moore, Lautenschlager, Boyle and Lorge, cosponsored by Senators Plewa and Chilsen.

Read first time and referred to committee on Aging, Banking, Commercial Credit and Taxation.

Assembly Bill 566

Relating to the authority of a county board of supervisors to engage in health-related services.

By Representatives Bock, Rosenzweig and Grobschmidt, cosponsored by Senators Plewa and Farrow.

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

Assembly Bill 588

Relating to unauthorized release of animals and providing a penalty.

By committee on Criminal Justice and Public Safety. Read first time and referred to committee on Judiciary and Consumer Affairs.

SECOND READING AND AMENDMENTS
OF SENATE JOINT RESOLUTIONS AND
SENATE BILLS

Senate Bill 285

Relating to restrictions and safety requirements for the operation of all-terrain vehicles, prohibiting the use of and transactions involving certain all-terrain vehicles and providing a penalty.

Read a second time.

Senate amendment 1 to **Senate Bill 285** offered by Senator Chvala.

The question was: Adoption of senate amendment 1?

Senator George, with unanimous consent, asked that **Senate Bill 285** be referred to joint committee on Finance.

Senator George, with unanimous consent, asked that **Senate Bill 285** be withdrawn from joint committee on Finance.

The question was: Adoption of senate amendment 1?

Senator Lorman, with unanimous consent, asked that **Senate Bill 285** be placed after **Senate Bill 329**.

Senate Bill 294

Relating to fire safety standards for little cigars and cigarettes, granting rule-making authority and providing a penalty.

Read a second time.

Senator George, with unanimous consent, asked that **Senate Bill 294** be referred to joint committee on Finance.

Senate Bill 300

Relating to disposal and recycling of solid waste, granting rule-making authority, providing a penalty and making appropriations.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Senator George, with unanimous consent, asked that **Senate Bill 300** be referred to joint committee on Finance.

Senate Bill 329

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

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Plewa moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 14; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Burke, Chvala, Ellis, George, Helbach, Jauch, Kincaid, Lasee, Moen, Plewa, Roshell, Rude, Strohl, Te Winkle, Ulichny and Van Sistine — 17.

Noes — Senators Adelman, Buettner, Chilsen, Cowles, Czarnezki, Davis, Farrow, Feingold, Kreul, Lekan, Lorman, Risser, Stitt and Weeden — 14.

Absent or not voting — None.
Rejected.

Senate amendment 2 to **Senate Bill 329** offered by Senators Rude, Roshell, Andrea and Kreul.

The question was: Adoption of senate amendment 2?

Senator Plewa moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?
Rejected.

Senate amendment 3 to **Senate Bill 329** offered by Senators Plewa and Rude.

The question was: Adoption of senate amendment 3?
Adopted.

Senate amendments 4 and 5 to **Senate Bill 329** offered by Senator Lekan.

The question was: Adoption of senate amendment 4?

Senator Rude moved rejection of senate amendment 4.

The question was: Rejection of senate amendment 4?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 14; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Burke, Chvala, Czarnezki, Feingold, George, Helbach, Jauch, Kincaid, Moen, Plewa, Roshell, Rude, Strohl, Te Winkle, Ulichny and Van Sistine — 17.

Noes — Senators Adelman, Buettner, Chilsen, Cowles, Davis, Ellis, Farrow, Kreul, Lasee, Lekan, Lorman, Risser, Stitt and Weeden — 14.

Absent or not voting — None.
Rejected.

The question was: Adoption of senate amendment 5?
Adopted.

Senate amendment 6 to **Senate Bill 329** offered by Senators Plewa and Rude.

The question was: Adoption of senate amendment 6?
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 329

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 18; noes, 13; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Burke, Chvala, Czarnezki, Farrow, Feingold, George, Helbach, Jauch, Kincaid, Moen, Plewa, Roshell, Rude, Strohl, Te Winkle, Ulichny and Van Sistine — 18.

Noes — Senators Adelman, Buettner, Chilsen, Cowles, Davis, Ellis, Kreul, Lasee, Lekan, Lorman, Risser, Stitt and Weeden — 13.

Absent or not voting — None.
Passed.

Senate Bill 285

Relating to restrictions and safety requirements for the operation of all-terrain vehicles, prohibiting the use of and transactions involving certain all-terrain vehicles and providing a penalty.

Read a second time.

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

Senate amendment 2 to **Senate Bill 285** offered by Senators Lorman and Chvala.

The question was: Adoption of senate amendment 2?
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 285

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 20; noes, 11; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Farrow, Feingold, George, Helbach, Kincaid, Lorman, Plewa, Risser, Strohl, Te Winkle, Ulichny and Van Sistine — 20.

Noes -- Senators Andrea, Ellis, Jauch, Kreul, Lasee, Leean, Moen, Roshell, Rude, Stitt and Weeden — 11.

Absent or not voting — None.

Passed.

Senate Bill 31

An act relating to state finances and appropriations, constituting the general executive budget bill of the 1989 legislature, and making appropriations.

Read.

Senator Strohl, with unanimous consent, asked that the senate recess until 2:01 P.M..

11:51 A.M.

RECESS

2:01 P.M.

The senate reconvened.

Senator Weeden, with unanimous consent, asked that the senate recess until 2:23 P.M..

2:02 P.M.

RECESS

2:23 P.M.

The senate reconvened.

Senate Bill 31

An act relating to state finances and appropriations, constituting the general executive budget bill of the 1989 legislature, and making appropriations.

Read.

Senator Strohl, with unanimous consent, asked that *Item F-36* be taken up.

The question was: Shall *Item F-36* pass notwithstanding the objections of the Governor?

LEAVE OF ABSENCE

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

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

The ayes and noes were required and the vote was: ayes, 17; noes, 12; absent or not voting, 2; as follows:

Ayes — Senators Adelman, Andrea, Burke, Chvala, Czarnecki, Feingold, George, Helbach, Jauch, Kincaid, Lasee, Moen, Risser, Roshell, Strohl, Te Winkle and Van Sistine — 17.

Noes — Senators Buettner, Chilsen, Cowles, Davis, Ellis, Farrow, Kreul, Leean, Lorman, Rude, Stitt and Weeden — 12.

Absent or not voting — Senators Plewa and Ulichny — 2.

Refused.

Senator Strohl, with unanimous consent, asked that *Item A-22* be taken up.

The question was: Shall *Item A-22* pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 18; noes, 11; absent or not voting, 2; as follows:

Ayes — Senators Adelman, Andrea, Burke, Chvala, Czarnecki, Feingold, George, Helbach, Jauch, Kincaid, Lasee, Leean, Moen, Risser, Roshell, Strohl, Te Winkle and Van Sistine — 18.

Noes --- Senators Buettner, Chilsen, Cowles, Davis, Ellis, Farrow, Kreul, Lorman, Rude, Stitt and Weeden — 11.

Absent or not voting — Senators Plewa and Ulichny — 2.

Refused.

Senator Strohl, with unanimous consent, asked that *Item D-9* be taken up.

The question was: Shall *Item D-9* pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 17; noes, 12; absent or not voting, 2; as follows:

Ayes — Senators Adelman, Andrea, Burke, Chvala, Czarnecki, Feingold, George, Helbach, Jauch, Kincaid,

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Lecan, Moen, Risser, Roshell, Strohl, Te Winkle and Van Sistine - 17.

Noes - Senators Buettner, Chilsen, Cowles, Davis, Ellis, Farrow, Kreul, Lasee, Lorman, Rude, Stitt and Weeden - 12.

Absent or not voting - Senators Plewa and Ulichny - 2.

Refused.

Senator Strohl, with unanimous consent, asked that *Item D-1* be split into two parts *D-1 section 3023(18n)* and *D-1 section 3023(18r)*.

Senator Strohl, with unanimous consent, asked that *Item D-1 section 3023(18n)* be taken up.

The question was: Shall *Item D-1 section 3023(18n)* pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 16; noes, 13; absent or not voting, 2; as follows:

Ayes - Senators Adelman, Andrea, Burke, Chvala, Czarnecki, Feingold, George, Helbach, Jauch, Kincaid, Moen, Risser, Roshell, Strohl, Te Winkle and Van Sistine - 16.

Noes - Senators Buettner, Chilsen, Cowles, Davis, Ellis, Farrow, Kreul, Lasee, Lecan, Lorman, Rude, Stitt and Weeden - 13.

Absent or not voting - Senators Plewa and Ulichny - 2.

Refused.

Senator Strohl, with unanimous consent, asked that *Item D-6* be taken up.

CHAIR

3:38 P.M.

Senator Helbach in the Chair.

The question was: Shall *Item D-6* pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 29; noes, 0; absent or not voting, 2; as follows:

Ayes - Senators Adelman, Andrea, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Ellis, Farrow, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lecan, Lorman, Moen, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Van Sistine and Weeden - 29.

Noes - None.

Absent or not voting - Senators Plewa and Ulichny - 2.

Passed notwithstanding the objections of the Governor.

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

Senator Strohl, with unanimous consent, asked that *Item C-6* be taken up.

The question was: Shall *Item C-6* pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 13; noes, 16; absent or not voting, 2; as follows:

Ayes - Senators Adelman, Andrea, Burke, Chvala, Czarnecki, Feingold, Helbach, Jauch, Moen, Risser, Strohl, Te Winkle and Van Sistine - 13.

Noes - Senators Buettner, Chilsen, Cowles, Davis, Ellis, Farrow, George, Kincaid, Kreul, Lasee, Lecan, Lorman, Roshell, Rude, Stitt and Weeden - 16.

Absent or not voting - Senators Plewa and Ulichny - 2.

Refused.

Senator Strohl, with unanimous consent, asked that all pending *Item vetos* to **Senate Bill 31** be laid on the table.

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

COUGHLIN, JOHN T., of Madison, as a member of the Public Service Commission, to serve for the term ending March 1, 1995.

Read.

The question was: Rejection of the appointment?

Senator Roshell, with unanimous consent, asked that the senate recess until 5:27 P.M..

4:43 P.M.

RECESS

5:27 P.M.

The senate reconvened.

CHAIR

5:27 P.M.

The President in the Chair.

The question was: Rejection of the appointment?

Senator Strohl, with unanimous consent, asked that the appointment of John T. Coughlin be laid on the table.

Senator Ellis objected.

Senator Strohl moved that the appointment of John T. Coughlin be laid on the table.

Senator Chilsen moved a

CALL OF THE SENATE

Which motion was supported.

The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

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

Present -- Senators Adelman, Andrea, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Ellis, Farrow, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lcean, Lorman, Moen, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Van Sistine and Weeden - 29.

Absent -- None.

Absent with leave -- Senators Plewa and Ulichny -- 2.

The question was: Shall the appointment of John T. Coughlin be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 13; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Andrea, Burke, Chvala, Czarnecki, Feingold, George, Helbach, Jauch, Kincaid, Moen, Risser, Roshell, Strohl, Te Winkle and Van Sistine - 16.

Noes -- Senators Buettner, Chilsen, Cowles, Davis, Ellis, Farrow, Kreul, Lasee, Lcean, Lorman, Rude, Stitt and Weeden - 13.

Absent or not voting -- Senators Plewa and Ulichny -- 2.

Tabled.

ADJOURNMENT

Senator Strohl moved that the Senate adjourn.

Senator Stitt moved a

CALL OF THE SENATE

Which motion was supported.

The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

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

Present -- Senators Adelman, Andrea, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Ellis, Farrow, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lcean, Lorman, Moen, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle and Weeden - 28.

Absent -- Senator Van Sistine --- 1.

Absent with leave -- Senators Plewa and Ulichny --- 2.

Senator Strohl moved to adjourn.

6:21 P.M.