

# STATE OF WISCONSIN

## Senate Journal

### Eighty-Ninth Regular Session

10:00 A.M.

Tuesday, November 7, 1989

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, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, 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.

Absent None.

Absent with leave — None.

The senate stood for the prayer which was offered by Pastor Wendell Boyer retired after 41 years at People's Church of Beloit.

The senate remained standing and Senator Farrow 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 366**

Relating to changing the dates on which certain budget procedures must be completed in a 1st class city.

By Senators George, Burke, Czarnecki, Ulichny, Plewa and Farrow; cosponsored by Representatives Kunicki, Hauke, Fortis, R. Potter, Bock, Moore, Notestein, Krug, Seery, Williams, Schneiders, Urban, Rutkowski, Carpenter and Nelsen.

To committee on Housing, Government Operations and Cultural Affairs.

##### **Senate Bill 367**

Relating to creating an additional circuit court in Milwaukee county, designating 2 circuit court branches as drug courts and making appropriations.

By Senators George, Te Winkle, Burke, Van Sistine, Roshell, Buettner and Leean; cosponsored by Representatives Notestein, Lautenschlager, Moore, Stower, Barrett, Grobschmidt, Holperin, Radtke, Carpenter, Ladwig, Urban, R. Potter, Musser, Rosenzweig, Schneiders, Hamilton, Van Dree, Huelsman and Bock.

To committee on Judiciary and Consumer Affairs.

##### **Senate Bill 368**

Relating to extending the deadline for issuing bonds under the economic development loan program

administered by the Wisconsin housing and economic development authority.

By Senators Plewa and Weeden; cosponsored by Representatives Fergus and Ladwig.

To committee on Education, Economic Development, Financial Institutions and Fiscal Policies.

##### **Senate Bill 369**

Relating to revising certain requirements in loan programs administered by the Wisconsin housing and economic development authority, modifying permissible profit distributions by limited-profit entities and revising the authority's surplus reporting procedures.

By Senators Plewa and Weeden; cosponsored by Representatives Fergus and Ladwig.

To committee on Housing, Government Operations and Cultural Affairs.

##### **Senate Bill 370**

Relating to impoundment or immobilization of certain motor vehicles and providing penalties.

By Senators Lorman, Weeden, Chilsen, Farrow and Buettner; cosponsored by Representatives Vergeront, Ladwig, Lorge, Wood, Schneiders, Lahn, Huelsman, Tregoning, Underheim and Lautenschlager.

To committee on Judiciary and Consumer Affairs.

##### **Senate Bill 371**

Relating to the refund of fees paid for certain fishing licenses.

By Senator Kreul.

To committee on Transportation, Conservation and Mining.

#### COMMITTEE REPORTS

The committee on Judiciary and Consumer Affairs reports and recommends:

##### **Assembly Bill 295**

Relating to exemption from civil liability for donation, sale or distribution of certain food.

Introduction and adoption of Senate amendment 1:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Stitt and Buettner;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Stitt and Buettner;

Noes, 0 -- None.

Lynn S. Adelman  
Chair

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

**Senate Bill 193**

Relating to surcharges on persons convicted of criminal and civil offenses and to loans from various trust funds.

Introduction and adoption of Senate amendment 1:

Ayes, 5 -- Senators Ulichny, Adelman, Czarnecki, Helbach and Jauch;

Noes, 2 -- Senators Chilsen and Lorman.

Passage as amended:

Ayes, 5 -- Senators Ulichny, Adelman, Czarnecki, Helbach and Jauch;

Noes, 2 -- Senators Chilsen and Lorman.

**Senate Bill 279**

Relating to county boards financing and promoting economic and industrial development projects.

Introduction and adoption of Senate amendment 1:

Ayes, 5 -- Senators Ulichny, Czarnecki, Helbach, Jauch and Chilsen;

Noes, 2 -- Senators Adelman and Lorman.

Passage as amended:

Ayes, 5 -- Senators Ulichny, Czarnecki, Helbach, Jauch and Chilsen;

Noes, 2 -- Senators Adelman and Lorman.

Barbara Ulichny

Chair

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

**Assembly Bill 250**

Relating to representation of annuitants in the Wisconsin retirement system on the retirement research committee, employe trust funds board and the state investment board.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 389**

Relating to the number of signatures required on nomination papers for the office of county supervisor.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 403**

Relating to extending to all cities certain authority in the areas of condemnation of housing, redevelopment authorities blighted properties and the issuance of bonds.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 525**

An act relating to allowing a member or employe of the legislature or employe of a legislative service agency who did not receive creditable service under the Wisconsin retirement system for certain legislative service to purchase the period of service not previously credited.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 566**

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

Concurrence:

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

Noes, 0 -- None.

**Senate Bill 272**

Relating to requiring the election of a county executive in certain counties.

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.

**WHEDA Surplus Plan 1989-90**

1989-90 plan for the utilization of WHEDA general reserves.

Approval:

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

Noes, 0 -- None.

John R. Plewa

Chair

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

**Assembly Bill 202**

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

Concurrence:

Ayes, 6 -- Senators Risser, Chvala, Adelman, Burke, Lasee and Kreul;

Noes, 0 -- None.

Fred A. Risser

Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Department of Industry,  
Labor and Human Relations

November 1, 1989

To the Honorable the Legislature:

Attached is the report from the Safety and Buildings Division on the inspection of schools throughout Wisconsin constructed prior to 1930.

As part of this school inspection program, the Division inspected 462 schools in the fall of 1988. Those inspections resulted in letters of instruction and ultimately orders being sent to school districts instructing them to bring the buildings up to code by September 1, 1989. During the summer, reinspections were made to assess progress made in correcting the violations. It became apparent at the time that not all school districts would have all the work completed by September 1, 1989.

A second round of reinspection was begun after September 1 and was completed on October 20. I am pleased to report the schools have made substantial progress toward correcting the code violations. The results of those inspections are contained in the attached report and are outlined in the Executive Summary.

During the process of reinspections, approximately 28 additional school buildings were discovered with construction dates prior to 1930. We are proceeding with the inspection and the compliance procedures with these schools. While they are mentioned in the attached report, they are not part of our statistical data.

This report focuses on the progress the school districts have made to date and includes a plan that the Division will follow to ensure that all buildings are brought into compliance.

Sincerely,  
MICHAEL F. CORRY  
Administrator

EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor

November 2, 1989

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MARTIN BEIL of Black Earth, as a member of the Deferred Compensation 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.

State of Wisconsin  
Office of the Governor

November 2, 1989

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MARY C. IDSO of Chippewa Falls, as a member of the Real Estate 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.

State of Wisconsin  
Office of the Governor

November 2, 1989

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint EDWARD D. MAIN of Madison, as a member of the Deferred Compensation Board pursuant to the statute governing, to serve for the term ending July 1, 1992.

Respectfully,  
TOMMY THOMPSON  
Governor

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

State of Wisconsin  
Office of the Governor

November 2, 1989

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint WILLIAM 'CLINT' MCCULLOUGH 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 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

November 2, 1989

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint J. JEAN ROGERS of Madison, as a member of the Deferred Compensation 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

November 2, 1989

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JAMES SEVERANCE of Prairie du Sac, as a member of the Deferred Compensation 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.

State of Wisconsin  
Office of the Governor

November 2, 1989

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PETER F. ULLRICH of Milwaukee, as a member of the Deferred Compensation Board pursuant to the statute governing, to serve for the term ending July 1, 1990.

Respectfully,  
TOMMY THOMPSON  
Governor

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

State of Wisconsin  
Office of the Governor

October 25, 1989

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JAMES E. TIEFENTHALER of Milwaukee, as a member of the Lower Wisconsin State Riverway Board pursuant to the statute governing, to serve for the term ending May 1, 1991.

Respectfully,  
TOMMY THOMPSON  
Governor

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

#### SENATE CLEARINGHOUSE ORDERS

##### **Senate Clearinghouse Rule 89-97**

Relating to commercial fishing on Lake Michigan and Green Bay.

Submitted by Department of Natural Resources.

Report received from agency, November 2, 1989.

Referred to committee on Transportation, Conservation and Mining, November 7, 1989.

##### **Senate Clearinghouse Rule 89-99**

Relating to emission limitations for motor vehicles.

Submitted by Department of Natural Resources.

Report received from agency, November 2, 1989.

Referred to committee on Urban Affairs, Environmental Resources, Utilities and Elections, November 7, 1989.

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

##### **Senate Clearinghouse Rule 89-116**

Relating to 1990 wild turkey hunting regulations.

No action taken.

Lloyd Kincaid  
Chair

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

##### **Senate Clearinghouse Rule 88-50**

Relating to public swimming pools, including water recreation attractions and whirlpools.

No action taken.

##### **Senate Clearinghouse Rule 88-77**

Relating to the safety, maintenance and operation of public swimming pools including whirlpools.

No action taken.

##### **Senate Clearinghouse Rule 89-8**

Relating to the determination of interest rates applicable to producer claims under the dairy plant security law.

No action taken.

##### **Senate Clearinghouse Rule 89-52**

Relating to temporary licensure of institutions for mental diseases.

No action taken.

##### **Senate Clearinghouse Rule 89-47**

Relating to coverage by medical assistance of alcohol or other drug abuse day treatment services.

No action taken.

##### **Senate Clearinghouse Rule 89-102**

Relating to licensing and regulation of schools of barbering and cosmetology, aesthetics, electrology and manicuring, specialty schools of aesthetics, electrology and manicuring and regulation of persons providing practical instruction in these schools and specialty schools.

No action taken.

##### **Senate Clearinghouse Rule 88-130**

Relating to adult family homes.

No action taken.

Rodney C. Moen  
Chair

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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 159**  
**Assembly Bill 204**  
**Assembly Bill 210**  
**Assembly Bill 460**  
**Assembly Bill 466**  
**Assembly Bill 516**  
**Assembly Bill 561**  
**Assembly Bill 569**  
**Assembly Bill 616**

Concurred in:

**Assembly Bill 146**, Committee on Conference report

Amended and concurred in as amended:

**Senate Joint Resolution 11**, Assembly amendment 1  
**Senate Bill 157**, Assembly amendment 1  
**Senate Bill 217**, Assembly amendment 1

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MESSAGE FROM THE ASSEMBLY  
CONSIDERED

**Assembly Bill 159**

Relating to reckless driving and providing penalties.

By Representatives Deininger, Hasenohrl, Brancel, Brandemuehl, Duff, Goetsch, Huelsman, Klusman, Ladwig, Lehman, Prosser, Rosenzweig, Turba, Zien and Lewis, cosponsored by Senators Chvala, Lorman and Weeden.

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

**Assembly Bill 204**

Relating to dispute settlement procedure governing fire fighting employes of populous cities.

By Representatives Krusick, Hauke, Carpenter, Notestein, Fortis, Bock, Seery, Moore, M. Coggs, Kunicki and S. Coggs, cosponsored by Senator Burke.

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

**Assembly Bill 210**

Relating to legal separation of spouses.

By Representatives Schneiders, Zeuske, Van Gorden, Vergeront, Goetsch, Rosenzweig, Klusman, Radtke and Farrow, cosponsored by Senators Risser, Lorman, Van Sistine and Kreul.

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

**Assembly Bill 460**

Relating to prohibiting financial transaction card factoring and providing a penalty.

By Representatives Notestein, Hasenohrl, Holschbach, Musser, Baldus, Potter, Hamilton, Huelsman, Hauke, Swoboda, Fortis and Fergus, cosponsored by Senators Feingold, Rude, Andrea and Shoemaker.

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

**Assembly Bill 466**

Relating to the expenditure of bingo funds after a licensed bingo organization ceases to conduct bingo.

By Representatives Ott, Duff, Zien, Schmidt, Baldus, Holschbach, Musser, Huelsman, Goetsch and Radtke, cosponsored by Senator Lasee.

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

**Assembly Bill 516**

Relating to granting creditable service to university of Wisconsin instructional faculty for teacher improvement leave.

By Representatives Medinger, Grobschmidt, Hamilton, Musser, Gruszynski, Stower, Boyle, Lewis, Underheim, Foti, Holschbach, Potter, Radtke and Walling, cosponsored by Senators Jauch, Moen, Roshell, Helbach and Shoemaker.

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

**Assembly Bill 561**

Relating to the confidentiality of pupil health care records.

By Representatives Roberts, Volk, Medinger, Lautenschlager, Williams and Johnsrud, cosponsored by Senator Rude.

Read first time and referred to committee on Education, Economic Development, Financial Institutions and Fiscal Policies.

**Assembly Bill 569**

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

By Representative M. Coggs, cosponsored by Senator George.

Read first time and referred to committee on Education, Economic Development, Financial Institutions and Fiscal Policies.

**Assembly Bill 616**

Relating to the private sale of higher education bonds.

By Representative Loftus, cosponsored by Senator Jauch.

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

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SECOND READING AND AMENDMENTS  
OF SENATE JOINT RESOLUTIONS AND  
SENATE BILLS

CALENDAR OF NOVEMBER 7, 1989

**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.

Read.  
Adopted.

**Senate Bill 8**

Relating to investment of a small estate of a minor or incompetent.

Read a second time.

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

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 8**

Read a third time and passed.

**Senate Bill 270**

Relating to surrogate parenting, birth certificates and maternity.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Weeden, with unanimous consent, asked that **Senate Bill 270** be placed at the foot of the calendar.

**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).

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 275**

Read a third time and passed.

**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).

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 278**

Read a third time and passed.

**Senate Bill 320**

Relating to the authority of the department of agriculture, trade and consumer protection to issue temporary licenses and food establishment licenses.

Read a second time.

Senator George, with unanimous consent, asked that **Senate Bill 320** be placed at the foot of the twelfth order of business.

**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.

Read a second time.

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

Senate amendment 2 to **Senate Bill 328** offered by Senator Weeden.

The question was: Adoption of senate amendment 2?

Senator Plewa moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 23; noes, 8; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Buettner, Burke, Chvala, Czarnecki, Davis, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lorman, Moen, Plewa, Risser, Roshell, Stitt, Strohl, Te Winkle, Ulichny and Van Sistine — 23.

Noes — Senators Chilsen, Cowles, Ellis, Farrow, Lasée, Lean, Rude and Weeden — 8.

Absent or not voting — None.

Rejected.

Senate amendment 3 to **Senate Bill 328** offered by Senator Stitt.

The question was: Adoption of senate amendment 3?

Senator Plewa moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

Senator Plewa, with unanimous consent, asked that consideration of senate amendment 3 be placed after consideration of senate amendment 6.

Senate amendment 4 to **Senate Bill 328** offered by Senators Plewa and Burke.

The question was: Adoption of senate amendment 4?  
Adopted.

Senate amendment 5 to **Senate Bill 328** offered by Senator Stitt.

The question was: Adoption of senate amendment 5?

Senator Plewa moved rejection of senate amendment 5.

The question was: Rejection of senate amendment 5?

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

Ayes — Senators Adelman, Andrea, Burke, Chvala, Czarnetzki, Feingold, George, Helbach, Jauch, Kincaid, Plewa, Risser, Roshell, Strohl, Te Winkle, Ulichny and Van Sistine — 17.

Noes — Senators Buettner, Chilsen, Cowles, Davis, Ellis, Farrow, Kreul, Lasec, Leraan, Lorman, Moen, Rude, Stitt and Weeden — 14.

Absent or not voting — None.

Rejected.

Senate amendment 6 to **Senate Bill 328** offered by Senator Farrow.

The question was: Adoption of senate amendment 6?

Senator Plewa moved rejection of senate amendment 6.

The question was: Rejection of senate amendment 6?

Rejected.

The question was: Rejection of senate amendment 3?

Senator Plewa, with unanimous consent, withdrew his motion for rejection of senate amendment 3.

The question was: Adoption of senate amendment 3?

Senate amendment 1 to senate amendment 3 to **Senate Bill 328** offered by Senator Stitt.

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

Senator Plewa moved rejection of senate amendment 1 to senate amendment 3.

The question was: Rejection of senate amendment 1 to senate amendment 3?

Rejected.

The question was: Adoption of senate amendment 3?

Senator Plewa moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

Senator Adelman moved referral of **Senate Bill 328** to the committee on Labor, Business, Insurance, Veterans' and Military Affairs.

Senator Adelman, with unanimous consent, asked that **Senate Bill 328** be placed at the foot of the calendar.

Senator Plewa objected.

The question was: Referral of **Senate Bill 328** to the committee on Labor, Business, Insurance, Veterans' and Military Affairs?

The ayes and noes were demanded and the vote was: ayes, 1; noes, 30; absent or not voting, 0; as follows:

Ayes — Senator Adelman — 1.

Noes — Senators Andrea, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnetzki, Davis, Ellis, Farrow, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasec, Leraan, Lorman, Moen, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 30.

Absent or not voting — None.

Referral refused.

The question was: Rejection of senate amendment 3?

Rejected.

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 328**

Read a third time and passed.

## SECOND READING AND AMENDMENTS OF ASSEMBLY JOINT RESOLUTIONS AND ASSEMBLY BILLS

### **Assembly Bill 270**

Relating to authorizing courts to impose a series of periods of imprisonment.

Read a second time.

Senate amendment 1 to **Assembly Bill 270** offered by Senator Ellis.

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

Senator Adelman, with unanimous consent, asked that **Assembly Bill 270** be placed at the foot of the calendar.

### **Assembly Bill 272**

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

Read a second time.

The question was: Adoption of senate 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 272**

Read a third time and concurred in as amended.

**Assembly Bill 295**

Relating to exemption from civil liability for donation, sale or distribution of certain food.

Read a second time.

Senate amendment 1 to senate amendment 1 to **Assembly Bill 295** offered by Senator Cowles.

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

Adopted.

The question was: Adoption of senate 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.

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CHAIR

11:31 A.M.

Senator Helbach in the Chair.

**Assembly Bill 295**

Read a third time and concurred in as amended.

**Assembly Bill 363**

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

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.

**Assembly Bill 363**

Read a third time and concurred in.

**Senate Bill 320**

Relating to the authority of the department of agriculture, trade and consumer protection to issue temporary licenses and food establishment licenses.

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 320**

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, Leean, Lorman, Moen, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 31.

Noes — None.

Absent or not voting — None.

Passed.

**Senate Bill 270**

Relating to surrogate parenting, birth certificates and maternity.

Read a second time.

Senate substitute amendment 1 to **Senate Bill 270** offered by Senator Weeden.

The question was: Adoption of senate substitute amendment 1?

Senator Risser moved rejection of senate substitute amendment 1.

The question was: Rejection of senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 16; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Chvala, Czarnecki, Davis, Feingold, George, Helbach, Jauch, Lorman, Moen, Risser, Rude, Strohl and Te Winkle — 14.

Noes — Senators Andrea, Buettner, Burke, Chilsen, Cowles, Ellis, Farrow, Kincaid, Kreul, Lasee, Leean, Plewa, Roshell, Stitt, Van Sistine and Weeden — 16.

Absent or not voting — Senator Ulichny — 1.

Rejection refused.

Senator Strohl, with unanimous consent, asked that the rules be suspended and that the senate return to the eighth order of business.

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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 406**

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MESSAGE FROM THE ASSEMBLY  
(CONSIDERED)

**Assembly Bill 406**

Relating to giving municipalities the power to construct buildings.

By Representatives Hinkfuss, Linton, Musser, Huber, Van Dreef, Boyle, Robson, Gronemus, Fortis, Plache, Medinger, Grobschmidt, Moore, Hamilton, Bolle, Rohan and Lorge, cosponsored by Senators Ulichny, Chilsen, Roshell, Rude, Van Sistine and Andrea.



Read first time and referred to committee on Education, Economic Development, Financial Institutions and Fiscal Policies.

Senator Strohl, with unanimous consent, asked that the rules be suspended and that the senate return to the fourteenth order of business.

Senator George, with unanimous consent, asked that the vote by which **Senate Bill 278** was passed be reconsidered.

The question was: Reconsideration of the vote by which **Senate Bill 278** was passed.

Reconsidered.

Senator George, with unanimous consent, asked that **Senate Bill 278** be referred to a second reading.

**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).

Read a second time.

Senate amendment 1 to **Senate Bill 278** offered by Senator George.

The question was: Adoption of senate 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 278**

Read a third time and passed.

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

Senator Feingold, with unanimous consent, asked that **Assembly Bill 460** be withdrawn from committee on Judiciary and Consumer Affairs and be referred to committee on Aging, Banking, Commercial Credit and Taxation.

Senator Strohl, with unanimous consent, asked that the senate recess until 2:06 P.M..

12:16 P.M.

RECESS

2:06 P.M.

The senate reconvened.

The question was: Adoption of senate substitute amendment 1 to **Senate Bill 270**?

Senator Risser, with unanimous consent, asked that **Senate Bill 270** be laid on the table.

Senator Chilsen objected.

Senator Risser moved that **Senate Bill 270** be laid on the table.

The question was: Shall **Senate Bill 270** be laid on the table?

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

Ayes — Senators Adelman, Burke, Chvala, Czarnecki, Davis, Feingold, George, Helbach, Jauch, Lekan, Lorman, Moen, Risser, Roshell, Strohl, Te Winkle, Ulichny and Van Sistine — 18.

Noes — Senators Andrea, Buettner, Chilsen, Cowles, Ellis, Farrow, Kincaid, Kreul, Lasee, Plewa, Rude, Stitt and Weeden — 13.

Absent or not voting — None.

Tabled.

**Assembly Bill 270**

Relating to authorizing courts to impose a series of periods of imprisonment.

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.

**Assembly Bill 270**

Read a third time and concurred in as amended.

MOTIONS

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, November 9.

2:30 P.M.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 219** offered by Senator Andrea.

Senate amendment 1 to **Senate Bill 321** offered by Senator Kreul.

Senate amendments 2, 3, 4, 5 and 6 to **Senate Bill 270** offered by Senator Weeden.