

STATE OF WISCONSIN

Senate Journal

Ninety-First Regular Session

10:00 A.M.

Thursday, October 14, 1993

The Senate met.

The Senate was called to order by Senator Huelsman.

The Chair, with unanimous consent, asked that the proper entries be made in the journal.

Brandemuehl, Boyle, Hasenohri, Ziegelbauer, Otte, Owens, Plombon and Kaufert.

To committee on Judiciary and Insurance.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 509

Relating to the collection of wage claims, payment of wages to a discharged or resigned employe, battery or threat to a department of industry, labor and human relations employe and providing penalties.

By Senators Zien, Breske, Lasee, Drzewiecki, Cowles, Rosenzweig, Petak, Schultz, Weeden, Leean and Farrow; cosponsored by Representatives Vander Loop, Turner, Ott, Vrakas, Jensen, Porter, Deininger, Schneiders, Baumgart, Prosser, Ryba, Grobschmidt, Musser, Lorge and Kaufert.

To committee on Human Resources, Labor, Tourism, Veterans and Military Affairs.

Senate Bill 510

Relating to changing the name of the vocational, technical and adult education system to the technical college system.

By Senators Lorman, Huelsman and Potter; cosponsored by Representatives Grobschmidt, Coleman, Brandemuehl and Beal, by request of Governor Tommy G. Thompson.

To committee on Education.

Senate Bill 511

Relating to local health officers of villages and towns in certain counties.

By Senators Rude and Petak; cosponsored by Representatives Robson, Ladwig and Krosnicki.

To committee on Health, Human Services and Aging.

Senate Bill 512

Relating to dangerous weapons on school premises.

By Senators Rosenzweig, Breske, Huelsman, Burke, Petak, Farrow, Lorman and Cowles; cosponsored by Representatives Brancel, Carpenter, Duff, Stower, Harsdorf, Potter, Schneiders, Walker, Holperin, Wirch, Urban, Ladwig, Roberts, Vergeront, Ryba, Dobyns,

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends:

Senate Bill 508

Relating to the membership of the legislative council.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 5 — Senators Ellis, Rude, Farrow, Jauch and Risser;

Noes, 0 — None.

Passage as amended:

Ayes, 5 — Senators Ellis, Rude, Farrow, Jauch and Risser;

Noes, 0 — None.

Michael G. Ellis

Chair

The joint committee on Finance reports and recommends:

Senate Bill 513

Relating to creating a recycling markets development corporation, abolishing the council on recycling, the marketing of materials recovered from waste, the recycling rebate program, recycling market development loans and grants, the waste reduction and recycling demonstration grant program and making appropriations.

Introduction:

Ayes, 16 — Senators Leean, Weeden, Farrow, Schultz, Cowles, Panzer, George and Chvala; Representatives Linton, Holperin, Hubler, Coggs, Krug, Huber, Brancel and Foti;

Noes, 0 — None.

Read first time and referred to committee on Environment and Energy.

Senate Bill 23

Relating to providing a penalty of either death or life imprisonment for certain kinds of first-degree intentional

homicide, affecting parole eligibility and granting rule-making authority.

Indefinite postponement:

Ayes, 15 -- Senators Leean, Weeden, Farrow, Schultz, Panzer, George and Chvala; Representatives Linton, Holperin, Hubler, Coggs, Krug, Huber, Brancel and Foti;

Noes, 1 -- Senator Cowles.

Senate Bill 89

Relating to assessment periods for certain pupils, high school graduation requirements, alternative education program teacher licensure, education for employment programs and granting rule-making authority.

Passage:

Ayes, 15 -- Senators Leean, Weeden, Farrow, Schultz, Cowles, George and Chvala; Representatives Linton, Holperin, Hubler, Coggs, Krug, Huber, Brancel and Foti;

Noes, 0 -- None.

Senate Bill 453

An act relating to the historical society museum of the state historical society and making an appropriation.

Introduction and adoption of Senate amendment 1:

Ayes, 14 -- Senators Leean, Weeden, Farrow, Schultz, George and Chvala; Representatives Linton, Holperin, Hubler, Coggs, Krug, Huber, Brancel and Foti;

Noes, 1 -- Senator Cowles.

Passage as amended:

Ayes, 14 -- Senators Leean, Weeden, Farrow, Schultz, George and Chvala; Representatives Linton, Holperin, Hubler, Coggs, Krug, Huber, Brancel and Foti;

Noes, 1 -- Senator Cowles.

Joseph Leean
Co-chair

Barbara J. Linton
Co-chair

The committee on State Government Operations and Corrections reports and recommends:

Senate Bill 367

Relating to exempting property owned by churches from property tax exemption reporting requirements.

Passage:

Ayes, 4 -- Senators Drzewiecki, Lasee, Moen and Helbach;

Noes, 0 -- None.

Gary Drzewiecki
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Legislative Council

October 13, 1993

To the Honorable the Legislature:

I am pleased to transmit to you the following report to the 1993 Legislature on legislation introduced by the Legislative Council:

RL 93-7 -- Legislation on Tax Delinquent Contaminated Land (1993 Senate Bills 461 and 462)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available, on request, in the Legislative Council offices, One East Main, Suite 401.

Sincerely,
David J. Stute
Director

State of Wisconsin
Ethics Board

October 12, 1993

To the Honorable the Senate:

At the direction of s. 13.685(7), Wisconsin Statutes, I am furnishing you with the following changes in the Ethics Board's records of licensed lobbyists and their employers.

Organization's authorization of additional lobbyists: The following organizations previously registered with the Ethics Board as employers of lobbyists have authorized to act on their behalf these additional licensed lobbyists:

American Family Insurance Group

Behrens, James
Tenuta, James
Wimmer, James

Ashley Furniture Industries, Inc.

Tenuta, James

Pfizer Pharmaceuticals

Marion, Edward

Right to Life, Inc., Wisconsin

Hauke, Thomas

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by the organizations that employ lobbyists.

Sincerely,
R. Roth Judd

Executive Director
State of Wisconsin
Ethics Board

October 12, 1993

To the Honorable the Senate:

At the direction of s. 13.685(7), Wisconsin Statutes, I am furnishing you with the names of organizations recently registered with the Ethics Board as employing one or more individuals to affect state legislation or administrative rules. For each organization I have noted the general area of legislative or administrative action which the organization has described as the object of its lobbying activity and the name of each licensed lobbyist that the organization has authorized to act on its behalf.

Eli Lilly and Co.

Subjects: Legislation/regulations affecting the pharmaceutical, medical device, diagnostics, and animal health industry. Research-based corporation that develops, manufactures, and markets pharmaceuticals, medical devices and diagnostics products, and animal health products.

Christianson, Peter

Seib, Robert

Theo, Peter

Household International

Subjects: All matters pertaining to financial institutions, insurance and securities.

Marien, Ron

The organization listed below has indicated to the Ethics Board that it does not expect to spend more than \$500 in a calendar year for lobbying activities. The organization is exempt from registration and is not required to file a Statement of Lobbying Activities and Expenditures. The organization's lobbyist is exempt from the licensing requirement s. 13.621(5) Wisconsin Statutes.

Career Employees, Assoc. of (ACE)

Subjects: Clean government, civil service system integrity, non-represented wages and benefits, health care, pension, investment of pension funds.

Davies, Wynn

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by the organizations that employ lobbyists.

Sincerely,

R. Roth Judd

Executive Director

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 92-185

Relating to the department's review of electric power generation projects.

Submitted by Department of Natural Resources.

Withdrawn by agency, October 11, 1993.

Senate Clearinghouse Rule 93-11

Relating to fishing regulations on the Northern Highlands Fishery Research Area.

Submitted by Department of Natural Resources.

Withdrawn by agency, October 12, 1993.

Senate Clearinghouse Rule 93-155

Relating to the business development initiative program.

Submitted by Department of Development.

Report received from agency, October 12, 1993.

Referred to committee on Business, Economic Development and Urban Affairs, October 14, 1993.

Senate Clearinghouse Rule 93-156

Relating to the - community-based economic development program.

Submitted by Department of Development.

Report received from agency, October 12, 1993.

Referred to committee on Business, Economic Development and Urban Affairs, October 14, 1993.

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 138
Assembly Bill 208
Assembly Bill 256
Assembly Bill 311
Assembly Bill 397
Assembly Bill 473
Assembly Bill 476
Assembly Bill 528
Assembly Bill 529
Assembly Bill 557
Assembly Bill 558
Assembly Bill 646
Assembly Bill 673
Assembly Bill 725
Assembly Bill 726
Assembly Bill 729
Assembly Bill 750
Assembly Bill 22
Assembly Bill 91
Assembly Bill 253
Assembly Bill 268
Assembly Bill 544
Assembly Bill 570

Assembly Bill 589
Assembly Bill 650
Assembly Bill 724

Concurred in:

Senate Bill 176
Senate Bill 221
Senate Bill 251
Senate Bill 455
Senate Bill 456

Amended and concurred in as amended:

Senate Bill 25, Assembly substitute amendment 1
Senate Bill 212, Assembly amendment 1
Senate Bill 265, Assembly amendments 1 and 2

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Bill 138

Relating to funds that may be used to fulfill the matching funds requirement for a grant of federal community development block grant funds.

By Representatives Baldus, Stower, Reynolds, Hubler, Musser, Hasenohrl, Harsdorf, Wilder, Springer, Lorge, Bolle and Freese, cosponsored by Senator Breske.

Read first time and referred to committee on Business, Economic Development and Urban Affairs.

Assembly Bill 208

Relating to county houses of correction.

By Representatives Ladwig, Barca, Dobyns, Ryba, Nass, Kreibich, Krosnicki, Goetsch, Musser, Lorge, Porter, Green, Underheim, Beal, Seratti, Ward, Zukowski, Owens, Brandemuehl, Otte, Panzer, Lazich and Duff, cosponsored by Senators Petak, Andrea, Farrow, Huelsman and Drzewiecki.

Read first time and referred to committee on State Government Operations and Corrections.

Assembly Bill 256

Relating to authority of peace officers to make arrests or render assistance.

By Representatives Wirch, Potter, Barca, Harsdorf, Porter, Robson, Brandemuehl, Riley, Baldus, Beal, Underheim, Musser, Dobyns, Ryba and Kaufert, cosponsored by Senators Andrea, Petak, Buettner and Huelsman.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 311

Relating to crimes committed against witnesses.

By Representatives Kaufert, Stower, Brancel, Freese, Ziegelbauer, Carpenter, Vergeront, Duff, Ladwig, Green, Schneiders, Goetsch, Brandemuehl, Musser, Klusman, Dobyns, Ott, Seratti and Vrakas, cosponsored by Senators Cowles, Huelsman, Lasee, Weeden and Drzewiecki.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 397

Relating to revocation of conditional release orders for persons committed to the department of health and social services.

By Representatives Kunicki, Travis, Prosser and Linton, cosponsored by Senators Ellis, Rude, Helbach and Lcean, by request of Governor Tommy G. Thompson.

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

Assembly Bill 473

Relating to retaining the bond in a misdemeanor case when the speedy trial requirement is not met.

By Representatives Wood, Riley, Grobschmidt, Brandemuehl, Dobyns, La Fave, Rutkowski, Deininger, Hahn, Green and Huber, cosponsored by Senators Huelsman, Burke and Farrow, by request of the Director of State Courts.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 476

Relating to failure to pay judgments entered for violations of hunting, fishing and certain other laws and providing a penalty.

By Representative Black, cosponsored by Senator Cowles, by request of the Director of State Courts.

Read first time and referred to committee on Environment and Energy.

Assembly Bill 528

Relating to the printing of a 1st class city's budget.

By Representatives L. Young, Riley, Bock, Grobschmidt, La Fave, Notestein, Coggs, Dobyns, Ziegelbauer and Morris-Tatum, cosponsored by Senators Burke, Plewa and Petak.

Read first time and referred to committee on Business, Economic Development and Urban Affairs.

Assembly Bill 529

Relating to child abuse and neglect reporting requirements.

By Representatives Bell, Springer, Ladwig, Boyle, Baldwin, Notestein, Meyer and R. Young, cosponsored by Senators Lorman, Moore, Huelsman and Rude.

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

Assembly Bill 557

Relating to termination of certain trusts.

By Representatives Meyer, Roberts, Boyle, Wilder, Gronemus, Stower, Hasenohrl, Goetsch, Green and Panzer, cosponsored by Senators Rude and Stitt.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 558

Relating to training for jail, secure detention and law enforcement officers and granting rule-making authority.

By Representatives Wood, Notestein, Huber, Turner, Riley, Owens, Hanson and Ryba, cosponsored by Senator Burke, by request of Attorney General James Doyle.

Read first time and referred to committee on State Government Operations and Corrections.

Assembly Bill 646

Relating to subrogation authority of the department of justice regarding awards for victims of crimes.

By Representatives Wood, La Fave, Schneiders, Riley and Baldwin, cosponsored by Senators Huelsman, Burke and Clausing, by request of Attorney General James Doyle.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 673

Relating to authorizing a county to enact and enforce an ordinance to impose and collect a charge for worthless payments that are issued to a county agency or office and to retain or waive certain overpayments or underpayments that are made to a county.

By Representatives Ziegelbauer, Bolle, Plombon, La Fave, Huber, Boyle, Plache and Ryba, cosponsored by Senators Potter, Buettner, Huelsman, Breske, Plewa and Moore.

Read first time and referred to committee on Transportation, Agriculture, Local and Rural Affairs.

Assembly Bill 725

Relating to use of videotaped statements of children.

By Representatives Kunicki, Baldus, Carpenter, Plombon, Lehman, Krusick, Jensen, Musser, Ryba, Green, Turner, L. Young, Boyle, Hasenohrl, Stower, Gronemus, La Fave, Brandemuehl, Hanson, Travis and Roberts, cosponsored by Senators Breske, Burke, Wineke and Plewa, by request of Attorney General James Doyle.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 726

Relating to going armed with a firearm on premises authorized to sell alcohol beverages for consumption on those premises and providing penalties.

By Representatives Travis, Carpenter, L. Young, Robson, Ryba, Boyle, Plombon, Krusick, R. Young, Turner, La Fave, Notestein and Hanson, cosponsored by Senators Wineke and Burke.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 729

Relating to refusal or failure of witness to testify before a grand jury.

By Representatives Huber, Kunicki, Carpenter, Plombon, Lehman, Krusick, Musser, Roberts, Ryba, Green, Turner, L. Young, Boyle, Hasenohrl, Stower, La

Fave, Schneiders and Hanson, cosponsored by Senators Burke, Breske and Plewa, by request of Attorney General James Doyle.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 750

Relating to personal liability for delinquent property taxes and other costs and to the costs of razing and closing buildings.

By Representatives Riley, Potter, Carpenter, Green, Plache, Coggs, Bock, Krug, Gronemus, Grobschmidt, La Fave, Notestein, L. Young, Ryba and Cullen, cosponsored by Senators Darling and Burke.

Read first time and referred to committee on Business, Economic Development and Urban Affairs.

Assembly Bill 22

Relating to authorizing the use of computer-generated forms in probate proceedings.

By Representatives Baldus, Wood, Boyle, Lehman, Porter, Schneiders, Duff, Stower, Brandemuehl, Meyer, Goetsch, La Fave and Underheim, cosponsored by Senators Breske, Huelsman and Drzewiecki.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 91

Relating to historic preservation of archaeological sites and objects, making appropriations and providing a penalty.

By Representatives Swoboda, Black, Ryba, Boyle, Robson, Freese, Lorge, Hahn and Baumgart, cosponsored by Senators Breske, Lasee, Farrow and Rude.

Read first time and referred to committee on Financial Institutions and Cultural Affairs.

Assembly Bill 253

Relating to taking a vehicle without the consent of the owner, seizure and forfeiture of a motor vehicle having an altered or obliterated identification number and providing penalties.

By Representatives Prosser, Krusick, Lazich, Barca, Coleman, Zien, Turner, Rosenzweig, Hanson, Bolle, Hasenohrl, Ryba, Vergeront, Gard, Freese, Porter, Ainsworth, Ziegelbauer, Duff, Lorge, Owens, Kaufert, Johnsrud, Ladwig, Green, Brandemuehl, Goetsch, Musser, Silbaugh, Nass, Underheim, Klusman, Dobyns, Beal, Foti, Baumgart and Schneiders, cosponsored by Senators Huelsman, Burke, Farrow, Rude, Breske, Cowles, Darling, Buettner, Lasee, Petak, Stitt and Drzewiecki.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 268

Relating to distribution or possession of controlled substances in or near prisons or jails and providing a penalty.

By Representatives Dobyns, L. Young, Prosser, Bolle, Panzer, Klusman, Baldus, Ott, Ainsworth, Rosenzweig, Porter, Freese, Goetsch, Brandemuehl,

Musser, Gard, Nass, Seratti, Owens, Ladwig, Zukowski and Kreibich, cosponsored by Senators Petak, Buettner, Schultz, Darling, Huelsman, Drzewiecki and Breske.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 544

Relating to information provided to an individual at the time when a request is made for a chemical test to determine the presence of alcohol, controlled substances or other drugs.

By Representatives Holperin, Roberts and Rutkowski, cosponsored by Senator Huelsman.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 570

Relating to the garnishment of earnings.

By Representatives Rutkowski, Lehman, Bock, Deininger, R. Young, Ladwig, Holperin, Vrakas, Goetsch, Ryba, Kaufert, Grobschmidt, Hahn, Huber, Vergeront, Baldwin, Musser, La Fave, Nass, Ziegelbauer, Silbaugh, Hanson, Klusman, Roberts, Bolle and Green, cosponsored by Senators Huelsman, Adelman, Rude, Risser, Stitt, Weeden, Buettner and Plewa, by request of Judicial Council.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 589

Relating to sex offender registration and deoxyribonucleic acid testing, granting rule-making authority and providing a penalty.

By Representatives Huber, Riley, Stower, Kaufert, Porter, La Fave, Ziegelbauer, Ourada, Krusick, Notestein, Green, Boyle, Krug, Brandemuehl, Cullen, Vergeront, Springer, Welch, Bell, Hinkfuss, Travis, Black, Carpenter, Plache, Schneider, Otte, Gronemus, Hanson, Ryba, Robson, Potter, Turner and Coggs,

cosponsored by Senators Burke, Buettner, Moore, Huelsman, Decker, Weeden, Breske, Rosenzweig, Andrea and Clausing.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 650

Relating to authorizing guardians of certain persons to consent to forcible administration of psychotropic medication.

By Representatives R. Young, Robson, Notestein, Hahn, Krug, Schneiders, Wirch and Panzer, cosponsored by Senators Huelsman, Risser, Moore and Rosenzweig.

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

Assembly Bill 724

Relating to discharging a firearm from a vehicle and providing penalties.

By Representatives Kunicki, Huber, Travis, Potter, Hasenohrl, Carpenter, Morris-Tatum, Notestein, Bock, Underheim, Plombon, Hanson, La Fave, Krug, Riley, Schneiders, Bell, Ott, Holperin, Urban, Turner, Hinkfuss, Krusick and Ryba, cosponsored by Senators Moen, Burke, Wineke and Breske.

Read first time and referred to committee on Judiciary and Insurance.

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

10:01 A.M.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 416** offered by Senator Weeden.