Senate Journal

Ninety-First Regular Session

10:00 A.M.

Tuesday, February 22, 1994

The Senate met.

The Senate was called to order by Brian D. Rude, President of the Senate.

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

Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, George, Helbach, Huelsman, Jauch, Lasee, Leean, Lorman, Moen, Moore, Panzer, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien — 33.

Absent - None.

Absent with leave - None.

The Senate stood for a moment of silent meditation.

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

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 48

Relating to commending Robin Yount.

By Senators Chvala, Burke, Plewa, George, Wineke, Clausing, Breske, Risser, Moen, Zien, Rosenzweig, Weeden, Farrow, Lorman, Darling and Andrea; cosponsored by Representatives Bock, Carpenter, Notestein, Coggs, Boyle, Krug, Potter, Williams, Prosser, Porter, Roberts, Welch, Turner, Hanson, R. Young, Baldus, Musser, Ladwig, Plache, Owens, Klusman, Kaufert, Lazich, Hahn, Dobyns, Plombon, Otte, Wirch, Stower, Ryba, Ainsworth, Schneiders, Riley, Grothman, Urban and Beal.

To committee on Senate Organization.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 738

Relating to changes in the laws regulating fireworks, granting rule-making authority and making an appropriation.

By Senators Zien, Leean, Panzer, Darling, Chvala, Plewa, Breske, George, Buettner and Rosenzweig; cosponsored by Representatives Swoboda, Gruszynski, Boyle, Prosser, Welch, Jensen, Klusman, Holperin, Underheim, Owens, Lehman, Ryba, Gronemus, Stower, Baldus and Vander Loop.

To committee on Judiciary and Insurance.

Senate Bill 739

An act relating to an assistant district attorney for Marathon county and making an appropriation.

By Senators Decker, Breske, Andrea and George; cosponsored by Representatives Huber, Springer, Kreuser, Stower, Zukowski, Boyle and Riley.

To committee on Judiciary and Insurance.

Senate Bill 740

Relating to restricting firearm possession, the grounds for holding a child in secure custody and for placing a child in a secured correctional facility and providing a penalty.

By Senators Darling, Huelsman, Buettner, Weeden, Petak, Rosenzweig, Panzer, Drzewiecki, Cowles, Wineke, Moore and Plewa; cosponsored by Representatives Prosser, Otte, Vrakas, Ladwig, Duff, Grothman, Zukowski, Plache, Harsdorf, Ziegelbauer, Welch, La Fave, Musser, Beal, Jensen, Vergeront, Porter, Seratti, Skindrud, Vander Loop, Goetsch, Nass, Dobyns, Urban, Ryba, Owens, Ott, Boyle, Silbaugh, Hahn, Potter, Freese, Schneiders, Holperin, Ainsworth, Lorge, Riley and Kreibich.

To committee on Judiciary and Insurance.

Senate Bill 741

Relating to waiver of juvenile court jurisdiction over a child who is accused of committing, on or after the child's 16th birthday, armed robbery.

By Senators Weeden, Petak, Breske, Drzewiecki, Rosenzweig, Cowles, Farrow and Huelsman; cosponsored by Representatives Duff, Ziegelbauer, Dobyns, Welch, Vrakas, Porter, Foti, Kaufert, Ainsworth, Hahn, Ladwig, Walker, Schneiders, Musser, Goetsch, Stower, Owens and Grothman.

To committee on Judiciary and Insurance.

Senate Bill 742

Relating to designating and marking a bridge on USH 63 in Pierce county as the 'Lloyd Spriggle Memorial Bridge'.

By Senator Clausing.

To committee on Transportation, Agriculture, Local and Rural Affairs.

Senate Bill 743

Relating to information required on a certificate of title for a motor vehicle.

By Senators Lasee, Zien, Drzewiecki, Clausing and Weeden; cosponsored by Representatives Meyer, Ziegelbauer, Gronemus, Owens, Hasenohrl, Kreibich, Lehman, Goetsch and Turner.

To committee on Transportation, Agriculture, Local and Rural Affairs.

Senate Bill 745

Relating to vehicles transporting Christmas trees in loads that exceed vehicle width limitations.

By Senator Leean.

To committee on Senate Organization.

COMMITTEE REPORTS

The joint committee on Information Policy reports and recommends:

Senate Bill 744

Relating to regulations affecting the telecommunications industry, granting rule-making authority, making an appropriation and providing penalties.

Introduction:

Ayes, 7. -- Senators Panzer, Leean and Adelman; Representatives Schneider, Krug, Jensen and Wegner;

Noes, 0 -- None.

Read first time and referred to joint committee on Information Policy.

Mary Panzer Co-Chair

Marling Schneider Co-Chair

The joint committee for review of Administrative Rules reports and recommends:

Senate Bill 184

Relating to requiring state agencies to provide additional notices at various stages of the rule-making process.

Passage:

Ayes, 5 -- Senators Weeden, Darling and Huelsman; Representatives Swoboda and Welch;

Noes, 4 -- Senators Plewa and Jauch; Representatives Grobschmidt and Hanson.

Timothy L. Weeden Co-chair

Lary J. Swoboda Co-chair

The committee on Judiciary and Insurance reports and recommends:

Senate Bill 216

Relating to municipal insurance mutuals.

Introduction and adoption of Senate amendment 1:

Ayes, 4 -- Senators Huelsman, Petak, Darling and Drzewiecki:

Noes, 3 -- Senators Risser, Adelman and Chvala. Passage as amended:

Ayes, 5 -- Senators Huelsman, Petak, Darling, Drzewiecki and Chvala:

Noes, 2 -- Senators Risser and Adelman.

Senate Bill 318

Relating to requiring insurers to provide health claims experience information to policyholders.

Introduction of Senate substitute amendment 1:

Ayes, 7 -- Senators Huelsman, Petak, Darling, Drzewiecki, Risser, Adelman and Chvala;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 1 to Senate substitute amendment 1:

Ayes, 7 -- Senators Huelsman, Petak, Darling, Drzewiecki, Risser, Adelman and Chvala;

Noes, 0 -- None.

Adoption of Senate substitute amendment 1:

Ayes, 7 -- Senators Huelsman, Petak, Darling, Drzewiecki, Risser, Adelman and Chvala;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Huelsman, Petak, Darling, Drzewiecki, Risser, Adelman and Chvala; Noes, 0 -- None.

Joanne B. Huelsman Chair

The committee on Business, Economic Development and Urban Affairs reports and recommends:

Senate Bill 630

Relating to allowing tax increments under the tax incremental financing program to be shifted between districts for environmental remediation.

Introduction and adoption of Senate amendment 1:

Ayes, 5 -- Senators Petak, Buettner, Zien, Plewa and Moore;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Petak, Buettner, Zien, Plewa and Moore;

Noes, 0 -- None,

Assembly Bill 68

Relating to reducing the required amount of financial responsibility that must be established by certain diet centers.

Concurrence:

Ayes, 5 -- Senators Petak, Buettner, Zien, Plewa and Moore;

Noes, 0 -- None.

Assembly Bill 201

Relating to the enforceability of legal gambling agreements.

Concurrence:

Ayes, 5 -- Senators Petak, Buettner, Zien, Plewa and Moore:

Noes, 0 -- None.

Assembly Bill 298

Relating to certain housing authority and redevelopment authority projects advertised for bids.

Introduction and adoption of Senate amendment 1:

Ayes, 5 -- Senators Petak, Buettner, Zien, Plewa and Moore:

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Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Petak, Buettner, Zien, Plewa and Moore;

Noes, 0 -- None.

Assembly Bill 563

Relating to requiring applicants for retail liquor licenses to complete responsible beverage server training.

Concurrence:

Ayes, 5 -- Senators Petak, Buettner, Zien, Plewa and Moore;

Noes, 0 -- None.

WEED, DUANE, of Necedah, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 1998.

Confirmation:

Ayes, 5 -- Senators Petak, Buettner, Zien, Plewa and Moore:

Noes, 0 -- None.

ZAGZEBSKI, EDWIN, of Schofield, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 1998.

Confirmation:

Ayes, 5 -- Senators Petak, Buettner, Zien, Plewa and Moore;

Noes, 0 -- None.

KALISHEK, KAREN A., of Shawano, as a member of the Accounting Examining Board, to serve for the term ending July 1, 1998.

Confirmation:

Ayes, 5 -- Senators Petak, Buettner, Zien, Plewa and Moore;

Noes, 0 -- None.

GILL, NORMAN N., of Milwaukee, as a member of the Funeral Director Examining Board, to serve for the term ending July 1, 1997.

Confirmation:

Ayes, 5 -- Senators Petak, Buettner, Zien, Plewa and Moore;

Noes, 0 -- None.

George Petak Chair

The committee on Education reports and recommends:

Senate Bill 560

Relating to authorizing a school board to permit a high school pupil to leave the school premises during the school day.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 7 -- Senators Lorman, Huelsman, Petak, Darling, Helbach, Potter and Clausing;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Lorman, Huelsman, Petak, Darling, Helbach and Clausing;

Noes, 1 -- Senator Potter.

Senate Bill 625

Relating to increasing a school district's revenue limit by its additional consolidation aid.

Passage:

Ayes, 7 -- Senators Lorman, Huelsman, Petak, Darling, Helbach, Potter and Clausing;

Noes, 0 -- None.

Senate Bill 703

Relating to school board contracts with private agencies for children at risk programs.

Passage:

Ayes, 7 -- Senators Lorman, Huelsman, Petak, Darling, Helbach, Potter and Clausing;

Noes, 0 -- None.

Senate Bill 621

Relating to grants to school districts to provide services to limited-English speaking pupils from Southeast Asian language groups (suggested as remedial legislation by the department of public instruction).

Passage:

Ayes, 7 -- Senators Lorman, Huelsman, Petak, Darling, Helbach, Potter and Clausing;

Noes, 0 -- None.

Barbara Lorman Chair

EXECUTIVE COMMUNICATIONS

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

10:16 A.M.

RECESS

12:13 P.M.

The Senate reconvened.

CALENDAR OF TUESDAY, FEBRUARY 22, 1994

Senator Leean, with unanimous consent, asked that all the appointments be taken up en masse.

BERNARD, GERALDINE, of Madison, as a member of the Hearing and Speech Examining Board, to serve for the interim term ending July 1, 1995.

Read.

HURTGEN, JENNIFER Y., of Sparta, as a member of the Board of Aging and Long Term Care, to serve for the term ending May 1, 1999.

Read.

SULLIVAN, MICHAEL J., of Madison, as a member of the Prison Industries Board, to serve for the interim term ending May 1, 1994, and for the full term ending May 1, 1997.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, George, Helbach, Huelsman, Jauch, Lasee, Leean, Lorman, Moen, Moore, Panzer, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien — 33.

Noes — None.

Absent or not voting - None.

Confirmed.

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 93-222

Relating to chiropractic preceptorship programs.

Submitted by Department of Regulation and Licensing.

Report received from agency, February 17, 1994.

Referred to committee on Health, Human Services and Aging, February 22, 1994.

Senate Clearinghouse Rule 93-226

Relating to the organization form in which certified public accounting may be practiced.

Submitted by Department of Regulation and Licensing.

Report received from agency, February 18, 1994.

Referred to committee on Business, Economic Development and Urban Affairs, February 22, 1994.

Senate Clearinghouse Rule 93-237

Relating to third-party testing.

Submitted by Department of Transportation.

Report received from agency, February 17, 1994.

Referred to committee on Transportation, Agriculture, Local and Rural Affairs, February 22, 1994.

Senate Clearinghouse Rule 94-6

Relating to the health care provider loan assistance program.

Submitted by Department of Development.

Report received from agency, February 17, 1994.

Referred to committee on Health, Human Services and Aging, February 22, 1994.

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 115
Assembly Joint Resolution 117

Passed and asks concurrence in:

Assembly Bill 147

Assembly Bill 257

Assembly Bill 317

Assembly Bill 527

Assembly Bill 763

Assembly Bill 823

Assembly Bill 930

Assembly Bill 941

Assembly Bill 970

Concurred in:

Senate Bill 137

Senate Bill 213

Senate Bill 435

Senate Bill 477

Senate Bill 510

Amended and concurred in as amended:

Senate Bill 118, Assembly amendment 1

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 115

Relating to proclaiming May 13, 14 and 15, 1994, Syttende Mai Weekend.

By Representatives Silbaugh, Johnsrud, Lorge, Brandemuehl, Baldus, Urban, Krug, Ward, Hahn, Dobyns, Turner, Hanson, Grothman, Kreuser, Skindrud, Jensen, Lazich, Ainsworth, Ourada, Walker, Klusman, Otte, Zukowski, Lehman, Krosnicki, Foti, Welch, Prosser, Freese, Vergeront, Schneiders, Ott, Albers, Vrakas, Harsdorf, Green, Coleman, Kaufert and Stower, cosponsored by Senators Chvala, Rude, Moen, Leean, Breske, Lorman, Petak, Rosenzweig, Darling, Drzewiecki and Clausing.

Read and referred to committee on Senate Organization.

Assembly Joint Resolution 117

Relating to Wisconsin Forensics Month.

By Representatives Klusman, Dobyns, Turner, Lorge, Ott, Porter, Notestein, Stower, Plache, Grothman, Silbaugh, Hanson, Seratti and Ryba, cosponsored by Senators Rude, Potter, Moen, Moore, Schultz, Breske, Rosenzweig, Buettner, Lorman and Darling.

Read and referred to committee on Senate Organization.

Assembly Bill 147

Relating to removing motor vehicle operating privilege revocation upon conviction of a traffic violation that causes a fatal accident.

By Representatives Lorge, Baldus, Porter, Brandemuehl, La Fave and Huber, cosponsored by Senator Farrow.

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

Assembly Bill 257

Relating to distribution or possession of controlled substances on or near institutions of higher education.

By Representatives Kaufert, Gard, Green, Ryba, Bolle, Brandemuehl, Turner, Goetsch, Vergeront, Ladwig, Silbaugh, Nass, Harsdorf, Ainsworth, Freese, Duff, Zien, Ward, Musser, Porter, Welch, Ott and Dobyns, cosponsored by Senators Ellis, Buettner, Drzewiecki, Lasee, Schultz, Huelsman, Weeden and Petak.

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

Assembly Bill 317

Relating to increasing forfeitures and fines for traffic law violations committed in highway construction and maintenance areas and providing a penalty.

By Representatives Plache, Ryba, Springer, Musser, Carpenter, Black, Ourada and Seratti, cosponsored by Senators Burke and Breske.

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

Assembly Bill 527

Relating to requiring reporting of injuries or deaths caused by toys or other articles intended for use by children and publication of notice of danger or threat to public safety.

By Representatives Springer, Carpenter, Huber, Bell, Gruszynski, Hasenohrl, Hanson, Boyle, Grobschmidt, Black, Cullen, Morris-Tatum, Ott, Riley, Wilder, Turner, Ourada, Ryba and Roberts, cosponsored by Senators Decker, Rosenzweig, Breske, Moore, Plewa, Burke and Chyala.

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

Assembly Bill 763

Relating to the promotion and development of commercial aquaculture and making appropriations.

By Representatives Springer, Gronemus, Baumgart, Holperin, Harsdorf, Wilder, Musser, Boyle, Grobschmidt, Gruszynski, Lorge, Otte and Ott, cosponsored by Senator Moen, by request of Wisconsin Aquaculture Association; and Wisconsin Aquaculture Industry Advisory Council.

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

Assembly Bill 823

An act relating to supplementing funding for the nonfederally funded portion of the foster grandparent project and making an appropriation.

By Representatives Hinkfuss, Ryba, Bock, Bolle, Boyle, Hasenohrl, Huber, Ourada, Seratti and Underheim, cosponsored by Senators Buettner, Breske, Burke, Clausing, Moore, Petak, Risser and Rosenzweig.

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

Assembly Bill 930

Relating to classifying ephedrine as a schedule III controlled substance.

By Representatives Seratti, Riley, Ourada, Ainsworth, Zukowski, Musser, Ryba, Duff, Green, Ward, Gruszynski, Urban, Ladwig, Brandemuehl, Holperin, Lorge, Wirch, Silbaugh, La Fave, Goetsch, Walker, Harsdorf, Lehman, Hanson, Owens, Ott, Freese, Albers, Otte, Boyle, Klusman and Ziegelbauer, cosponsored by Senators Drzewiecki, Breske, Cowles, Huelsman, Darling, Buettner, Zien and Lasee.

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

Assembly Bill 941

Relating to: continuing education requirements for physicians; the denial of applications for a credential by the optometry examining board; the continuing education requirements for certain optometrists; and examination requirements for a pharmacist who fails to renew his or her license (suggested as remedial legislation by the department of regulation and licensing).

By Law Revision Committee.

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

Assembly Bill 970

Relating to subjects of farm mediation and arbitration and granting rule-making authority.

By Representatives Ott, Ainsworth, Zukowski, Brandemuehl, Harsdorf, Skindrud, Plombon, Green, Owens, Ladwig, Lehman, Ourada, Seratti, Huber, Goetsch, Silbaugh, Freese and Musser, cosponsored by Senators Drzewiecki, Buettner, Lorman, Zien and Schultz.

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

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senate Bill 305

Relating to obscenity ordinances enacted by a city, village, town or county.

Read a second time.

Senator Ellis, with unanimous consent, asked that Senate Bill 305 be laid on the table.

Senate Bill 408

Relating to disclosure of certain information regarding a child who has been adjudicated delinquent for committing homicide, armed robbery or sexual assault.

Read a second time.

Senate amendment 1 to Senate Bill 408 offered by Senator Weeden.

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

The question was: Shall the bill be ordered to a third reading?

The ayes and noes were demanded and the vote was: ayes, 27; noes, 6; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Breske, Buettner, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Huelsman, Jauch, Lasee, Leean, Lorman, Moen, Panzer, Petak, Plewa, Potter, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien — 27.

Noes — Senators Adelman, Burke, George, Helbach, Moore and Risser — 6.

Absent or not voting — None.

Ordered to a third reading.

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

Senate Bill 408

Read a third time and passed.

Senate Bill 483

Relating to the Great River Road in Wisconsin.

Read a second time.

Senate amendment 1 to Senate substitute amendment 1 to Senate Bill 483 offered by Senator Schultz.

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

Senator Lecan, with unanimous consent, asked that Senate Bill 483 be referred to the joint committee on Finance.

Senator Leean, with unanimous consent, asked that Senate Bill 483 be withdrawn from the joint committee on Finance and taken up.

Read a second time.

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

Adopted.

The question was: Adoption of Senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

Senate Bill 483

Read a third time and passed.

Senate Bill 521

Relating to grounds, and notice requirements, for rescission of insurance contracts.

Read a second time.

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

Ordered to a third reading.

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

Senate Bill 521

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 27; noes, 6; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Breske, Buettner, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Helbach, Huelsman, Jauch, Lasee, Leean, Lorman, Moen, Panzer, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien — 27.

Noes — Senators Adelman, Burke, Chvala, Clausing, George and Moore — 6.

Absent or not voting — None.

Passed.

Senate Bill 543

Relating to bicycle ways and walkways established in wetlands.

Read a second time.

Senator Leean, with unanimous consent, asked that Senate Bill 543 be referred to the joint committee on Finance.

Senator Leean, with unanimous consent, asked that Senate Bill 543 be withdrawn from the joint committee on Finance and taken up.

Read a second time.

Senator Burke moved that Senate Bill 543 be referred to the committee on Environment and Energy.

The question was: Shall Senate Bill 543 be referred to the committee on Environment and Energy?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser and Wineke — 16.

Noes — Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean,

Lorman, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien — 17.

Absent or not voting - None.

Refused referral.

Ordered to a third reading.

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

Senate Bill 543

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 15; noes, 18; absent or not voting, 0; as follows:

Ayes — Senators Breske, Buettner, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Rosenzweig, Rude, Schultz and Zien — 15.

Noes — Senators Adelman, Andrea, Burke, Chvala, Clausing, Cowles, Darling, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser, Weeden and Wineke — 18.

Absent or not voting - None.

Refused passage.

Senate Bill 576

Relating to plastics fabricator's lien.

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

Senate Bill 576

Read a third time and passed.

Senate Bill 581

Relating to substitution of judges in criminal cases.

Read a second time.

Senator Petak, with unanimous consent, asked that Senate Bill 581 be referred to committee on Judiciary and Insurance.

Senate Bill 589

Relating to the continued effect of county shoreland zoning ordinances on shorelands that are located in a city or village.

Read a second time.

The question was: Adoption of Senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

Senate Bill 589

Read a third time and passed.

Senate Bill 607

Relating to grants to cities to reduce violent crime and making an appropriation.

Read a second time.

Senator Leean, with unanimous consent, asked that Senate Bill 607 be referred to joint committee on Finance.

Senate Bill 627

Relating to discontinuing property tax exemptions and income and franchise tax exemptions for organizations that offer health maintenance organization plans or limited service health organization plans and to discontinuing the unemployment compensation exemption for cooperative sickness care associations.

Read a second time.

Senator Leean, with unanimous consent, asked that Senate Bill 627 be referred to joint committee on Finance.

Senate Bill 639

Relating to conditions for loans made under the Wisconsin housing and economic development authority's homeownership mortgage loan program.

Read a second time.

Ordered to a third reading.

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

Senate Bill 639

Read a third time and passed.

Senate Bill 640

Relating to property eligible for loans made under the Wisconsin housing and economic development authority's homeownership mortgage loan program.

Read a second time.

Ordered to a third reading.

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

Senate Bill 640

Read a third time and passed.

Senate Bill 645

Relating to the investigation of child abuse or neglect. Read a second time.

Ordered to a third reading.

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

Senate Bill 645

Read a third time and passed.

Senate Bill 648

Relating to possession of firearms by persons who have been involuntarily committed for treatment for mental illness, drug dependency or developmental disability.

Read a second time.

Senator Leean, with unanimous consent, asked that Senate Bill 648 be placed at the foot of the eleventh order of business.

Senate Bill 678

Relating to prohibitions on landfill disposal and incineration of major appliances, awards of waste reduction and recycling demonstration grants, responsible units for recycling programs and waivers of requirements for effective recycling programs.

Read a second time.

The question was: Adoption of Senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

Senate Bill 678

Read a third time and passed.

Senate Bill 686

Relating to a nonrefundable individual income tax credit for adoption expenses.

Read a second time.

Senator Leean, with unanimous consent, asked that Senate Bill 686 be referred to joint committee on Finance.

Senate Bill 691

Relating to the right to a trial by jury in a juvenile court proceeding involving a child who is alleged to have violated a civil law or a municipal ordinance or a child who is alleged to be in need of protection or services.

Read a second time.

Senator Adelman moved that Senate Bill 691 be referred to the committee on Judiciary and Insurance.

The question was: Shall **Senate Bill 691** be referred to the committee on Judiciary and Insurance?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 20; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Risser and Wineke — 13.

Noes – Senators Andrea, Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Plewa, Potter, Rosenzweig, Rude, Schultz, Weeden and Zien – 20.

Absent or not voting - None.

Refused referral.

The question was: Adoption of Senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

Senate Bill 691

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 18; noes, 13; absent or not voting, 2; as follows:

Ayes — Senators Andrea, Buettner, Chvala, Cowles, Darling, Drzewiecki, Farrow, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Potter, Rosenzweig, Schultz, Weeden and Zien — 18.

Noes – Senators Adelman, Breske, Burke, Clausing, Decker, George, Jauch, Moen, Moore, Plewa, Risser, Rude and Wineke – 13.

Absent or not voting – Senators Ellis and Helbach – 2. Passed.

Senate Bill 699

Relating to: the forms on which certain tax refund or credit claims may be made; sales tax, income tax and franchise tax records; notice required for continuous tax levies; service of notice on corporate taxpayers by publication; the statute of limitations for bringing a real estate transfer fee claim against a dissolved corporation; copies of affidavits used to transfer property; generally referencing the homestead tax credit maximum income limitation for medicare assignment; action by the department of revenue on certain claims for refunds; notices of the assessed value of utilities; authorizing the department of revenue to enter into contracts to collect delinquent taxes from residents of this state; the minimum license fee for telephone companies; and making an appropriation.

Read a second time.

Senator Leean, with unanimous consent, asked that Senate Bill 699 be placed at the foot of the days calendar.

Senate Bill 702

Relating to the confidentiality of real estate transfer fee returns.

Read a second time.

Ordered to a third reading.

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

Senate Bill 702

Read a third time and passed.

Senate Bill 716

Relating to: court orders that may be entered on the basis of a statement acknowledging paternity; requirements for parents, insurers and employers with respect to health care coverage for a child in actions affecting the family; a system for reporting child support liability and employment changes; allowing a court to require a payer of child support or maintenance to authorize periodic transfers from a deposit account; various changes in actions to determine paternity; information that a court may consider when determining child support payments; orders from other states that

constitute assignments for withholding regarding maintenance and child support; requiring the court to use the child support standard used in divorce actions when setting child support to be paid for children in foster care and other substitute care situations; allowing females to be arrested in all civil actions in which males can be arrested; establishing a child support arrearage by affidavit; authorizing the clerk of court to escrow overpayments of support or maintenance for disbursement in the month when due; adjusting a withholding assignment for child support or maintenance so that withholding frequency corresponds to payroll period; expanding the authority of a family court commissioner in child support actions; guardians ad litem in actions to determine paternity; expressing child support in child support orders; tax intercept certifications; authorizing costs against a county if the child support payment record kept by the clerk of court is substantially incorrect; requesting waivers under the aid families with dependent children and job opportunities and basic skills programs; limiting aid to families with dependent children for certain additional children; orientation and job search requirements and sanctions under the job opportunities and basic skills program; granting rule-making authority; granting exemptions from rule-making procedures; making appropriations; and providing a penalty.

Read a second time.

Senator Leean, with unanimous consent, asked that Senate Bill 716 be referred to joint committee on Finance.

Senate Bill 648

Relating to possession of firearms by persons who have been involuntarily committed for treatment for mental illness, drug dependency or developmental disability.

Read a second time.

Senator Leean, with unanimous consent, asked that Senate Bill 648 be referred to the joint committee on Finance.

Senator Lecan, with unanimous consent, asked that Senate Bill 648 be withdrawn from the joint committee on Finance and taken up.

Read a second time.

Ordered to a third reading.

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

Senate Bill 648

Read a third time and passed.

SECOND READING AND AMENDMENTS OF ASSEMBLY JOINT RESOLUTIONS AND ASSEMBLY BILLS

Assembly Bill 91

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

Read a second time.

Senator Leean, with unanimous consent, asked that Assembly Bill 91 be placed at the foot of the days calendar.

Assembly Bill 117

Relating to annual fishing licenses issued to residents who are 16 or 17 years of age.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 117

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, George, Helbach, Huelsman, Jauch, Lasee, Leean, Lorman, Moen, Moore, Panzer, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien — 33.

Noes - None.

Absent or not voting - None.

Concurred in.

Assembly Bill 145

Relating to authorization for candidates to substitute nicknames for legal names or initials on election ballots.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 145

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 27; noes, 6; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Helbach, Huelsman, Jauch, Lasee, Leean, Lorman, Moore, Panzer, Petak, Plewa, Potter, Rosenzweig, Rude, Schultz and Zien — 27.

Noes — Senators Adelman, George, Moen, Risser, Weeden and Wineke — 6.

Absent or not voting — None.

Concurred in.

Assembly Bill 204

Relating to law enforcement authority across state lines, eluding a peace officer and evidence from another state.

Read a second time.

CHAIR

2:28 P.M.

Senator Lasee in the Chair.

Ordered to a third reading.

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

Assembly Bill 204

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 31; noes, 2; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Helbach, Huelsman, Jauch, Lasee, Leean, Lorman, Moen, Moore, Panzer, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien — 31.

Noes — Senators Adelman and George — 2.

Absent or not voting — None.

Concurred in.

Assembly Bill 476

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

Read a second time.

Senator Leean, with unanimous consent, asked that Assembly Bill 476 be referred to the joint committee on Finance.

Senator Leean, with unanimous consent, asked that Assembly Bill 476 be withdrawn from the joint committee on Finance and taken up.

Read a second time.

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

Ordered to a third reading.

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

Assembly Bill 476

Read a third time.

Senator Cowles, with unanimous consent, asked that Assembly Bill 476 be referred to a second reading.

Read a second time.

Senate amendment 2 to Assembly Bill 476 offered by Senator Cowles.

The question was: Adoption of Senate amendment 2? Adopted.

Ordered to a third reading.

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

Assembly Bill 476

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

Ayes — Senators Buettner, Burke, Clausing, Cowles, Darling, Ellis, Farrow, Lorman, Panzer, Petak, Plewa, Potter, Rosenzweig, Rude, Schultz, Weeden and Zien — 17.

Noes — Senators Adelman, Andrea, Breske, Chvala, Decker, Drzewiecki, George, Helbach, Huelsman, Jauch, Lasee, Leean, Moen, Moore, Risser and Wineke — 16.

Absent or not voting — None.

Concurred in as amended.

Assembly Bill 660

Relating to the financial responsibility of persons who perform on one-family and 2-family dwellings work for which a building permit is required, creating a contractor financial responsibility council, granting rule-making authority, making an appropriation and providing penalties.

Read a second time.

Senator Rude, with unanimous consent, asked that Assembly Bill 660 be placed at the foot of the days calendar.

Assembly Bill 662

Relating to the fees received by a register of deeds for recording or filing certain documents and the portion of those fees used for land records modernization.

Read a second time.

Senate amendment 1 to Assembly Bill 662 offered by Senators Weeden and Darling.

The question was: Adoption of Senate amendment 1?

Senator Wineke 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, 22; noes, 11; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Deeker, Drzewiecki, Farrow, George, Helbach, Huelsman, Jauch, Lorman, Moen, Moore, Panzer, Plewa, Potter, Risser, Rude and Wineke — 22.

Noes — Senators Buettner, Cowles, Darling, Ellis, Lasee, Leean, Petak, Rosenzweig, Schultz, Weeden and Zien — 11.

Absent or not voting -- None.

Rejected.

Ordered to a third reading.

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

Assembly Bill 662

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, George, Helbach, Huelsman, Jauch, Lasce, Leean, Lorman, Moen, Moore, Panzer, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien — 33.

Noes - None.

Absent or not voting — None.

Concurred in.

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.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 673

Read a third time and concurred in.

Assembly Bill 795

Relating to governance of the county hospital and related entities in Milwaukee county.

Read a second time.

Senator Moore, with unanimous consent, asked that her name be withdrawn as a co-sponsor of Assembly Bill 795.

Ordered to a third reading.

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

Assembly Bill 795

Read a third time and concurred in.

THIRD READING OF JOINT RESOLUTIONS AND BILLS

Senate Bill 722

Relating to expanding the small employer insurance board and renaming it the comprehensive health care board; modified community rating, fair market standards, portability, preexisting condition exclusions and guarantee issue for individual and certain group health benefit plans; establishing a standard plan; allowing the group insurance board to contract with purchasing coalitions; and granting rule-making authority.

Read a third time.

Senator Risser raised the point of order that the bill is required to be referred to the joint committee on Finance.

The Chair rules the point of order well taken.

Senator Risser raised the point of order that the bill had not received a reliable fiscal estimate.

The the Chair rules the point of order not well taken.

The question was: Passage?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

Ayes — Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien — 17.

Noes — Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser and Wineke — 16.

Absent or not voting — None.

Passed.

Senate Bill 699

Relating to: the forms on which certain tax refund or credit claims may be made; sales tax, income tax and franchise tax records; notice required for continuous tax levies; service of notice on corporate taxpayers by publication; the statute of limitations for bringing a real estate transfer fee claim against a dissolved corporation; copies of affidavits used to transfer property; generally referencing the homestead tax credit maximum income limitation for medicare assignment; action by the department of revenue on certain claims for refunds; notices of the assessed value of utilities; authorizing the department of revenue to enter into contracts to collect delinquent taxes from residents of this state; the minimum license fee for telephone companies; and making an appropriation.

Read a second time.

Senator Leean, with unanimous consent, asked that Senate Bill 699 be referred to joint committee on Finance.

Assembly Bill 91

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

Read a second time.

Senate amendments 1 and 2 to Senate substitute amendment 1 to Assembly Bill 91 offered by Senator Leean.

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

Adopted.

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

Adopted.

The question was: Adoption of Senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

Assembly Bill 91

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, George, Helbach, Huelsman, Jauch, Lasee, Leean, Lorman, Moen, Moore, Panzer, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien — 33.

Noes - None.

Absent or not voting — None.

Concurred in as amended.

Assembly Bill 660

Relating to the financial responsibility of persons who perform on one-family and 2-family dwellings work for which a building permit is required, creating a contractor financial responsibility council, granting rule-making authority, making an appropriation and providing penalties.

Read a second time.

Senate amendment 1 to Assembly Bill 660 offered by Senator Wineke.

The question was: Adoption of Senate amendment 1?

Senator Rude 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, 28; noes, 5; absent or not voting, 0; as follows:

Ayes — Senators Breske, Buettner, Burke, Chvala, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Helbach, Huelsman, Jauch, Lasee, Leean, Lorman, Moen, Moore, Panzer, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Weeden and Zien — 28.

Noes — Senators Adelman, Andrea, Clausing, George and Wineke — 5.

Absent or not voting - None.

Rejected.

Ordered to a third reading.

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

Assembly Bill 660

Read a third time.

Senator Drzewiecki, with unanimous consent, asked that he be listed as a co-sponsor of Assembly Bill 660.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, George, Helbach, Huelsman, Jauch, Lasee, Leean, Lorman, Moen, Moore, Panzer, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien — 33.

Noes - None.

Absent or not voting — None.

Concurred in.

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

Senator Ellis, with unanimous consent, asked that the Senate return to the second order of business.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 49

Relating to authorizing a sports lottery, with the proceeds dedicated to athletic facilities (first consideration).

By Senators Farrow, George, Burke, Wineke, Andrea and Zien; cosponsored by Representatives Bock, Foti, Turner, Roberts, Schneiders, L. Young, Hahn, Gard, Ward and Vander Loop.

Read first time and referred to committee on Human Resources, Labor, Tourism, Veterans and Military Affairs.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 746

Relating to wildlife damage abatement assistance for damage done to apiaries.

By Senators Zien and Schultz; cosponsored by Representatives Zukowski, Hahn, Goetsch, Lorge, Albers, Ott, Dobyns, Gronemus, Freese, Vergeront, Brandemuehl and Ryba.

To committee on Environment and Energy.

Senate Bill 747

Relating to prohibiting a person from simultaneously holding certain licenses relating to alcohol beverages.

By Senators Andrea, Rosenzweig, Decker, Farrow and Cowles; cosponsored by Representatives Huber, Wirch, Porter, Owens, Urban and Ryba.

To committee on Business, Economic Development and Urban Affairs.

MOTIONS

Senator Chvala, with unanimous consent, asked that Senate Joint Resolution 48 be withdrawn from the committee on Senate Organization and taken up.

Assembly Joint Resolution 48

Relating to designating the first week in May of 1993 as "Elder Abuse Awareness Week".

Read.

Senator Drzewiecki, with unanimous consent, asked that the entire membership of the Senate be listed as co-authors of Senate Joint Resolution 48.

Adopted.

Senator Plewa, with unanimous consent, asked that his name be withdrawn as a co-sponsor of Assembly Joint Resolution 73.

Senator Rude, with unanimous consent, asked that his name be withdrawn as a co-sponsor of Assembly Joint Resolution 31.

Senator Huelsman, with unanimous consent, asked that Assembly Bill 930 be withdrawn from committee on Judiciary and Insurance and be referred to committee on Senate Organization.

Senator Wineke moved that Assembly Bill 1126 be withdrawn from the committee on State Government Operations and Corrections.

The question was: Shall Assembly Bill 1126 be withdrawn from the committee on State Government Operations and Corrections?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes - Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser and Wineke - 16.

Noes - Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien - 17.

Absent or not voting - None.

Refused to withdraw the bill.

Senator Ellis, with unanimous consent, asked that the Senate return to the third order of business.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 748

Relating to authorizing the Wisconsin health and educational facilities authority to provide financing services with respect to certain facilities providing health education and preventive services.

By Senators Panzer, Andrea and Darling.

To joint committee on Finance.

MOTIONS

Senator Farrow, with unanimous consent, asked that when the Senate adjourns today it do so in honor of Senator Ellis' birthday.

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

Senator Farrow, with unanimous consent, asked that when the Senate adjourns today it do so in honor of Bonnie Blair and Dan Jensen gold medalists in the 1994 Winter Olympics.

Senator Jauch, with unanimous consent, asked that when the Senate adjourns to day it do so in honor of Troy Tomlinson.

Senator Jauch, with unanimous consent, asked that when the Senate adjourns to day it do so in honor of the delegates from Superior here for Superior days.

ADJOURNMENT

Senator Ellis, with unanimous consent, asked that the Senate adjourn until 2:00 P.M. Wednesday, February 23.

5:40 P.M.

AMENDMENTS OFFERED

Senate amendment 1 to Senate Bill 699 offered by Senators Clausing and Helbach.