

# Eighty-Ninth Regular Session

WEDNESDAY, March 29, 1989

The chief clerk makes the following entries under the above date.

## INTRODUCTION OF RESOLUTIONS

### Senate Joint Resolution 33

Providing for an advisory referendum on the question of enacting the death penalty in this state.

By Senators Roshell, Andrea and Lasee; cosponsored by Representatives Hamilton, Vergeront, Ladwig, Tregoning, Bolle and Van Gorden.

To committee on Judiciary and Consumer Affairs.

## INTRODUCTION OF BILLS

Read first time and referred:

### Senate Bill 122

Relating to creation of a joint survey committee on local mandates.

By Senators Andrea, Roshell, Te Winkle, Rude, Chilsen, Shoemaker, Kreul, Van Sistine, Lasee, Weeden, Buettner and Burke; cosponsored by Representatives Zeuske, Gronemus, Swoboda, Van Gorden, Deininger, Lorge, Schneiders, Volk, Hasenohrl, Ourada, Vergeront, Hamilton, Porter, Goetsch, Johnsrud, Ladwig, Rosenzweig, Lepak, Musser, Nelsen, Vanderperren, Duff, Linton, Lewis, Brandemuehl, Coleman, Gard, Bolle, Holschbach, Lautenschlager, Schultz, Underheim, Prosser, Farrow and Thompson.

To committee on Housing, Government Operations and Cultural Affairs.

### Senate Bill 123

Relating to the property tax exemption for waste treatment facilities.

By Senator Weeden; cosponsored by Representatives Young, Radtke and Brandemuehl.

To Joint Survey committee on Tax Exemptions.

### Senate Bill 124

Relating to ensuring that trainers of dogs trained to aid blind, deaf or mobility-impaired will not be denied access to public accommodations because they are accompanied by such a dog.

By Senators Weeden, Burke, Roshell, Lasee, Kreul, Cowles and Lorman; cosponsored by Representatives Vergeront, Barca, Panzer, Radtke, Carpenter, Zeuske, Gronemus, Schneiders, Brandemuehl, Schultz, Underheim, Lahn, Tregoning, Holschbach, Ott, Coleman, Duff, Gard, Zien, Klusman, Huelsman and Turba.

To committee on Agriculture, Health and Human Services.

### Senate Bill 125

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

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

By Senators Roshell, Andrea, Lasee and Leean; cosponsored by Representatives Hamilton, Ladwig, Tregoning, Vergeront, Van Gorden and Bolle.

To committee on Judiciary and Consumer Affairs.

### Senate Bill 126

Relating to issuing fees for fish and game licenses and stamps.

By Senator Moen; cosponsored by Representatives Zweck, Musser, Stower, Boyle, Goetsch, Holperin, Bolle and Baldus.

To committee on Transportation, Conservation and Mining.

### Senate Bill 127

Relating to penalties for violators of underage drinking laws.

By Senator Moen; cosponsored by Representatives Holschbach, Zweck, Lorge, Young, Goetsch, Zeuske, Baldus and Volk.

To committee on Judiciary and Consumer Affairs.

### Senate Bill 128

Relating to designating the cranberry muffin as the state muffin.

By Senators Kincaid, Andrea and Moen; cosponsored by Representatives Ourada, Antaramian, Musser, Holperin and Vanderperren.

To committee on Housing, Government Operations and Cultural Affairs.

### Senate Bill 129

Relating to reimbursement of expenses for employees of juvenile correctional facilities.

By Senator Kincaid; cosponsored by Representative Ourada.

To committee on Agriculture, Health and Human Services.

## COMMITTEE REPORTS

The joint committee on Audit reports and recommends:

### Senate Bill 67

Relating to repealing the laws relating to the citizens utility board.

Passage:

Ayes, 9 -- Senators Lee, Ulichny, Lasee, Stitt and Representatives Barca, Schneider, Kunicki, Schultz and Lahn;

Noes, 0 -- None.

### Senate Bill 68

Relating to membership of the laboratory of hygiene board.

Introduction and adoption of Senate amendment 1:

Ayes, 9 -- Senators Lee, Ulichny, Lasee, Stitt and Representatives Barca, Schneider, Kunicki, Schultz and Lahn;

Noes, 0 -- None.

Passage as amended:

Ayes, 9 -- Senators Lee, Ulichny, Lasee, Stitt and Representatives Barca, Schneider, Kunicki, Schultz and Lahn;

Noes, 0 -- None.

Mordecai Lee  
Co-chair

Peter Barca  
Co-chair

PETITIONS AND COMMUNICATIONS  
State of Wisconsin  
Office of the Secretary of State

March 20, 1989

To the Honorable the Senate

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

Sincerely,  
DOUGLAS LAFOLLETTE  
Secretary of State

This directory lists registered lobbyists and the principals or employers, each represents. See the Alphabetical Index by Name to Lobbyists Principals for principals address and subject areas of legislative or administrative action

NEWLY REGISTERED LOBBYISTS AND THEIR PRINCIPALS:

**Scott C. Dacey**, 600 E. Mason, Milwaukee, WI 53202 (414) 224-9393

1) Association of Milw. Co. Attorneys

**Ronald G. Parys**, 206 E. Olin Ave., Ste. 106, Madison, WI 53713 (608) 251-2320

1) Association of Wisconsin Wineries

**William J. Bazan**, 5721 Odana Rd., Madison, WI 53719 (608) 274-5588

1) Catholic Health Association of Wisconsin

**Bruce A. Lehman**, 3000 K St., N.W., Ste. 300, Washington DC 20007 (202) 944-4360

1) International Barrier Corp.

**Daniel R. Thompson**, 122 W. Washington Ave., Madison, WI 53703 (608) 267-2380

1) League of Wisconsin Municipalities

**Josephine W. Musser**, 7818 Big Sky Dr., Ste. 107, Madison, WI 53719 (608) 833-5554

1) Madison Area Employers Health Care Coalition

**Brian L. Mitchell**, 660 E. Mason St., Milwaukee, WI 53202 (414) 271-5900

1) Old Republic Surety CO.

**Thomas H. Coenen**, P.O. Box 6, McFarland, WI 53558 (608) 283-2588

1) Outdoor Advertising Assn. of Wisconsin

**Janet R. Swandby**, 1007 S. Layton Blvd., Milwaukee, WI 53215 (414) 672-0123

1) Outdoor Advertising Assn. of Wisconsin

**M. William Gerrard**, 44 E. Mifflin St., Ste. 102, Madison, WI 53703 (608) 258-3700

1) Payne and Dolan, Inc.

**Thomas C. Norton**, 2400 W. Central Rd., Hoffman Estates, IL 60196 (312) 381-9500

1) Pfizer, Inc.

**Janet R. Swandby**, 1007 S. Layton Blvd., Milwaukee, WI 53215 (414) 672-0123

1) Wisconsin Assn. of Health Care Staffing Agencies

**Gary R. Goyke**, 22 N. Carroll St., Madison, WI 53703 (608) 251-5997

1) Wisconsin Assn. of Textile Services

**Ruthann Nelson**, 22 N. Carroll St., Madison, WI 53703 (608) 251-5997

1) Wisconsin Assn. of Textile Services

**Gary R. Goyke**, 22 N. Carroll St., Madison, WI 53703 (608) 251-5997

1) Wisconsin Council of the National Alliance of Franchisees

**Ruthann Nelson**, 22 N. Carroll St., Madison, WI 53703 (608) 251-5997

1) Wisconsin Council of the National Alliance of Franchisees

**Francis R. Byers**, 357 E. Garfield Ave., Marion, WI 54950 (715) 754-2233

1) Wisconsin Council for Tangible Assets

**Norman C. Anderson**, 25 W. Main St., Madison, WI 53703 (608) 255-7277

1) Wisconsin Society of Land Surveyors

**Norman C. Anderson**, 25 W. Main St., Madison, WI 53703 (608) 255-7277

1) Wisconsin Troopers' Assn. Inc.

TERMINATION OF LOBBYIST LICENSES AND PRINCIPALS:

Michael F. Brozek terminated as of March 17, 1989 for The Tobacco Institute.

State of Wisconsin  
Legislative Council

March 28, 1989

To the Honorable the Legislature:

I am pleased to transmit to you the following report to the 1989 Legislature on legislation introduced by the Legislative Council:

**RL 89-2 -- Legislation on Procedures for Changing School District Boundaries (1989 Assembly Bill 146)**

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, Room 147 North, State Capitol.

Sincerely,  
**BONNIE REESE**  
 Executive Secretary

State of Wisconsin  
 Department of Industry,  
 Labor and Human Relations

March 27, 1989

To the Honorable the Legislature:

At the request of Senator Van Sistine, I am formally submitting to you the "Financial Outlook - Wisconsin UC Program, Report Prepared for the Legislature Pursuant S. 16.48, Wisconsin Statutes, February 1989" so that it may be entered in the Senate Journal and transmitted to the appropriate committee.

Thank you for your attention to this matter. I certainly appreciate your assistance.

Sincerely,  
**JOHN T. COUGHLIN**  
 Secretary  
 Department of Industry,  
 Labor and Human Relations

Referred to committee on Labor, Business, Insurance, Veterans' and Military Affairs.

**EXECUTIVE COMMUNICATIONS**

State of Wisconsin  
 Office of the Governor

March 28, 1989

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

| Senate Bill | Act No. | Date Approved  |
|-------------|---------|----------------|
| 6-----      | 6-----  | March 28, 1989 |
| 11-----     | 7-----  | March 28, 1989 |
| 16-----     | 8-----  | March 28, 1989 |

Respectfully,  
**TOMMY G. THOMPSON**  
 Governor

State of Wisconsin  
 Executive Office

March 27, 1989

To the Honorable the Legislature

As required by Article V, Section 6 of the Wisconsin Constitution, I am submitting the annual Executive Clemency Report to the Legislature, covering those

clemency cases considered by the Pardon Advisory Board and myself during the calendar year 1988. 123 cases were heard and decided, with executive clemency granted in the following 25 cases (23 received full pardons, two received sentence commutations):

**James D. Bertolino**, convicted in Portage County of car theft on 10/28/63 and sentenced to two years probation, was granted a pardon because he has been a productive member of society and has demonstrated significant need.

**David P. Biesiada**, convicted in Walworth County of grand theft on 02/04/80 and sentenced to one year probation and restitution, was granted a pardon because he has been a productive member of society and has demonstrated significant need.

**Anthony R. Boyd**, convicted in Shawano County of burglary (PTAC) on 10/11/78 and sentenced to one year probation, was granted a pardon because he demonstrated sufficient need, and there has been a significant passage of time since the conviction.

**John Cieciva**, convicted in Milwaukee County of obstructing an officer on 10/05/82 and sentenced to 75 days in the Milwaukee House of Correction, was granted a pardon because he has been a productive member of society and has demonstrated sufficient need, and there has been a significant passage of time since the conviction.

**Theodore Erickson**, convicted in Dunn County of forgery (3 counts) on 10/19/59 and sentenced to three years probation, was granted a pardon because he has been a productive member of society and has demonstrated sufficient need, and there has been a significant passage of time since the conviction.

**William C. Frederick**, convicted in Columbia County of burglary on 04/18/74 and sentenced to two years probation (revoked), and 60 days in the county jail, was granted a pardon because he has demonstrated progress and sufficient need.

**Luis Galang, M.D.**, convicted in Waupaca County of possession of controlled substances (4 counts) on 06/20/86 and sentenced to a \$3,500 fine plus court costs, was granted a pardon because he has been a productive member of society and has demonstrated significant need.

**Glenn A. Grueschow**, convicted in Milwaukee County of possession of burglary tools on 04/16/76 and sentenced to two years in prison, stayed, two years probation, was granted a pardon because he has demonstrated sufficient need, and a significant amount of time has passed without a subsequent record.

**Harold Goodson**, convicted in Kenosha County of endangering safety by conduct regardless of life on 01/04/74 and sentenced to four years probation, was granted a pardon because he has been a productive member of society and has demonstrated sufficient need.

**Taylor B. Harris**, convicted in Milwaukee County of armed robbery, party to a crime on 02/04/77 and sentenced to 15 years imprisonment, was granted a pardon because he has been a productive member of society, has demonstrated significant need and has made great educational progress.

**William A. Homann, Jr.**, convicted in Ashland County of burglary on 06/08/74 and sentenced to 30 days in the county jail and one year probation thereafter, was granted a pardon because he has been a productive member of society and has demonstrated sufficient need.

**Harold Johnson**, convicted in Milwaukee County of larceny on 01/07/44 and sentenced to six months in the Milwaukee House of Corrections; of keeper of disorderly house on 07/16/45 and sentenced to 30 days in jail and a \$100 fine, of assault with intent to do bodily harm on 02/26/47 and sentenced to 13 months probation; of inmates of gambling house on 12/31/49 and sentenced to a \$25 fine; of assault and battery on 12/14/50 and sentenced to a \$25 fine; of inmates of gambling house on 06/28/51 and had sentence suspended upon payment of costs and of violation of uniform drug act on 11/15/57 and sentenced to not less than one year nor more than five years in prison, was granted a pardon because he has demonstrated significant need, has been a productive member of society and has a long unblemished record.

**Val D. Johnson**, convicted in Oconto County of causing great bodily harm on 11/11/74 and sentenced to a \$3,000 fine and two years probation, was granted a pardon because he has been a productive member of society and has demonstrated sufficient need.

**Albert P. Lankford**, convicted in Brown County of delivery of a controlled substance on 04/20/77 and sentenced to one year in the county jail, was granted a pardon because he has been a productive member of society, and a significant amount of time has passed since the conviction.

**Joseph P. McDonnell, Jr.**, convicted in Milwaukee County of theft on 06/02/82 and sentenced to one year in the House of Correction, six years probation and restitution of \$39,342.88, was granted a pardon because he has been a productive member of society and has demonstrated significant progress.

**Joseph Murphy**, convicted in Rock County of armed robbery on 07/23/84 and sentenced to 30 days in jail and four years probation, was granted a pardon because he has been a productive member of society and has demonstrated sufficient need.

**Arlen Panko**, convicted in Oneida County of possession of marijuana with intent to deliver on 05/28/75 and sentenced to two years imprisonment, stayed; four months in the county jail with Huber privileges; and two years probation thereafter, was granted a pardon because he has been a productive member of society and has demonstrated significant need.

**Corinna A. Perry**, convicted in Jefferson County of issuance of worthless checks (1 count) on 03/27/81 and sentenced to two years probation (revoked), 90 days in jail and restitution; in Rock County of theft by fraud (3 counts) on 03/30/81 and sentenced to two years probation each count, concurrent (revoked), 90 days in jail and restitution; in Sauk County of issuance of worthless checks on 02/16/84 and sentenced to nine months in jail (modified to time served) and restitution; and in Richland County of issuance of worthless checks on 03/19/84 and sentenced to restitution plus fine and costs, was granted a pardon because she has demonstrated sufficient need, and the crimes involved were minor.

**Joseph Porzadny, Jr.**, convicted in Milwaukee County of operating an auto without owner's consent on 05/09/47 and sentenced to one year probation, was granted a pardon because he has been a productive member of society, has demonstrated significant need and has had an unblemished record for over forty years.

**Virginia Reynosa**, convicted in Milwaukee County of first degree murder on 05/11/81 and sentenced to life imprisonment, was granted commutation to a term of 40 years because she is 61 years old and has no prior record.

**Merrit Ross, Jr.** convicted in Milwaukee County of Burglary on 05/19/70 and sentenced to one year probation, was granted a pardon because he has been a productive member of society, has demonstrated sufficient need, and a significant amount of time has passed since the conviction.

**Richard Kurman Sattler**, convicted in Milwaukee County of possession of untaxed cigarettes on 08/09/83 and sentenced to \$1,000 fine and 30 days in the Milwaukee House of Corrections, was granted a pardon because he has been a productive member of society and has demonstrated sufficient need.

**Leo J. Schneider**, convicted in Price County of felony theft (three counts), fraudulent writing, theft, and forgery on 02/21/86 and sentenced to six years, one year concurrent, one year concurrent; three years concurrent; six years concurrent; and six years concurrent, respectively, was granted commutation to five years, one year concurrent, one year concurrent; three years concurrent; five years concurrent; and five years concurrent, respectively because he has a good community record and support, and he will be on supervised parole when released.

**Marion A. Staszak**, convicted in Shawano county of perjury on 11/13/85 and sentenced to 60 days in jail with Huber privileges and \$1,190 in fines and costs, was granted a pardon because she has been a productive member of society and has demonstrated sufficient need, and the nature of the crime was unusual (highly situation-specific).

**Hazel J. Washington**, convicted in Milwaukee County of theft by fraud (party to a crime) and fraudulent writings (party to a crime) on 03/15/79 and sentenced to five years imprisonment and three years imprisonment concurrent, respectively, was granted a pardon because she has been a productive member of society, has demonstrated significant adjustment and progress, as well as significant need.

I thank the members of the Pardon Advisory Board and my Legal Staff for their assistance in processing clemency cases and in the preparation of this report.

Sincerely  
**TOMMY G. THOMPSON**  
Governor

State of Wisconsin  
Office of the Governor

March 16, 1989

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **BRUCE F. PIERSON** of Janesville, as a member of the Bingo Control Board pursuant to the statute governing, to serve for the interim term ending May 1, 1989.

Respectfully,  
**TOMMY THOMPSON**  
Governor

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

State of Wisconsin  
Office of the Governor

March 16, 1989

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **TOBY E. SHERRY** of Madison, as Commissioner of Banking pursuant to the statute governing, to serve for the term ending at the pleasure of the Governor.

Respectfully,  
**TOMMY THOMPSON**  
Governor

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

State of Wisconsin  
Office of the Governor

March 23, 1989

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **THOMAS K. CUSTIS** of Waukesha, as a member of the Employee Trust Funds Board pursuant to the statute governing, to serve for the term ending May 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

March 16, 1989

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **EDWARD M. APRAHAMIAN** of Milwaukee, as a member of the Bingo Control Board pursuant to the statute governing, to serve for the interim term ending May 1, 1990.

Respectfully,  
**TOMMY THOMPSON**  
Governor

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

#### SENATE CLEARINGHOUSE ORDERS

##### **Senate Clearinghouse Rule 89-16**

Relating to a grant for a Korean conflict veterans memorial.

Submitted by Department of Veterans Affairs.

Report received from agency, March 27, 1989.

Referred to committee on Labor, Business, Insurance, Veterans' and Military Affairs, March 29, 1989.

##### **Senate Clearinghouse Rule 87-132**

Relating to compensation for inmates of adult correctional institutions.

Submitted by Department of Health and Social Services.

Report received from agency, March 22, 1989.

Referred to committee on Agriculture, Health and Human Services, March 29, 1989.

State of Wisconsin  
Revisor of Statutes Bureau

April 1, 1989

To the Honorable the Legislature:

The following rules have been published and are effective:

Clearinghouse Rule 87- 77 effective 4-1-89.

Clearinghouse Rule 88- 2 effective 4-1-89.

Clearinghouse Rule 88- 61 effective 4-1-89.

Clearinghouse Rule 88- 74 effective 4-1-89.

Clearinghouse Rule 88-106 effective 4-1-89.

Clearinghouse Rule 88-176 effective 4-1-89.

The following rules were omitted from previous reports:

Clearinghouse Rule 86-113 effective 12-1-86.

Clearinghouse Rule 86- 82 effective 12-1-86.

Sincerely,  
**GARY L. POULSON**  
Assistant Revisor

**1989 Senate Bill 73**

1. Page 5, line 27: substitute "correction" for "corrections".

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**CHIEF CLERK'S REPORT**

The chief clerk records:

**Senate Bill 6.**

**Senate Bill 11.**

**Senate Bill 16.**

Correctly enrolled and presented to the Governor on  
March 28, 1989.

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**CHIEF CLERK'S CORRECTION**

Suggested by Legislative Reference Bureau