

STATE OF WISCONSIN

Senate Journal

Ninety-First Regular Session

10:00 A.M.

Thursday, May 20, 1993

The Senate met.

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

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

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 297

Relating to reimbursement to private local attorneys for time spent in travel for cases assigned to them by the state public defender.

By Senators Breske, Risser, Burke and Moore; cosponsored by Representatives Seratti, Baldwin, Gruszynski, Lorge, Springer, Ryba, Morris-Tatum and Roberts.

To committee on Judiciary and Insurance.

Senate Bill 298

Relating to the requirement that a school district administrator be licensed by the state superintendent of public instruction.

By Senators Stitt, Huelsman, Lasee, Farrow and Petak; cosponsored by Representatives Vergeront, Lehman, Duff, Ainsworth, Hahn, Goetsch, Johnsrud, Ladwig, Jensen, Schneiders, Harsdorf, Musser, Underheim, Brancel, Bolle, Albers, Panzer and Foti.

To committee on Education.

Senate Bill 299

Relating to methcathinone and providing penalties.

By Senators Drzewiecki, Stitt, Huelsman, Breske, Schultz, Petak, Farrow, Lasee, Zien and Rosenzweig; cosponsored by Representatives Seratti, Freese, Ott, Silbaugh, Porter, Brandemuehl, Ladwig, Nass, Ourada, Holperin, Owens, Zukowski, Ryba, Green, Ziegelbauer, Kaufert, Schneiders, Brancel, Duff, Goetsch, Musser, Underheim, Hinkfuss and Lorge.

To committee on Judiciary and Insurance.

Senate Bill 300

Relating to reimbursement of state officers and employes for use of personal airplanes on state business.

By Senators Buettner, Breske, Cowles and Schultz; cosponsored by Representatives Silbaugh, Baldus and Ourada.

To committee on State Government Operations and Corrections.

Senate Bill 301

Relating to eligibility for waste reduction and recycling demonstration grants.

By Senator Moen; cosponsored by Representative Gronemus, by request of William Ratajczek, CEO and owner of Valley Fabricating, Inc., Trempealeau, WI.

To committee on Environment and Energy.

Senate Bill 302

Relating to cooperative educational service agency contracts to provide services.

By Senators Moen, Lorman and Breske; cosponsored by Representatives Roberts, Baldus and Musser.

To committee on Education.

Senate Bill 303

Relating to the sale or exchange of sports trading cards and providing a penalty.

By Senators Moen, Breske and Petak; cosponsored by Representatives Musser, Baldus, Ott, Ryba, Silbaugh, Ladwig and Gard, by request of Robert DeLong, Black River Falls, WI.

To committee on Judiciary and Insurance.

Senate Bill 304

Relating to establishing a shared revenue city overburden payment.

By Senators Rosenzweig, Burke, Moore, Petak, Potter, Farrow and Drzewiecki; cosponsored by Representatives Huber, Duff, Hinkfuss, Beal, Ryba, Kaufert, Black and Ziegelbauer.

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

Senate Bill 305

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

By Senators Rosenzweig, Moore, Leraan, Buettner, Petak, Lasee and Stitt; cosponsored by Representatives Bell, Duff, Baldus, Vrakas, Ryba, Porter, Robson, Hahn, Krosnicki, Owens, Seratti, Ott, Musser, Otte, Vergeront and Klusman.

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

COMMITTEE REPORTS

The committee on Education reports and recommends:

Senate Bill 25

Relating to permitting persons designated by school boards to take truants into custody.

Introduction and adoption of Senate amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

Senate Bill 80

An act relating to creating a committee to study the feasibility of establishing a regional high school of excellence and making an appropriation.

Passage:

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

Noes, 0 -- None.

Senate Bill 81

Relating to the determination of necessity for condemnation by a school district.

Passage:

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

Noes, 0 -- None.

Senate Bill 87

Relating to the appointment of cooperative educational service agency administrators.

Passage:

Ayes, 4 -- Senators Lorman, Huelsman, Petak and
Darling;

Noes, 3 -- Senators Helbach, Jauch and Potter.

Senate Bill 88

Relating to alternative education programs, children-at-risk programs, granting rule-making authority and making an appropriation.

Introduction and adoption of Senate amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

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

Noes, 0 -- None.

Senate Joint Resolution 20

Relating to memorializing the President of the United States and the Congress to fully fund the Pell Grant program.

Adoption:

Ayes, 6 -- Senators Lorman, Petak, Darling,
Helbach, Jauch and Potter;

Noes, 1 -- Senator Huelsman.

McNEER, CHARLES S., of Milwaukee, as a member of the Medical College of Wisconsin Board of Trustees, to serve for the term ending May 1, 1999.

Confirmation:

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

Noes, 0 -- None.

Calvin Potter
Chair

The committee on Transportation, Agriculture, Local and Rural Affairs reports and recommends:

Senate Bill 163

Relating to the persons who may serve alcohol beverages.

Passage:

Ayes, 5 -- Senators Lasee, Drzewiecki, Zien,
Andrea and Clausing;

Noes, 0 -- None.

Senate Bill 169

Relating to suspension of the privilege of operating state-owned or state-leased vehicles.

Passage:

Ayes, 5 -- Senators Lasee, Drzewiecki, Zien,
Andrea and Clausing;

Noes, 0 -- None.

Senate Bill 263

Relating to restrictions on on-property signs.

Passage:

Ayes, 5 -- Senators Lasee, Drzewiecki, Zien,
Andrea and Clausing;

Noes, 0 -- None.

Senate Bill 265

Relating to motor vehicle dealer letters of credit.

Passage:

Ayes, 5 -- Senators Lasee, Drzewiecki, Zien,
Andrea and Clausing;

Noes, 0 -- None.

Senate Bill 266

Relating to the powers and duties of state traffic patrol officers and motor vehicle inspectors.

Passage:

Ayes, 5 -- Senators Lasee, Drzewiecki, Zien,
Andrea and Clausing;

Noes, 0 -- None.

Senate Bill 276

Relating to special registration fees for publicly leased vehicles.

Passage:

Ayes, 5 -- Senators Lasee, Drzewiecki, Zien,
Andrea and Clausing;

Noes, 0 -- None.

- Alan J. Lasee
Chair

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

METTNER, JOSEPH P., of St. Francis, as a member of the Tax Appeals Commission, to serve for the term ending March 1, 1999.

Confirmation:

Ayes, 3 -- Senators Drzewiecki, Lasee and Schultz;
Noes, 1 -- Senator Moen.

Gary Drzewiecki
Chair

PETITIONS AND COMMUNICATIONS
STATE OF WISCONSIN
ETHICS BOARD

May 18, 1993

To the Honorable the Senate:

At the direction of § 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.

Badger State Cemetery Assoc.

Subjects: All areas of state government in any manner related to or affecting cemeteries in Wisconsin.

Goyke, Gary

Coin Laundry Assoc., Wisconsin

Subjects: All areas of state government in any manner related to or affecting self-service laundries in Wisconsin.

Goyke, Gary

Delta Dental Plan of Wisconsin, Inc.

Subjects: Health and dental insurance underwriting and administration of.

Hilbert, Lisa

Harris Laboratories, Inc.

Subjects: Legislation relating to dog racing.

Hilbert, Lisa

K-8/USH Districts Coalition

Subjects: All rules and legislative proposals of interest to K-8/UHS districts.

Goyke, Gary

NCR Corp.

Subjects: All areas of state government in any manner related to or affecting computer technology, or business policies affecting computer sales.

Goyke, Gary

Pupil Services Associations, Wisconsin Federation of

Subjects: We will work in areas of public education, regulation and licensing and health and human services.

Buckley, James

Taxicab Owners, Wisconsin Assoc. of

Subjects: All areas of state government in any manner related to or affecting taxicab owners.

Goyke, Gary

Wisconsin Dells Visitor & Convention Bureau

Subjects: Room tax, university calendar, tourism funding.

Varda, Anthony

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

May 18, 1993

To the Honorable the Senate:

At the direction of § 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:

AFSCME District Council 48

Ordinans, Karen

American Family Insurance Group

Clarenbach, David

Realtors Assoc., Wisconsin

Peacock, Joshua

Teachers, Wisconsin Federation of

Clarenbach, David

Organization's termination of lobbyists: Each of the following organizations previously registered with the Ethics Board as the employer of a lobbyist has

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withdrawn, on the date indicated, its authorization for the lobbyist identified to act on the organization's behalf.

AFSCME District Council 48

Parr, John 3/23/93

Concerned Auto Recyclers of Wisconsin

Hurtgen, Robert 5/14/93

Funeral Directors Assoc., Wisconsin

Hurtgen, Robert 5/14/93

Oneida Tribe

Hurtgen, Robert 5/14/93

Realtors Assoc., Wisconsin

Fergus, Scott 5/11/93

Organization's modification or amendment of records: The organizations listed below have previously registered with the Ethics Board and now indicate the following modifications to their records:

Name change: Hamilton Test Systems changed name to Envirotech Systems Corporation

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

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

May 17, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BEVERLY ANDERSON of Darlington, as a member of the Board of Agriculture, Trade and Consumer Protection pursuant to the statute governing, to serve for the term ending May 1, 1999.

Respectfully,
Tommy Thompson
Governor

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

State of Wisconsin
Office of the Governor

May 17, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint LOUIS E. WYSOCKI of Custer, as a member of the Board of Agriculture,

Trade and Consumer Protection pursuant to the statute governing, to serve for the term ending May 1, 1999.

Respectfully,
Tommy Thompson
Governor

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

State of Wisconsin
Office of the Governor

May 17, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint FREDERICK J. WENZEL of Marshfield, as a member of the Wisconsin Board of Vocational, Technical and Adult Education pursuant to the statute governing, to serve for the term ending May 1, 1997.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Education.

State of Wisconsin
Office of the Governor

May 17, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DELMAR E. DELONG of Clinton, as a member of the Wisconsin Board of Vocational, Technical and Adult Education pursuant to the statute governing, to serve for the term ending May 1, 1999.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Education.

State of Wisconsin
Office of the Governor

May 17, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint LINUS M. STOLL of Green Bay, as a member of the Wisconsin Board of Vocational, Technical and Adult Education pursuant to the statute governing, to serve for the term ending May 1, 1999.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Education.

State of Wisconsin
Office of the Governor

May 17, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DEBRA KENNER of Milwaukee, as a member of the Wisconsin Board of Vocational, Technical and Adult Education pursuant to

the statute governing, to serve for the term ending May 1, 1999.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Education.

State of Wisconsin
Office of the Governor

May 17, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HAROLD E. BAKER of Waukesha, as a member of the Wisconsin Board of Vocational, Technical and Adult Education pursuant to the statute governing, to serve for the term ending May 1, 1995.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Education.

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 93-68

Relating to the occupational driver's license.
Submitted by Department of Transportation.
Report received from agency, May 18, 1993.
Referred to committee on Transportation,
Agriculture, Local and Rural Affairs, May 20, 1993.

The committee on Environment and Energy reports and recommends:

Senate Clearinghouse Rule 92-184

Relating to the collection of air emission fees and air pollutant emission information.
Review period waived:
Ayes, 5 -- Senators Cowles, Stitt, Farrow, Burke and Clausing;
Noes, 0 -- None.

Senate Clearinghouse Rule 92-71

Relating to trapping regulations.
No action taken.

Robert Cowles
Chair

The committee on Education reports and recommends:

Senate Clearinghouse Rule 93-24

Relating to physical and occupational therapy services provided under special education programs.
No action taken.

Senate Clearinghouse Rule 93-25

Relating to testing of limited-English speaking pupils or pupils having an exceptional educational need.
No action taken.

Senate Clearinghouse Rule 93-26

Relating to an audiologist and special 3-year license.

No action taken.

Senate Clearinghouse Rule 93-27

Relating to special education.
No action taken.

Senate Clearinghouse Rule 93-29

Relating to the certification of nondistrict education personnel.
No action taken.

Barbara Lorman
Chair

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 3
Assembly Bill 174
Assembly Bill 195
Assembly Bill 303
Assembly Bill 491
Assembly Bill 492

Adopted and asks concurrence in:

Assembly Joint Resolution 21
Assembly Joint Resolution 47
Assembly Joint Resolution 49
Assembly Joint Resolution 55
Assembly Joint Resolution 56

Concurred in:

Assembly Bill 324, Senate Amendment 1 as amended
by Senate Amendment 1
Senate Bill 18
Senate Bill 57

Amended and concurred in as amended:

Senate Joint Resolution 26, Assembly Amendment 1
adopted

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 3

Relating to recording the statutory power of attorney form in the office of the register of deeds.

By Representatives Coleman, Prosser, Rosenzweig, Baumgart, Stower, Ott, Vergeront, Brancel, Roberts, Porter, Bolle, Brandemuehl, Baldus, Klusman, Musser, Duff, Hinkfuss, Lehman, Albers, Schneiders, Goetsch, Beal, Ladwig, Ryba, Hahn, Green, Ourada, Otte, Foti and Welch, cosponsored by Senators Andrea, Weeden and Lorman.

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

Assembly Bill 174

Relating to interest on real estate trust accounts, granting rule-making authority and making an appropriation.

By Representatives Stower, Potter, Holperin, Linton, Notestein, Carpenter, Gruszynski, Hubler, Boyle, Hinkfuss, R. Young, Bock, Robson, Huber, Hasenohrl and Reynolds, cosponsored by Senators Moore, Darling, Burke, Risser, Jauch and Clausing.

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

Assembly Bill 195

Relating to sheep milk and dairies.

By Representatives Stower, Gronemus, Baldus, Hahn, Ott, Hubler and Boyle, cosponsored by Senators Jauch and Breske.

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

Assembly Bill 303

Relating to authorizing the operation of certain commercial motor vehicles by seasonal farm service industry employes.

By Representatives Hasenohrl, Baldus, Hahn, Hubler, Lorge, Musser, Goetsch, Otte, Roberts, Meyer, Silbaugh, Boyle, Brandemuehl, Seratti, Gronemus, Freese and Springer, cosponsored by Senators Rude, Lasee, Decker, Breske, Schultz and Drzewiecki.

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

Assembly Bill 491

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Attorneys Association, Inc., for the 1991-93 biennium, covering employes in the professional legal collective bargaining unit, and authorizing an expenditure of funds.

By Joint Committee on Employment Relations.

Read first time and referred to committee on Senate Organization.

Assembly Bill 492

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Attorneys Association, Inc., for the 1993-95 biennium, covering employes in the professional legal collective bargaining unit, and authorizing an expenditure of funds.

By Joint Committee on Employment Relations.

Read first time and referred to committee on Senate Organization.

Assembly Joint Resolution 21

Relating to requesting the Secretary of the U.S. Department of Agriculture, Mike Espy, to change the milk marketing system.

By Representatives Springer, Stower, Porter, Black, Deininger, Huber, Grobschmidt, Johnsrud, Lehman, Hasenohrl, Roberts, Baldus, Musser, Gronemus, Bock, Brandemuehl, Krug, Ott, Ourada, Wilder, Boyle, Otte, Bolle, Lorge, Ainsworth, Green, Wineke, Hubler, Kreibich, Harsdorf, Brancel, Ryba and La Fave,

cosponsored by Senators Clausing, Breske, Moen, Chvala, Decker, Rude, Burke, Jauch and Buettner.

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

Assembly Joint Resolution 47

Relating to proclaiming Wisconsin Police Week.

By Representatives Krusick, Dobyms, Boyle, Freese, Green, Grobschmidt, La Fave, Lehman, Lorge, Musser, Ott, Porter, Potter, Ryba, Silbaugh, Stower, Turner and Ziegelbauer, cosponsored by Senators Darling, Breske, Burke, Chvala, Moen, Plewa and Potter.

Read and referred to committee on Senate Organization.

Assembly Joint Resolution 49

Relating to proclaiming an 'Older Wisconsinites Week'.

By Representatives Krusick, Grobschmidt, Boyle, Dobyms, Freese, Hanson, La Fave, Lehman, Lorge, Musser, Porter, Potter, Ryba, Seratti, Silbaugh, Stower, Turner and Ziegelbauer, cosponsored by Senators Darling, Breske, Burke, Clausing, Moen, Plewa and Potter.

Read and referred to committee on Senate Organization.

Assembly Joint Resolution 55

Relating to proclaiming May 17 to 23, 1993, as 'Wisconsin Try Transit Week'.

By Representative Bock, cosponsored by Senator Burke.

Read and referred to committee on Senate Organization.

Assembly Joint Resolution 56

Relating to proclaiming May as Motorcycle Safety Awareness Month.

By Representatives Gard, Lorge, Goetsch, Hahn, Harsdorf, Baldwin, Porter, Underheim, Lehman, Silbaugh, Musser, Ott, Ryba, Bolle, Hanson, Albers, Holperin, Turner, Zukowski and Schneiders, cosponsored by Senators Drzewiecki, Zien, Lorman, Petak and Breske.

Read and referred to committee on Senate Organization.

ADJOURNMENT

Senator Rude, with unanimous consent, asked that the Senate adjourn until 10:00 A.M. Tuesday, May 25.
10:01 A.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Joint Resolution 26

1. Page 2, line 18: after the 2nd comma insert "be it".

AMENDMENTS OFFERED

Senate substitute amendment 1 to Senate Bill 85
offered by Senator Drzewiecki.