

Ninety-First Regular Session

WEDNESDAY, September 29, 1993

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution 10

Relating to recognizing the Wisconsin memorial at the Highground for World War II veterans on September 18, 1993 and urging the governor to designate September 18, 1993, as a day dedicated to the World War II veterans of Wisconsin.

By Senator Zien.

To committee on Senate Organization.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 457

Relating to the warning regarding grounds for involuntary termination of parental rights that a juvenile court must give to the parent or parents of a child who is placed outside the home.

By Senators Darling and Huelsman; cosponsored by Representatives R. Young, Deininger, Hahn, Lazich and Ladwig.

To committee on Judiciary and Insurance.

Senate Bill 458

Relating to school board policies on pupil fees.

By Senators Wineke, Moen, Helbach and Moore; cosponsored by Representatives R. Young, Notestein, Plache, Ryba, Lehman, Kaufert, Musser, Hanson and Boyle.

To committee on Education.

Senate Bill 459

Relating to discrimination or denial of employment on the basis of membership in, affiliation with or financial support of a labor organization.

By Senators Farrow and Huelsman; cosponsored by Representatives Vergeront, Walker, Lazich, Lehman, Krosnicki, Vrakas, Silbaugh, Brandemuehl, Johnsrud, Urban, Owens, Seratti and Ladwig.

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

Senate Bill 460

Relating to acquisition of equipment for the cutting and removing of nuisance aquatic plants.

By Senator Lasee; cosponsored by Representative Swoboda.

To committee on Environment and Energy.

Senate Bill 461

Relating to creating a program to fund research on remedial action methods for environmentally contaminated land, granting rule-making authority and making an appropriation.

By Legislative Council.

To committee on Business, Economic Development and Urban Affairs.

Senate Bill 462

Relating to creating a grant program for investigation and remedial action for municipally owned property that is contaminated by environmental pollution, permitting the use of tax incremental financing for environmental remediation, designating certain officers, agents or employes as peace officers for inspection purposes, creating a lien for municipal costs of property inspection, modifying property tax procedures, limiting municipal liability for damages caused by the release of a hazardous substance, limiting the liability of lenders related to hazardous substances, limiting the liability of purchasers of certain property for existing hazardous substances, creating a cause of action for the cost of remedial action for environmentally contaminated land, imposing liability for the cost of remedial action for certain environmentally contaminated land owned by a political subdivision, creating a lien for state-incurred remedial action costs, granting rule-making authority and making appropriations.

By Legislative Council.

To committee on Business, Economic Development and Urban Affairs.

Senate Bill 463

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

By Senators Rosenzweig, Burke, Darling, Moore, Plewa, Farrow, Buettner, Moen, Rude and Huelsman; cosponsored by Representatives Notestein, Coggs, Carpenter, Bock, Turner, Beal, Morris-Tatum, Foti, Potter, Riley, Cullen, Underheim, Robson, Bell, L. Young, Ourada, Duff, Grobschmidt, Gronemus, Urban and Walker.

To committee on Health, Human Services and Aging.

Senate Bill 464

Relating to exempting certain rural school buildings from certain health and safety laws and regulations.

By Senators Zien and Helbach; cosponsored by Representatives Stower, Kreibich and Zukowski.

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

Senate Bill 465

Relating to controlling the water level behind and the flow of water through certain dams on the Rock river.

By Senator Lorman; cosponsored by Representatives Goetsch, Lehman, Porter, Owen, Seratti, Ward and Boyle, by request of Betty Bolian, Chair, Town of Lebanon, Dodge Co.

To committee on Environment and Energy.

Senate Bill 466

Relating to the imposition of a fee on sewage holding tank owners to provide for inspectors of such tanks.

By Senators Ellis, Cowles, Petak and Moore.
To committee on Environment and Energy.

Senate Bill 467 —

Relating to permitting a patient's guardian or a person's health care agent to consent to electroconvulsive treatment for the patient or person.

By Senators Ellis and Huelsman; cosponsored by Representatives Porter and Vergeront.

To committee on Health, Human Services and Aging.

Senate Bill 468

An act relating to a state employe health insurance study by the group insurance board.

By Senators Farrow, Petak, Zien, Darling and Huelsman; cosponsored by Representatives Meyer, Lehman, Roberts, Ryba, Vrakas, Ward, Porter, Ainsworth, Musser, Walker, Duff, Vergeront, Seratti, Lorge, Beal and Klusman.

To committee on Judiciary and Insurance.

Senate Bill 469

Relating to the authority of towns to levy special assessments on property for highway projects.

By Senators Petak, Farrow, Schultz and Huelsman; cosponsored by Representatives Ladwig, Lehman, Klusman, Lorge, Holperin, Musser and Freese.

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

Senate Bill 470

Relating to grants for animal waste management facilities or systems, water pollution from agricultural nonpoint sources and making appropriations.

By Senators Cowles, Jauch, Farrow and Rosenzweig; cosponsored by Representatives Holperin, Brandemuehl, Black, Johnsrud, Brancel, Ainsworth, Musser, Zukowski, Ourada, Hahn and Seratti.

To committee on Environment and Energy.

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COMMITTEE REPORTS

The committee on Environment and Energy reports and recommends:

Senate Bill 328

Relating to violations of fish and game laws and providing penalties.

Introduction and adoption of Senate amendment 1:
Ayes, 4 -- Senators Cowles, Farrow, Burke and Clausing;

Noes, 0 -- None.

Passage as amended:

Ayes, 4 -- Senators Cowles, Farrow, Burke and Clausing;

Noes, 0 -- None.

Assembly Bill 205

Relating to a program to encourage volunteer activities to clean up state trails.

Concurrence:

Ayes, 4 -- Senators Cowles, Farrow, Burke and Clausing;

Noes, 0 -- None.

Assembly Bill 440

Relating to gas safety forfeitures and providing a penalty.

Concurrence:

Ayes, 4 -- Senators Cowles, Farrow, Burke and Clausing;

Noes, 0 -- None.

BERGLUND, CYNDI ROSSI, of Hudson, as a member of the Minnesota/Wisconsin Boundary Area Commission, to serve for the interim term ending September 25, 1995.

Confirmation:

Ayes, 4 -- Senators Cowles, Farrow, Burke and Clausing;

Noes, 0 -- None.

HOWE, WILLIAM H., of Prairie du Chien, as a member of the Minnesota/Wisconsin Boundary Area Commission, to serve for the term ending September 25, 1998.

Confirmation:

Ayes, 4 -- Senators Cowles, Farrow, Burke and Clausing;

Noes, 0 -- None.

NIMZ, LYNN, of Wausau, as a member of the Waste Facility Siting Board, to serve for the term ending May 1, 1996.

Confirmation:

Ayes, 4 -- Senators Cowles, Farrow, Burke and Clausing;

Noes, 0 -- None.

FORSTER, JOHN, of Menasha, as a member of the Fox River Management Commission, to serve for the term ending March 1, 1996.

Confirmation:

Ayes, 4 -- Senators Cowles, Farrow, Burke and Clausing;

Noes, 0 -- None.

MAEHL, JOSEPH, of Neenah, as a member of the Fox River Management Commission, to serve for the term ending March 1, 1996.

Confirmation:

Ayes, 4 -- Senators Cowles, Farrow, Burke and Clausing;

Noes, 0 -- None.

RUF, J. FREDERIC, of Pewaukee, as a member of the Waterways Commission, to serve for the term ending March 1, 1998.

Confirmation:

Ayes, 4 -- Senators Cowles, Farrow, Burke and Clausing;

Noes, 0 -- None.

Robert Cowles
Chair

The committee on Judiciary and Insurance reports and recommends:

Assembly Bill 193

Relating to requiring insurers to provide notice of loss of insurance coverage and eligibility for medicare.

Concurrence:

Ayes, 6 -- Senators Huelsman, Petak, Darling, Risser, Adelman and Chvala;

Noes, 0 -- None.

Assembly Bill 261

Relating to mutual aid agreements between Wisconsin law enforcement agencies and law enforcement agencies in physically adjacent states.

Concurrence:

Ayes, 6 -- Senators Huelsman, Petak, Darling, Risser, Adelman and Chvala;

Noes, 0 -- None.

DEWANE, JEFFEREY G., of Waukesha, as a member of the Small Employers Insurance Board, to serve for the term ending May 1, 1996.

Confirmation:

Ayes, 6 -- Senators Huelsman, Petak, Darling, Risser, Adelman and Chvala;

Noes, 0 -- None.

BERKOS, DANIEL M., of Mauston, as a member of the Public Defender Board, to serve for the term ending May 1, 1996.

Confirmation:

Ayes, 6 -- Senators Huelsman, Petak, Darling, Risser, Adelman and Chvala;

Noes, 0 -- None.

ROBERTSON, ALAN S., of Blair, as a member of the Public Defender Board, to serve for the term ending May 1, 1996.

Confirmation:

Ayes, 6 -- Senators Huelsman, Petak, Darling, Risser, Adelman and Chvala;

Noes, 0 -- None.

WALSH, DONALD E., of Racine, as a member of the Public Defender Board, to serve for the term ending May 1, 1996.

Confirmation:

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

Noes, 2 -- Senators Adelman and Chvala.

Joanne B. Huelsman
Chair

The committee on Financial Institutions and Cultural Affairs reports and recommends:

Senate Bill 325

Relating to licensing requirements for nonresident collection agencies.

Introduction and adoption of Senate amendment 1:

Ayes, 4 -- Senators Darling, Lorman, Potter and Wineke;

Noes, 0 -- None.

Passage as amended:

Ayes, 4 -- Senators Darling, Lorman, Potter and Wineke;

Noes, 0 -- None.

Assembly Bill 90

Relating to investor financial suitability standards and granting rule-making authority.

Concurrence:

Ayes, 4 -- Senators Darling, Lorman, Potter and Wineke;

Noes, 0 -- None.

ADAMSKI, PAUL C., of Stevens Point, as a member of the Savings Bank Review Board, to serve for the term ending May 1, 1997.

Confirmation:

Ayes, 4 -- Senators Darling, Lorman, Potter and Wineke;

Noes, 0 -- None.

CROWLEY, MICHAEL T., JR., of Mequon, as a member of the Savings and Loan Review Board, to serve for the term ending May 1, 1997.

Confirmation:

Ayes, 4 -- Senators Darling, Lorman, Potter and Wineke;

Noes, 0 -- None.

CURRAN, JAMES M., of Green Bay, as a member of the Banking Review Board, to serve for the term ending May 1, 1998.

Confirmation:

Ayes, 4 -- Senators Darling, Lorman, Potter and Wineke;

Noes, 0 -- None.

ENGELEITER, NAOMI R., of West Bend, as a member of the Savings Bank Review Board, to serve for the term ending May 1, 1997.

Confirmation:

Ayes, 4 -- Senators Darling, Lorman, Potter and Wineke;

Noes, 0 -- None.

KNUTH, ALLEN J., of Fond du Lac, a member of the Savings and Loan Review Board, to serve for the term ending May 1, 1997.

Confirmation:

Ayes, 4 -- Senators Darling, Lorman, Potter and Wineke;

Noes, 0 -- None.

RIKKERS, FREDERICK T., of Madison, a member of the Savings and Loan Review Board, to serve for the term ending May 1, 1997.

Confirmation:

Ayes, 4 -- Senators Darling, Lorman, Potter and Wineke;

Noes, 0 -- None.

EASTMAN, DANIEL J., of Mequon, as Commissioner of Securities; to serve for the term ending at the pleasure of the Governor.

Confirmation:

Ayes, 4 -- Senators Darling, Lorman, Potter and Wineke;

Noes, 0 -- None.

Alberta Darling
Chair

The committee on Education reports and recommends:

Senate Bill 267

Relating to the regulation of nonprofit schools by the educational approval board.

Introduction and adoption of Senate substitute amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

Senate Bill 339

An act relating to the purchase and installation of radio translators and making an appropriation.

Passage:

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

Noes, 0 -- None.

Senate Bill 364

Relating to eliminating the council on public broadcasting.

Passage:

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

Noes, 0 -- None.

STOLL, LINUS M., of Green Bay, as a member of the Wisconsin Board of Vocational, Technical and Adult Education, to serve for the term ending May 1, 1999.

Confirmation:

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

Noes, 0 -- None.

Assembly Bill 155

Relating to the responsibilities of students at vocational, technical and adult education district schools.

Concurrence:

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

Noes, 0 -- None.

Barbara Lorman
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Senator Jauch

September 15, 1993

To the Honorable the Senate:

I am writing to inform you of my resignation from the Senate Committee on Education. Senator Clausing will take my place, effective immediately.

Sincerely,
Bob Jauch
Senator 25th District

State of Wisconsin
Senator Ellis

September 23, 1993

To the Honorable the Senate:

Pursuant to Senate Rule 20(1)(ag), I have made the following committee appointment for the Senate.

To the **Committee on Education**, Senator Clausing, to replace Senator Jauch who resigned effective September 15, 1993.

With regard to members of the minority party, the appointment reflects the recommendations of that caucus.

Sincerely,
Michael G. Ellis, Chair
Senate Organization

State of Wisconsin
Senator Petak

September 15, 1993

To the Honorable the Senate:

Please consider this letter as a formal resignation from my position on the Council of Migrant Labor.

I have been unable to attend council meetings due to an ongoing scheduling conflict with board meetings of the Wisconsin Housing and Economic Development Authority of which I am also a member.

Sincerely,
George Petak
Senator 21st District

Wisconsin Indianhead
Technical College

March 31, 1993

To the Honorable the Legislature:

In accordance with ss 38.12 (11)(c) this is to report the methods that the Wisconsin Indianhead Technical College has taken to comply with the statutes in providing information on sexual assault and sexual harassment to students and staff.

1. Enclosed is a copy of our booklet and brochure entitled "Employees' and Students'

Right To Know" which provides information regarding the College's policy and procedures relating to alcohol and other drug use; sexual assault and sexual harassment; and campus security and crime statistics.

2. This information is provided during the orientation sessions with students and during our orientation session with new employees.
3. At WITC-Superior, a portion of the staff in-service focused on the topic of sexual harassment.
4. At WITC-Ashland and WITC-Rice Lake, the materials were reviewed at the staff in-service in September.
5. At New Richmond, the materials will be reviewed on October 6, 1993 and a 2-3 hour in-service on sexual harassment will be conducted a week later for staff.

If you have any questions regarding this information, please contact Dianne M. Loomis, our Affirmative Action Officer.

Sincerely,
David R. Hildebrand
President

Referred to committee on Education.
State of Wisconsin
Ethics Board

September 21, 1993

To the Honorable the Senate:

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

Electrical Contractors Assoc., National

Subjects: NECA represents contractors in the electrical construction industry. The organization is typically concerned with building codes; bidding procedures; prevailing wage issues; purchasing and payment related issues; and small business issues in general as they relate to our members.

Seitz, Paul

Physician Assistants, Wisconsin Academy of

Subjects: Physician Assistants in health care reform; inclusion of Physician Assistants in state definition of healthcare providers.

Blume, Edward

Sandoz Pharmaceuticals Corp.

Subjects: Health care issues and budgets.

Peacock, Christine

Sociological Assoc., Wisconsin

Subjects: We are concerned with modification of the 'social worker certification statute and administrative rules.

Becker, Dismas

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

September 21, 1993

To the Honorable the Senate:

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

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

Croixland Properties Limited Partnership

Tenuta, Jim

Dental Hygienists Assoc., Wisconsin

Broydrick, Bill

Envirotest Systems Corp.

Tenuta, Jim

Skipper Marine Corp.

Katzman, William

Teaching Assistants' Assoc.

Pollack, Jonathan

Organization's termination of lobbyists: Each of the following organizations previously registered with the Ethics Board as the employer of a lobbyist has withdrawn, on the date indicated, its authorization for the lobbyist identified to act on the organization's behalf.

Coastal Corporation, The

Cahill, Jane 9/17/93

Teaching Assistants' Assoc.

Asplund, Richard 9/14/93

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)

Manitowoc County Handicapped Children's Education Board changed to: **Manitowoc County H C E B**

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

September 23, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **MARILYNN CHESBROUGH** of Wautoma, as a member of the Judicial Commission pursuant to the statute governing, to serve for the term ending August 1, 1996.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Judiciary and Insurance.

State of Wisconsin
Office of the Governor

September 24, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **CHARLES E. BENA** of Coon Valley, as a member of the Snowmobile Recreation Council pursuant to the statute governing, to serve for the term ending July 1, 1996.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Environment and Energy.

State of Wisconsin
Office of the Governor

September 24, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **MARK LARSEN** of River Falls, as a member of the Snowmobile Recreation

Council pursuant to the statute governing, to serve for the interim term ending July 1, 1995.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Environment and Energy.

State of Wisconsin
Office of the Governor

September 24, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **EARL ORNER** of Barnes, as a member of the Snowmobile Recreation Council pursuant to the statute governing, to serve for the term ending July 1, 1996.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Environment and Energy.

State of Wisconsin
Office of the Governor

September 24, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **JOHN PETERSEN III** of Madison, as a member of the Wisconsin Housing and Economic Development Authority pursuant to the statute governing, to serve for the term ending January 1, 1996.

Respectfully,
Tommy Thompson
Governor

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

State of Wisconsin
Office of the Governor

September 24, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **BILL PFAFF** of New Lisbon, as a member of the Snowmobile Recreation Council pursuant to the statute governing, to serve for the term ending July 1, 1996.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Environment and Energy.

State of Wisconsin
Office of the Governor

September 24, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **KATHLEEN RASMUSSEN** of Cable, as a member of the

Snowmobile Recreation Council pursuant to the statute governing, to serve for the term ending July 1, 1996.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Environment and Energy.

State of Wisconsin
Office of the Governor

September 24, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JAMES TOFTNESS of Hayward, as a member of the Snowmobile Recreation Council pursuant to the statute governing, to serve for the term ending July 1, 1996.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Environment and Energy.

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 93-114

Relating to the 1993 migratory game bird season.
Submitted by Department of Natural Resources.
Report received from agency, September 28, 1993.
Referred to committee on Environment and Energy,
September 29, 1993.

Senate Clearinghouse Rule 93-116

Relating to deer farm fence specifications.
Submitted by Department of Natural Resources.
Report received from agency, September 28, 1993.
Referred to committee on Environment and Energy,
September 29, 1993.

Senate Clearinghouse Rule 93-140

Relating to operators' licenses and identification cards.
Submitted by Department of Transportation.
Report received from agency, September 28, 1993.
Referred to committee on Transportation,
Agriculture, Local and Rural Affairs, September 29,
1993.

The committee on Environment and Energy reports and recommends:

Senate Clearinghouse Rule 92-199

Relating to volatile organic compound emissions from sources regulated under the state implementation plan for ozone.
No action taken.

Senate Clearinghouse Rule 93-10

Relating to the sport fishing policy and tournament fishing.
No action taken.

Senate Clearinghouse Rule 93-72

Relating to the urban rivers grant program.
No action taken.

Robert Cowles
Chair

The committee on Health, Human Services and Aging reports and recommends:

Senate Clearinghouse Rule 92-29

Relating to hospital requests for anatomical gifts.
No action taken.

Carol A. Buettner
Chair

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

Senate Clearinghouse Rule 93-90

Relating to procedures for the examining board of social workers, marriage and family therapists and professional counselors, definitions, certification qualifications, application procedures for certification, practice standards and unprofessional conduct for persons certified as social workers, marriage and family therapists and professional counselors.

No action taken.

Senate Clearinghouse Rule 93-97

Relating to the registration of charitable organizations, professional fund raisers and fund-raising counsel and to annual reports submitted to the department by charitable organizations.

No action taken.

Senate Clearinghouse Rule 92-210

Relating to certified public accountants.
No action taken.

Senate Clearinghouse Rule 93-122

Relating to the Wisconsin development fund.
No action taken.

Senate Clearinghouse Rule 93-86

Relating to biennial registration.
No action taken.

Senate Clearinghouse Rule 93-101

Relating to reinstatement of lapsed licenses and certificates.
No action taken.

Senate Clearinghouse Rule 92-200

Relating to education and examination requirements for real estate brokers and salespersons and licensure of nonresident applicants for licensure.
No action taken.

Senate Clearinghouse Rule 92-101

Relating to pari-mutuel racing and intertrack wagering in Wisconsin.
No action taken.

George Petak
Chair

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AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 358** offered by
Senator Farrow.

Senate substitute amendment 1 to **Senate Bill 401**
offered by Senator Burke.