



STATE OF WISCONSIN

Senate Journal

Ninety—Second Regular Session

10:00 A.M.

THURSDAY, February 2, 1995

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 AND REFERENCE OF RESOLUTIONS AND JOINT RESOLUTIONS

Read and referred:

Senate Joint Resolution 6

Relating to: convening a Conference of the States.

By Senators Rude, Schultz, Huelsman and Petak; cosponsored by Representatives Prosser, Nass, Jensen, Freese, Seratti, Ainsworth, Klusman, Duff, Hahn, Musser, Silbaugh, Ladwig, Krusick, Ott, Grothman, Harsdorf, Ryba, Dobyms, Johnsrud and Green. .

To special committee on **State and Federal Relations**.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 55

relating to: granting visitation rights to grandparents under certain circumstances and who may bring a paternity action.

By Senators Rosenzweig, Rude, Plewa, Buettner, Breske, Drzewiecki, Andrea, Darling, Risser, Fitzgerald and Burke; cosponsored by Representatives Klusman, Krug, Johnsrud, Plache, Ourada, Robson, Duff, Riley, Walker, Ziegelbauer, Brandmuehl, Williams, Lazich, Ott, Ainsworth, Wasserman, Silbaugh, Boyle, Porter, Musser, F. Lasee, Owens, Seratti, Handrick, Murat and Lehman.

To committee on **Judiciary**.

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Senate Chief Clerk

February 1, 1995

The Honorable, The Senate:

Pursuant to section 13.15 of the Wisconsin Statutes and Senate Rule 5, I do hereby appoint Donna J. Doyle as Assistant Chief Clerk of the Wisconsin Senate, giving her all powers and duties as are derived from and inherent in said position and to perform the duties and functions of the office in the absence of the Senate Chief Clerk.

Sincerely,

DONALD J. SCHNEIDER
Senate Chief Clerk

State of Wisconsin
Senate Michael G. Ellis

February 1, 1995

The Honorable, The Senate:

Pursuant to Senate Resolution 3, I have made the following appointments to the Senate Special Committee on State and Federal Relations: Senators Ellis, Chair, Rosenzweig, Darling, Panzer, Jauch, Vice—Chair, Risser and Moore.

Sincerely,

MICHAEL G. ELLIS
Chair

State of Wisconsin
Senator Joseph Andrea

February 1, 1995

The Honorable, The Senate:

The purpose of this letter is to notify you that I am officially resigning from the Joint Committee for Review of Administrative Rules, effective immediately.

Sincerely,

JOSEPH ANDREA
State Senator

State of Wisconsin
Department of Administration

December 31, 1994

The Honorable, The Legislature:

I am pleased to submit our Annual Minority Business Report for fiscal year 1994. This year's report reflects a new record and increased commitment by state agencies.

State agencies spent \$32,427,983 with firms designated as minority businesses.

The Department of Development has continued to expand the number of businesses certified as minority firms. A total of 640 firms have now been certified, an increase of 86 from the 1992—93 fiscal year.

Thirty—three state and quasi—state purchasing offices have awarded at least 5% or more of their purchasing dollars to certified minority businesses.

Not counting firms interested only in financial investments, 43% of the certified minority businesses received contracts for various commodities and services during fiscal year 1993—94.

I am pleased that we have again exceeded the goal for architectural and engineering services by awarding 10.9% of the contracts in this category to minority firms. The Wisconsin Fund Point Source Program through its funding of water pollution abatement projects for the Milwaukee Metropolitan Sewerage District expended 19.5% of grant dollars to minority firms.

The State of Wisconsin Investment Board expended 6% of its funds to minority firms.

A total of \$11,776,289 was deposited in minority—owned banks by various state and quasi—state agencies.

The Wisconsin Housing and Economic Development Authority placed 5% of its discretionary purchases with minority firms.

The Department of Administration's Capital Finance Office sold 17% of all state bonds (general obligations, revenue bonds, and operating notes) to certified minority underwriters.

These are but a few of the highlights of the past year. While proud of this progress, we still have room for improvement and our goal remains 5%. We will continue to work toward this goal building on progress we have made. The attached report discusses in greater detail the efforts that are being made.

Sincerely,

JAMES R. KLAUSER
Secretary

**State of Wisconsin
Department of Corrections**

January 27, 1995

The Honorable, The Legislature:

The following information is provided for your review pursuant to s. 301.03 (6m), WI Stats. The figures below cover the period from January 1, 1994 to December 31, 1994.

1. There were 19 inmates transferred involuntarily from a prison to a mental health institute under 51.20 (13 (A) 4), with an average length of stay of 9 weeks. No inmates transferred voluntarily from a prison to a mental health institute.
2. 1899 inmates underwent voluntary treatment with psychotropic drugs. 20 inmates were treated with psychotropic drugs on an involuntary basis. The types of medication used include antipsychotic drugs, antidepressant drugs, antianxiety drugs, mood stabilizers, antiparkinson medications, and medications for side effects.
3. Mental Health Services, both psychiatric and psychological, are available at all of the major institutions. Services include chemotherapy, group and individual therapy, psychological, psychiatric, and neuropsychological evaluations, crisis intervention, sex offender groups, anger management groups, and domestic abuse groups. Inmates who need more intensive mental health services are transferred to the Special Management Unit at Columbia Correctional Institution, the Wisconsin Resource Center, or one of the Mental Health Institutes.

If you need any additional information, please let me know.

Sincerely,

MICHAEL J. SULLIVAN
Secretary

Referred to joint committee on **Finance**.

**State of Wisconsin
State Historical Society of Wisconsin**

January 30, 1995

The Honorable, The Senate:

Please find enclosed a status report on submerged cultural resources management activities in Wisconsin for the period January 1993 through December 1994. This report is supplied to your office in compliance with Wisconsin statutes 44.47, for distribution to the appropriate standing committees.

If I can be of any other assistance, please do not hesitate to call me 608/264-6493.

Sincerely,

DAVID J. COOPER
State Underwater Archeologist

Referred to committee on **Education**.

State of Wisconsin

Department of Industry, Labor and Human Relations

January 31, 1995

The Honorable, The Senate:

Pursuant to Chapter 109 of Wisconsin Statutes, I am providing you with the annual report on business closings and/or mass layoffs. The Statute requires that this report is due no later than March 1 annually and that it include the number, type and disposition of all determinations made by the Department under ss. 109.07(5)(N)(6)(b).

The Department in 1994 received four complaints, of which two complaints were dismissed as no violation, one complaint was referred to the Attorney General, and one complaint is still pending.

Two 1992 complaints were carried forward on January 1, 1994. One was dismissed as no violation and one is still under appeal with our Department's legal counsel.

Six 1993 complaints were carried forward on January 1, 1994. Two were dismissed as no violation, one was withdrawn by the complainant, one was dismissed as no jurisdiction, and two were referred to the Attorney General.

Should you have any questions regarding the information in this report, please contact me immediately.

Sincerely,

CAROL SKORNICKA
Secretary

State of Wisconsin

Department of Veterans Affairs

January 31, 1995

The Honorable, The Legislature:

1993 Act 254 requires the Wisconsin Department of Veterans Affairs to conduct two studies:

1. A study of the current state programs for veterans and of the use of the federal definition of "veteran" for determining eligibility for all veterans programs under ch.45 of the statutes. The study shall include:

a. The eligibility criteria, income limits, usage and purposes of each program and whether each program should be continued, with or without modification.

b. A review of both of those categories of persons who would be made eligible for Wisconsin veterans programs through the adoption of the federal definition of "veteran" and those who are currently eligible, but may become ineligible if the federal definition is adopted.

c. The desirability of using the federal definition of "veteran" as it applies to each program.

d. The fiscal effects on each program of any changes recommended under this paragraph and of the adoption of the federal definition of "veteran".

2. A study of the Health Care Aid Grant program, including a review of, and development of recommendations for, improving coverage and delivery of health care aid under the program.

The department is pleased to submit its report on these studies. Because the issues contained in the study of the Health Care Aid Grant were part and parcel of the larger study of the current state programs for veterans, the department has combined the results of the studies into one report.

Some of the recommendations in this report have little or no fiscal impact and should be considered for implementation as soon as possible. Others have a significant fiscal impact and will require that department resources be increased or reallocated. As we have for the past several years, the department will continue to look for ways to provide needed benefits to Wisconsin's veterans in a fiscally responsible manner.

I am confident that the information and recommendations provided will be useful to policy makers and will allow Wisconsin to remain in the forefront of providing assistance and benefits to its citizens who have served their country in the armed forces.

Sincerely,

RAYMOND G. BOLAND

Secretary

**State of Wisconsin
Department of Natural Resources**

February 1, 1995

The Honorable, The Legislature:

As required in Section 9142 of Act 269 that Governor Thompson signed into law on April 29, 1992, the Department of Natural Resources is submitting two reports to the Legislature. Please find attached a copy of the Eurasian Water Milfoil and Zebra Mussel reports. These reports were prepared by the Department in consultation with the Governor's appointed Aquatic Nuisance Control Council.

Both reports address the following key issues as required in the Act:

- The current and potential economic and environmental impacts;
- The potential control strategies;
- The geographical areas, public facilities or activities which need technical or financial assistance to reduce the environmental, public health or safety risk caused by these species; and
- The adequacy of existing state resources and staffing to address the problems posed by Eurasian water milfoil and zebra mussels.

Both reports have been endorsed by the Natural Resources Board and the Aquatic Nuisance Control Council. If you need additional copies or have any questions regarding these reports, please contact Ron Martin at 266-9270 or Jeff Bode at 266-0502 from the Bureau of Water Resources Management.

Sincerely,

GEORGE E. MEYER

Secretary

**State of Wisconsin
Department of Corrections**

January 30, 1995

The Honorable, The Legislature:

As required under Section 301.03 (6r) of the Wisconsin Statutes, I am submitting information relative to the number of prisoners the Department of Corrections considers violent and the total number of prisoners.

On December 31, 1994 the Department had 10,429 adult inmates assigned to Type "1" prisons. Out of the 10,429 inmates, 7,863 or 75.4% had assaultive offenses.

Sincerely,

MICHAEL J. SULLIVAN

Secretary

**State of Wisconsin
Ethics Board**

January 31, 1995

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 that employ one or more

individuals to affect state legislation or administrative rules, and notifying you of changes in the Ethics Board's records of licensed lobbyists and their employers. For each recently registered organization I have included the organization's description of the general area of legislative or administrative action that it attempts to influence and the name of each licensed lobbyist that the organization has authorized to act on its behalf.

Organizations recently registered:

Below are the names of organizations recently registered with the Ethics Board as employing one or more individuals to affect state legislation or administrative rules.

AFSCME Council 11

Subjects: Almost all the above items and any others relating to the status and conditions of public and non-profit sector employees. We are involved in virtually every segment of infrastructure services and act to protect employee interests within these services.

Boyer, Dennis

Business, National Federation of Independent

Subjects: All legislative or administrative action relating to small and/or independent business including taxation, industry, environment, trade and commerce, health, insurance, state government, labor, education, tort reform.

Smith, Billy G.

Chemical Specialties Manufacturers Assn, Inc

Subjects: Household pesticide regulation, fees and licensing requirements.

Bablitch, Stephen

Jentz, Robert

Klauser, David

Chiefs of Police Assn, Wisconsin

Subjects: Areas affecting law enforcement.

Vaughan, Michael

CMC Heartland Partners

Subjects: CMC Heartland Partners may attempt to influence state legislation or administrative rules in areas relating to the acquisition, sale, ownership or development of real estate.

Peterson, Craig

Rice, Joseph

Community Advocates

Subjects: Right from the Start Prevention strategies; Community Aids for Families and Children.

Wagner, Ramon

Dairy Products Assn, Inc, Wisconsin

Subjects: BST; Dairy plant rules; cheese grading; biennial budget.

Legreid, Brad

Dane County

Subjects: Our lobbying efforts are directed at ensuring adequate levels of state funding for mandated programs, reasonable programming and fair treatment for county taxpayers.

Eleson, Charity

Wisniewski, Daniel

Environmental Decade, Inc, Wisconsin

Subjects: We intend to work on state legislation and administrative rule-making in the areas checked above [section IIA].

Porter, Pamela

Reopelle, Keith

Fiore Companies, Inc, The

Subjects: ILHR 47

Bablitch, Steve

GRUCON Corp

Subjects: Development of a convention center.

Broydrick, Bill
Katzman, Bill
Mueller, Carl
Remsik, Jeffrey

Healthcare Purchasing, Inc, Wisconsin

Subjects: Cost containment regs and laws affecting health care organizations including CER requirements and licensing criteria. Collection, storage and disposal of medical and hazardous waste including recycling requirements upon health care providers and all areas of financing health care.

Czerwinski, Joseph
Driessen, Anthony

Homes & Services for the Aging Inc, Wisconsin Assn of

Subjects: 1995/97 Governor's Budget Bill; Proposed legislation regarding nursing facilities, CBRFS, Independent Living facilities and other health care related issues; administrative rules and regulations in DHSS, DOR, OCI, and Reg. & Licensing.

Ramsey, Thomas
Sauer, John
Schoeneck, Brian

Kwik Trip, Inc

Subjects: Lottery rules, environmental rules, employment laws, highways, general business concerns.

Brozek, Michael
Gerrard, William

Laborers' District Council, Wisconsin

Subjects: Any areas affecting workers as well as issues of mutual benefit and concern to union members and signatory contractors.

Oswald, Joseph
Ryan, Michael

Lutheran Social Services of Wisconsin and Upper Michigan, Inc

Subjects: Human service legislation is of particular interest and concern for LSS. This legislation deals with all age groups and populations. In addition, we have interest in legislation and administrative rules relative to not-for-profits and health related issues.

Buchen, Elizabeth
Duea, Robert
Kelly, Erin

Manufacturers & Commerce, Wisconsin

Subjects: WMC lobbies all issues pertaining to business with an emphasis on the following issue areas: taxation; labor relations; environment; business regulation; health care; civil justice.

Blankenburg, Pat
Buchen, James
Earl, Anthony
Fassbender, Robert
George, Nick
Handzel, Henry Jr.
Haney, James
Hansen, Joan
Kent, Paul
McElligott, Thomas
Metcalf, John
Morgan, James
Skibicki, Lou
Stevens, Patrick
Theo, Peter
Thimke, Mark

Milwaukee Brewers Baseball Club

Subjects: Operation of a major league baseball club.

Cook, Sharon
Mitchell, Brian

Milwaukee Police Assn, Local #21 IUPA, AFL-CIO

Subjects: Any and all matters that may affect the Milwaukee Police Association and its members.

DeBraska, Bradley
Doyle, Patrick
Ward, William

Milwaukee Public Schools

Subjects: All areas of legislation that affect public education, students, residents or taxpayers of Milwaukee.

Beil, Mary Ann
Edwards, Myra
Haselow, Douglas

Natural Gas Co, Wisconsin

Subjects: Any and all legislation and administrative rules affecting operation or governance of public utility industry.

McNulty, Barry

Nutrition Project, Inc., Wisconsin

Subjects: Maternal and child health, Welfare/Economic Assistance, Nutrition Programs.

Bader, Jonathan
Huber, Carol

Oscar J. Boldt Construction Co

Subjects: Boldt would attempt to influence the decision-making process with regard to major state capital spending projects. Subject areas include commerce and business and state corrections facilities.

Brozek, Michael

Paralegal Assn of Wisconsin

Subjects: Any legislation or administrative rule that would affect the paralegal profession.

Swandby, Janet

Pfizer, Inc

Subjects: Matters affecting the pharmaceutical and health care industries.

Coryell, Kristine
Marion, Ed

Philip Morris U.S.A.

Subjects: Sales and marketing.

Czerwinski, Joseph
Gerrard, Bill
Pressl, Lance

PROFS, Inc

Subjects: All matters pertaining to higher education and university faculty.

McClain, Mary Lou

Rehabilitation Agencies, Wisconsin Assn of

Subjects: Health care.

Broydrick, Bill
Richard, JoAnna

Sexual Assault, Wisconsin Coalition Against

Subjects: Expanding DNA testing, more comprehensive sexual harassment laws, including intentional emission of seminal fluid as a sex crime, refining the laws allowing the possession of pepper spray, expanding privileged communication to sexual assault counselors, expanding the rights of victims to have advocates present in criminal proceedings, increasing the penalties for 2nd degree sexual assault, and sexual assault trainings for judges.

Obinna, Jennifer

Soo Line Railroad Co

Subjects: All areas of regulation and taxation, relating specifically to transportation by rail. Additionally, there is interest in economic development, international trade, public safety and general business issues.

Gerrard, William
Gratz, Sam

Steelworkers of America District 32, United

Subjects: Any legislation affecting workers and their families.

Glaser, Robert

Technical College District Boards Assn, Inc, Wisconsin

Subjects: Vocational, technical and adult education.

Mihlbauer, Earl

Tecumseh Products Co

Subjects: Legislature and environmental rules.

Thimke, Mark

Telephone Assn, Wisconsin State

Subjects: WSTA represents the interest of the local telephone companies. The administrative agencies before which we lobby include the PSC, Dept. of Transportation, Dept. of Agriculture and the DILHR. Before the legislature, we'll concentrate on tax and regulatory issues facing the telecommunications industry.

Borner, Walter
Gosewehr, Laurie
Riordan, Ray

TIAA-CREF

Subjects: Legislation and administrative rules affecting the licensing and operation of an insurance company and the scope of retirement coverage available to certain state employees.

Buchen, Elizabeth
Christianson, Peter

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:

Cooperatives, Wisconsin Federation of

Nelson, Ruthann

Cranberry Growers Assn, Wisconsin State

Jentz, Robert

Health Care Assn, Wisconsin

Bablitch, Stephen

Insurance Agents of Wisconsin, Independent

Jentz, Robert

Insurance Agents of Wisconsin, Professional

Jentz, Robert

Life Underwriters, Wisconsin Assn of

Jentz, Robert

Medical Society of Wisconsin, State

Broydrick, Bill
Hottenroth, Terry

Old Republic Surety Co

Lee, James

Plumbing & Mechanical Contractors Assn. of Milwaukee and Southeastern Wisconsin

Jentz, Robert

Pork Producers Assn, Wisconsin

Jentz, Robert

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

MESSAGES 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 18

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Read and referred:

Assembly Joint Resolution 18

Relating to: the service to the Assembly of Thomas T. Melvin..

By Representative Prosser.

To committee on **Senate Organization**.

ADJOURNMENT

Senator Rude, with unanimous consent, asked that the Senate adjourn pursuant to **Senate Joint Resolution 1**.

10:01 A.M.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 9** offered by Senator Burke.