

STATE OF WISCONSIN  
**Senate Journal**  
Ninety–Second Regular Session

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WEDNESDAY, February 8, 1995

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

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**INTRODUCTION, FIRST READING AND  
REFERENCE OF BILLS**

Read first time and referred:

**Senate Bill 56**

Relating to: designation of the “Badger State” as the state nickname.

By Senators Farrow, Drzewiecki, Fitzgerald, Moen and Rosenzweig; cosponsored by Representatives Urban, Schneiders, Hahn, Silbaugh, Ladwig and Seratti.

To committee on **State Government Operations and Corrections**.

**Senate Bill 57**

Relating to: persistent serious felony offenders.

By Senator A. Lasee; cosponsored by Representatives Ladwig, Vander Loop, Owens, Ott and Ainsworth.

To committee on **Judiciary**.

**Senate Bill 58**

Relating to: providing financial assistance for the costs of gasoline vapor recovery equipment for a school bus company.

By Senators Darling, Cowles, Panzer, Burke, Rosenzweig, Huelsman and Helbach; cosponsored by Representatives Schneiders, Lehman and Owens.

To committee on **Environment and Energy**.

**Senate Bill 59**

Relating to: transporting bulk materials by vehicle on a highway.

By Senators Burke, Wineke, Rosenzweig and Risser; cosponsored by Representatives Krusick, R. Potter, Black, Bock, Carpenter, Turner, R. Young, L. Young, Grobschmidt, Bell, Kaufert, Notestein, Wilder, Ainsworth, Cullen and Robson.

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

**Senate Bill 60**

Relating to: assuring financial responsibility for the operation of motor vehicles, granting rule–making authority and providing a penalty.

By Senators Plewa, Andrea, LEEAN, Jauch, Chvala, Burke, Darling, Buettner, Wineke and Moen; cosponsored by Representatives Grobschmidt, Brandemuehl, Lehman, Cullen,

Notestein, Black, Carpenter, Ward, Ainsworth, Bell, Boyle, Kaufert, Bock, Turner, Ziegelbauer, La Fave and Ryba.

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

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**REPORT OF COMMITTEES**

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

**MCCOSHEN, WILLIAM J.,**

of Madison, as the Secretary of the Department of Development, effective December 19, 1994, to serve for the term ending at the pleasure of the Governor.

Confirmation:

Ayes, 5 – Senators Petak, Buettner, Darling, Plewa and Moore.

Noes, 0 – None.

**NUERNBERG, CHRISTINE,**

of Mequon, as a member of the Real Estate Examining Board, to serve for the interim term ending July 1, 1997.

Confirmation:

Ayes, 5 – Senators Petak, Buettner, Darling, Plewa and Moore.

Noes, 0 – None.

**PORTER, SHARON,**

of Brookfield, as a member of the Examining Board of Architects, Landscape Architects, Professional Geologists, Professional Engineers, Designers and Land Surveyors, to serve for the interim term ending July 1, 1998.

Confirmation:

Ayes, 5 – Senators Petak, Buettner, Darling, Plewa and Moore.

Noes, 0 – None.

**ROSLANSKY, ROGER D.,**

of La Crosse, as a member of the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 1997.

Confirmation:

Ayes, 5 – Senators Petak, Buettner, Darling, Plewa and Moore.

Noes, 0 – None.

George Petak  
Chairperson

The joint committee on **Finance** reports and recommends:

**Senate Bill 40**

Relating to: fees for admission to historic sites.

Introduction and adoption of Senate amendment 1.

Ayes, 15 – Senators Leean, Weeden, Cowles, Schultz, Panzer, George, Chvala; Representatives Brancel, Foti, Porter, Schneiders, Ourada, Harsdorf, Linton and Coggs.

Noes, 0 – None.

Introduction and adoption of Senate amendment 2.

Ayes, 9 – Senators Leean, Weeden, Cowles, Panzer, George; Representatives Foti, Porter, Ourada and Harsdorf.

Noes, 6 – Senators Schultz, Chvala; Representatives Brancel, Schneiders, Linton and Coggs.

Passage as amended.

Ayes, 14 – Senators Leean, Weeden, Cowles, Schultz, Panzer, George, Chvala; Representatives Brancel, Foti, Porter, Schneiders, Ourada, Harsdorf and Linton.

Noes, 1 – Representative Coggs.

Joseph Leean  
Co-Chairperson

**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin  
Legislative Audit Bureau**

February 7, 1995

The Honorable, The Legislature:

We have completed an evaluation of the Milwaukee Parental Choice Program as directed by [1989 Wisconsin Act 336](#). The choice program provides public funding for low-income students from Milwaukee Public Schools (MPS) to attend private schools. In the 1994-95 school year, 830 program participants are attending 12 private schools that will receive \$3,209 for each student enrolled. In the first five years of the program, 1,636 students have attended choice schools at a cost of approximately \$8.4 million.

Although scores on academic achievement tests have been collected for choice students and two comparison groups of MPS students each year, too few students have taken the tests or have participated in the program for enough years to draw meaningful conclusions about the program's effect on academic achievement. In the 1993-94 school year, only 145 of 733 participants had participated since the program's second year or earlier, participants had been in the program an average of 1.8 years, and the average annual rate of attrition (participants not returning) was 30.3 percent. However, surveys show that parents of participants are more satisfied with choice schools than they were with MPS schools.

The Legislature will need to consider how the various proposals to modify or expand the choice program will address numerous questions, including whether additional children will be permitted to participate; how MPS program offerings and finances will be affected; to what extent more seats in existing or potentially new private schools, including sectarian schools, will be available to choice students; and whether adequate accountability for the use of public funds can be provided without creating unnecessary administrative burdens.

We appreciate the courtesy and cooperation extended to us by officials of all the participating schools; other private schools in the Milwaukee area; the Department of Public

Instruction; Milwaukee Public Schools; and University of Wisconsin-Madison Professor John Witte and his staff.

Sincerely,

DALE CATTANACH  
State Auditor

**State of Wisconsin  
Ethics Board**

February 7, 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.

Academic Staff Public Representation Organization (ASPRO)

Subjects: Any legislative or administrative rule that may affect academic staff in the University of Wisconsin system.

Coenen, Tom  
Swandby, Janet

**AFLAC**

Subjects: Any matters relating to health insurance.

Christianson, Pete

**Ashley Furniture Industries, Inc**

Subjects: All matters pertaining to corporate business practices, including business development, transportation, environmental regulations, and employment relations.

Gerrard, Bill  
Tenuta, James

**Brewers Assn, Wisconsin State**

Subjects: All areas affecting the brewing industry.

Krajewski, Thomas  
McDowell, Kelly  
Schreiber, Martin

**Brown County**

Subjects: Brown County will attempt to influence legislation and administrative rules in the following areas: administration, public safety; transportation; health and human services; education, culture and recreation; and planning and development. A further breakdown of these major areas is provided on Exhibit A.

Grondin, Jennifer

**Building Owners & Managers Assn of Milwaukee, Inc**

Subjects: Energy conservation, rental practices, taxation of leases and other property.

Driessen, Tony

**CARE CPA**

Subjects: State regulations which unnecessarily restrict entry into the Certified Public Accounting profession, commonly referred to as the '150 Hour Law'.

Earl, Anthony  
Theo, Peter

**Center for Public Representation, Inc**

Subjects: The Center will work on behalf of consumers, families and the low income community in the areas of access to health care, privacy, telecommunication policy, open government and on issues of public benefits and family support before the legislature, the courts and various administrative agencies.

Meili, Steve  
Pritchard, Michael Gregg  
Trubek, Louise

**Civil Liberties Union of Wisconsin, Inc, American**

Subjects: All subject areas concerning civil liberties and civil rights.

Ahmuty, Christopher

Clinical & Consulting Psychologists, Inc, Society of  
Subjects: Delivery of and access to behavioral health services of psychologists. Qualifications of providers and protection of consumers of psychological services. Regulation of the health care industry and third party payers.

Bowen, Sarah  
Gundermann, Robert  
Hilbert, Lisa  
Wagner, Burton

**Dairyland Greyhound Park, Inc**

Subjects: All areas pertaining to pari-mutuel Greyhound racing and betting.

Hanson, Thomas

**Distilled Spirits Council of the United States**

Subjects: Any legislation or regulation concerning alcoholic beverages, including but not limited to, sales tax, alcohol beverage trade practices, drunk driving, and excise taxes.

Essie, Patrick

**Envirotest Systems Corp**

Subjects: Matters relating to ozone regulations and Clean Air Act issues.

Cook, Sharon  
Mitchell, Brian

**FMN Management Services**

Subjects: Same as above [IIA].

Swandby, Janet

**Gas Co, Wisconsin**

Subjects: All issues of potential impact to utility customers, employees or stockholders, including but not limited to human resource, tax, environmental, tort and regulatory issues. Company is particularly interested in pending utility deregulation proposals and WISDOT rules and policies related to utility facilities, rights of way issues and erosion control requirements in construction projects.

Lemmer, Carl  
Lundgren, Jon

**Green Bay Area Chamber of Commerce**

Subjects: Tort reform, economic development, education, environmental issues, labor issues, health care and issues affecting small business. Other issues may include taxation, the state budget, telecommunications and all other issues of interest to Green Bay area businesses.

Herner, Dianne  
Schillinger, Patrick  
Swift, Duanne

**GTE Telephone Operations North Area**

Subjects: State legislation and administrative rules that would impact GTE North's ability to do business as a telecommunications utility, primarily taxation, Workers' Compensation, labor regulation, insurance, transportation, regulation of utilities, environment.

Bohling, Richard

**Insurers, Alliance of American**

Subjects: All legislation and regulations affecting property/casualty insurance.

Hauke, Thomas

**Local Union 2150, IBEW**

Subjects: All matters having to do with the above checked items related to labor issues, employment and workers' rights.

Sharp, Glen

**May, Roy**

Subjects: Obscenity.

Sicula, Paul

**Midwest Security Insurance Companies**

Subjects: Health reform legislation or rules; tort reform; all laws and regulations affecting insurance.

Engel, Michael

**Milwaukee Public Schools Administrators & Supervisors Council, Inc**

Subjects: DPI, aging and long-term care, Employee Trust Fund Board, child abuse and neglect.

Gobel, C.A.

**Minnesota Mining and Manufacturing Co**

Subjects: Matters relating to transportation, law enforcement, safety, registration issues and registration plates.

Hough, James

**Motion Picture Assn of America, Inc**

Subjects: The focus of the MPAA, Inc., is to do all that is required to make sure US films/television programs/home video material can move freely and unhobbled throughout the U.S. Areas of legislation that we are involved with are correctly identified in Section IIA.

Christianson, Peter

**Motorcycle Industry Council**

Subjects: Matters relating to manufacture, distribution, sale and use of motorcycles, ATVs, their parts and accessories.

Broydrick, Bill

**Muck Farmers Assn, Wisconsin**

Subjects: All areas related to agriculture with special emphasis on legislation and rules relating to wetlands and drainage.

Vaughan, Michael

**Pharmacists Assn, Wisconsin**

Subjects: All matters affecting the products and services involved in rendering pharmacy care.

Decker, Christopher  
Driessen, Tony  
Theo, Peter

**Pre-Need Coalition, Wisconsin**

Subjects: The group was organized to promote the use of insurance as a funding source for funeral services.

Bablitch, Stephen  
Jentz, Robert  
Klauser, David

**Psychological Assn, Wisconsin**

Subjects: Current primary interests focus on Psychology Licensure.

Bowen, Sarah

**R. L. Polk & Co**

Subjects: As a purchaser of Wisconsin motor vehicle title and registration data, the Polk Company is concerned with any state legislation or administrative rules regarding access to and use of this public record information.

Vaughan, Michael

**Retail Lumber Assn, Inc, Wisconsin**

Subjects: Any matters pertaining to our retail members and the lumber industry in general.

Coenen, Tom  
Swandby, Janet

**Retarded Citizens, Inc, Wisconsin Assn for**

Subjects: Any legislation or rules affecting persons with disabilities and the services and supports they need – especially in community-based settings.

Nelson, Jon

**Rhone-Poulenc Rorer Inc.**

Subjects: Areas relating to prescription drugs.

Schreier, David

**Rifle Assn Institute for Legislative Action, National**

Subjects: Matters related to firearms, ammunition, hunting & wildlife management and criminal justice reform.

Hosford, John

**Robert W. Baird and Co, Inc**

Subjects: Any matter affecting the company in any way by any state agency or the legislature.

Broydrick, Bill  
Fitzgerald, Moira

**Rural Development Center, Wisconsin**

Subjects: Agriculture: food labeling, animal waste, university research policy. Natural resources: soil and water protection policies. Land use: local and regional land use planning and zoning policies. Banking: implementation of Reigel-Neal Interstate Banking Act.

Caneff, Dennis

**Sandoz Pharmaceuticals Corp**

Subjects: Mental health issues, Welfare, health care reform, drug pricing issues, access, coverage, budgets.

Peacock, Christine

**Service Employees International Union, Joint Council 4**

Subjects: We represent several thousand members who work in nursing homes across Wisconsin. Therefore, the Aging and Long Term Health Committee will be a focus of ours. We also represent several hundred school district employers so we care deeply about legislation dealing with education. Because we are a labor organization we will deal with Workers' Comp., employment, labor and job training. Also health care and human services.

Baxter, Robert

**Sheriffs and Deputy Sheriffs Assn, Wisconsin**

Subjects: Any function or activity of any branch, department or programs of the federal, state or local government relating to counties and law enforcement agencies and personnel.

Wiswell, Jeffrey

**Sierra Club, John Muir Chapter**

Subjects: Protecting 25 years' worth of environmental/conservation legislation; implementing the Clean Air Act and Intermodal Surface Transportation Acts; reform forestry and mining practices; protect public health and the environment through regulations of pesticides and wastes and through promoting pollution prevention, energy and other resource conservation and education.

Terrell, Caryl

**Smokeless Tobacco Council, Inc**

Subjects: Any and all legislative and regulatory matters affecting the interests of the domestic manufacturers of smokeless tobacco products, including but not limited to excise taxes and marketing and advertising restrictions.

Essie, Patrick

**State Farm Insurance Companies**

Subjects: All areas relating to Insurance, including Tort reform, mandatory auto insurance, rating territories, and auto theft.

Gerlach, Chet

**Suburban Schools Legislative Committee**

Subjects: State support for integration of public elementary and secondary education.

Christianson, Peter  
Theo, Peter

**Towns Assn, Wisconsin**

Subjects: Our association will follow and attempt to influence a number of areas besides the six noted above. We would be interested in any issues affecting town and village governments, such as tax policies, state/local government relationships, policies that affect economic development, natural resources, environment, and how the local government can carry out its responsibility to serve local taxpayers, residents, and property within their jurisdictions.

Froehlke, Scott  
Harnisch, Thomas  
Hephner, Gervase  
McClain, Mary Lou  
Stadelman, Richard

**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:

**Medical College of Wisconsin**

Gessert, Charles  
Midtling, John

**Tobacco Institute, The**

Jentz, Robert  
Klauser, David

**Utilities Assn, Inc, Wisconsin**

Skibicki, Louis

**Amendment of Organization's records:**

**Liquid Waste Carriers Assn, Wisconsin** is a registered lobbying organization with an authorized, licensed lobbyist, not a limited lobbying organization.

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

January 27, 1995

To the Honorable the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **JOSEPH E. GORMAN**, of Wauwatosa, as a member of the Investment Board, to serve for the interim term ending May 1, 1999.

Respectfully,  
TOMMY G. THOMPSON  
Governor

Read and referred to committee on **Education and Financial Institutions**.

### State of Wisconsin Office of the Governor

January 27, 1995

To the Honorable the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **CHRISTINE M., WISEMAN**, of Mequon, as a member of the Public Defender Board, to serve for the term ending May 1, 1997.

Respectfully,  
TOMMY G. THOMPSON  
Governor

Read and referred to committee on **Judiciary**.

### State of Wisconsin Office of the Governor

January 27, 1995

To the Honorable the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **JAMES T. ROGERS**, of Merrill, as a member of the Public Defender Board, to serve for the term ending May 1, 1997.

Respectfully,  
TOMMY G. THOMPSON  
Governor

Read and referred to committee on **Judiciary**.

### State of Wisconsin Office of the Governor

January 27, 1995

To the Honorable the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **CLARENCE W. "BUCK" MALICK**, of Hudson, as a member of the Minnesota-Wisconsin Boundary Area Commission, to serve for the interim term ending September 25, 1997.

Respectfully,  
TOMMY G. THOMPSON  
Governor

Read and referred to committee on **Environment and Energy**.

## REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

### Senate Clearinghouse Rule 93-060

Relating to participation of aid to families with dependent children recipients in the job opportunities and basic skills training program.

Submitted by Department of Health and Social Services

Withdrawn by Agency, February 7, 1995.

### Senate Clearinghouse Rule 94-015

Relating to keeping track of the whereabouts of youth at a correctional institution for youth, taking action when a youth runs away from the institution or does not return from an authorized leave and submitting an annual report to the division administrator and department secretary on use of leather mechanical bed restraints, use of chemical agents and body cavity searches at an institution..

Submitted by Department of Health and Social Services.

Report received from Agency, February 06, 1995.

Referred to committee on **Health, Human Services and Aging**, February 08, 1995.

### Senate Clearinghouse Rule 94-051

Relating to emission standards for hazardous air pollutants and perchloroethylene dry cleaning facilities..

Submitted by Department of Natural Resources.

Report received from Agency, February 08, 1995.

Referred to committee on **Environment and Energy**, February 08, 1995.

### Senate Clearinghouse Rule 94-169

Relating to authorizing savings banks to invest their funds in specified financial products..

Submitted by Office of the Commissioner of Savings and Loan.

Report received from Agency, February 03, 1995.

Referred to committee on **Education and Financial Institutions**, February 08, 1995.

### Senate Clearinghouse Rule 94-178

Relating to use of advanced airways by emergency medical technicians-basic (EMTs-basic)..

Submitted by Department of Health and Social Services.

Report received from Agency, February 06, 1995.

Referred to committee on **Health, Human Services and Aging**, February 08, 1995.

### Senate Clearinghouse Rule 94-185

Relating to the regulation of auctioneers and auction companies..

Submitted by Department of Regulation and Licensing.

Report received from Agency, February 06, 1995.

Referred to committee on **Business, Economic Development and Urban Affairs**, February 08, 1995.

### Senate Clearinghouse Rule 94-206

Relating to pari-mutuel racing totalizator license fees, association license fees and food service concessionaire licenses fees..

Submitted by Gaming Commission.

Report received from Agency, February 06, 1995.

Referred to committee on **Business, Economic Development and Urban Affairs**, February 08, 1995.

**Senate Clearinghouse Rule 94-209**

Relating to the waste tire removal and recovery program..  
Submitted by Department of Natural Resources.  
Report received from Agency, February 08, 1995.

Referred to committee on **Environment and Energy**,  
February 08, 1995.

**State of Wisconsin  
Revisor of Statutes Bureau**

February 1, 1995  
To the Honorable, the Senate:

The following rules have been published:

<b>Clearinghouse Rules</b>	<b>Effective Date(s)</b>
94- 69	February 1, 1995
94- 92	February 1, 1995
94- 99	February 1, 1995
94-101	February 1, 1995
94-117	February 1, 1995
94-125	February 1, 1995
94-134	February 1, 1995
94-138	February 1, 1995
94-139	February 1, 1995
94-144	February 1, 1995
94-145	February 1, 1995
94-146	February 1, 1995
94-161	February 1, 1995
94-165	February 1, 1995

Omitted from previous reports:

<b>Clearinghouse Rules</b>	<b>Effective Date(s)</b>
92-222	April 1, 1994
93- 93	December 1, 1993
93-240	June 1, 1994
94- 19	June 1, 1994

Corrected from previous reports:

<b>Clearinghouse Rules</b>	<b>Effective Date(s)</b>
92- 58	part effective March 1, 1994

Sincerely,  
GARY L. POULSON  
Deputy Revisor

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**MESSAGES 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 36**

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**MESSAGES FROM THE ASSEMBLY  
CONSIDERED**

**Assembly Bill 36**

Relating to: limiting medical malpractice noneconomic  
damage awards and granting rule-making authority..

By Representatives Green, Albers, Urban and Handrick;  
cosponsored by Senator Huelsman.

To committee on **Judiciary**.