



STATE OF WISCONSIN

Senate Journal

Ninety–Second Regular Session

10:00 A.M.

TUESDAY, May 23, 1995

The Senate met.
 The Senate was called to order by Senator Gary Drzewiecki.
 The Chair, with unanimous consent, asked that the proper entries be made in the journal.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 216

Relating to: implementation of employer compliance plans for the employer trip reduction program.

By Senators Andrea, Huelsman and Rosenzweig; cosponsored by Representatives Nass, Gunderson, Dobyms, Olsen, Plache, Goetsch, Ainsworth, Hahn, Grothman, Ladwig, Owens, Kreuser, Urban, Wirch and Lazich.

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

Senate Bill 217

Relating to: the transfer of firearms and providing a penalty.

By Senators Wineke, Burke, Rosenzweig and Plewa; cosponsored by Representatives Urban, R. Young, Bell, Robson, Notestein, Boyle, Bock, Riley, Travis, Baldwin, Hanson, Carpenter, Cullen, Ladwig and Wasserman.

To committee on **Judiciary.**

Senate Bill 218

Relating to: the requirement that an agent of a corporation or limited liability company have completed an alcohol beverage server training course.

By Senators Petak, Plewa, Buettner and Darling; cosponsored by Representatives Ryba and Jensen.

To committee on **Business, Economic Development and Urban Affairs.**

PETITIONS AND COMMUNICATIONS

State of Wisconsin
 Office of the Secretary of State

To the Honorable, the Senate:

<u>Bill, Joint Resolution or Resolution Number</u>	<u>Act Number or Enrolled Number</u>	<u>Publication Date</u>
Senate Bill 11	Wisconsin Act 17	May 16, 1995
Senate Bill 49	Wisconsin Act 11	May 29, 1995
Senate Bill 54	Wisconsin Act 14	May 30, 1995

Senate Bill 63 Wisconsin Act 15 May 30, 1995

Senate Bill 111 Wisconsin Act 16 May 30, 1995

Sincerely,
 DOUGLAS LA FOLLETTE
 Secretary of State

State of Wisconsin
 Legislative Audit Bureau

May 18, 1995

The Honorable, The Legislature:

As required by s. 49.19(11m)(e), Wis. Stats., the Legislative Audit Bureau has contracted with a private firm for a federally required evaluation of the Aid to Families with Dependent Children (AFDC) Two–Tier Benefit Demonstration project. This project, implemented in July 1994 in Milwaukee, Kenosha, Racine, and Rock counties, was created through a waiver obtained from the federal government. The waiver authorizes the Department of Health and Social Services to provide individuals who move to Wisconsin from other states and apply for AFDC with benefits similar to those provided by their state of origin during their first six months of residence. The primary goal of the evaluation is to analyze the extent to which AFDC benefit levels induce families to move to Wisconsin from other states. The Audit Bureau entered into a five–year, \$449,311 contract with MAXIMUS, Inc., to conduct the evaluation.

In early 1996, MAXIMUS is scheduled to complete its next interim report, which will include data on individuals actually subject to the Two–Tier Demonstration project.

Copies of the entire MAXIMUS baseline interim report are available from our office. If you have additional questions, please contact me.

Sincerely,
 DALE CATTANACH
 State Auditor

State of Wisconsin
 Ethics Board

May 16, 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.

Citizens Association for Alternative Medicine

Subjects: Areas of legislation and administrative rules regarding safe and effective medical treatments.

Burczyk, John

F & M Bancorporation

Subjects: Environmental matters, including the Petroleum Environmental Cleanup Fund Account (PECFA) and other areas that may affect F & M Bancorporation in any way by any state agency or legislature.

Fassbender, Robert

Golf Course Owners of Wisconsin, Inc.

Subjects: We are involved in environmental rules and legislation, zoning laws, personal and real property taxes, child labor laws, all aspects of tourism and the recreation industry specifically.

Roellig, Dick

Metropolitan Builders Association of Greater Milwaukee

Subjects: Will attempt to influence state legislation and administrative rules which concern the home-building industry. Specifically, the Association will be most concerned with legislation and rules affecting commerce and business, employment, labor and job training, environment/conservation, housing, land use, small business, as well as banking, consumer affairs, economic development, highways, insurance, rural development, solid waste & recycling, taxation, utilities, and worker's compensation. The Association may also engage in influencing other areas as the need arises.

Ruzicka, Michael

Milwaukee Transport Services, Inc.

Subjects: Concerned primarily in providing information that will influence/convince the Wisconsin Department of Transportation and the Wisconsin Legislature to pass legislation beneficial to public transportation (primarily Milwaukee county) in Wisconsin regarding funding levels and legislation.

Kujawa, Thomas

North Shore Bank

Subjects: Legislation affecting the Savings & Loan industry.

Schreiber, Martin

Winnebago Educational Staff Council

Subjects: The primary focus is the capital K-12 and higher education system, including funding structure and educational standards. Issue's related to WESC's members' member welfare including wages, hours and general working conditions.

Palek, Roger

The organizations listed below have indicated to the Ethics Board that they do not expect to spend more than \$500 in a calendar year for lobbying activities. The organizations are exempt from registration and are not required to file a Statement of Lobbying Activities and Expenditures. The organizations' lobbyists are exempt from the licensing requirement [s.13.621(5) Wisconsin Statutes].

Bicycle Federation of Wisconsin

Subjects: The BFN is working on amending the motor vehicle code as it pertains to the operation of bicycles on roadways. Future legislation activity may pertain to: bicycle safety education; bicycle helmet legislation; statewide bicycle registration; bicycle access to new developments (ties in to land use planning); bicycle promotion as a means of congestion mitigation & healthy lifestyle promotion.

Miquelon, Marcia

Morality in Media of Wisconsin

Subjects: Our mission: To end child and all sexual abuse, related to pornography. Our effort is to encourage enforcement of obscenity and related laws to protect children, women and men in Wisconsin. (This is done through educational programs); to encourage the passage of new laws or the strengthening of existing laws in support of our mission.

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:

HMOs, Wisconsin Assn. of

Rosati, Kelly

Physicians Service Insurance Corp., Wisconsin (WPS)

Gerlach, Chet

Primary Health Care Assn., Wisconsin

Bartkowski, John

Transportation Union, United

Deneen, Timothy

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 16, 1995

To the Honorable the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SMITH, JAY L., of Middleton, as a member of the Board of Regents of the University of Wisconsin System, to serve for the term ending May 1, 2002.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

May 16, 1995

To the Honorable the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do reappoint RANDALL, WILLIAM J., of Milwaukee, as a member of the Board of Trustees of the Medical College of Wisconsin, to serve for the term ending May 1, 2001.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

Read and referred to committee on **Health, Human Services and Aging.**

**State of Wisconsin
Office of the Governor**

May 16, 1995

To the Honorable the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do reappoint TENUTA, RALPH J., of Kenosha, as a member of the Banking Review Board, to serve for the term ending May 1, 2000.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

May 16, 1995

To the Honorable the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do reappoint ROGERS, J. JEAN, of Madison, as a member of the Deferred Compensation Board, to serve for the term ending July 1, 1999

Respectfully submitted,
TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

May 16, 1995

To the Honorable the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do reappoint BYBEE, JAMES E., of Monroe, as a member of the Prison Industries Board, to serve for the term ending May 1, 1998.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

Read and referred to committee on **State Government Operations and Corrections.**

**State of Wisconsin
Office of the Governor**

May 16, 1995

To the Honorable the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BUDZINSKI, JOHN, of Milwaukee, as a member of the Prison Industries Board, to serve for the term ending May 1, 1998.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

Read and referred to committee on **State Government Operations and Corrections.**

**State of Wisconsin
Office of the Governor**

May 16, 1995

To the Honorable the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do reappoint JOHNSON, JIM J., of Middleton, as a member of the Prison Industries Board, to serve for the term ending May 1, 1998.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

Read and referred to committee on **State Government Operations and Corrections.**

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

Senate Clearinghouse Rule 94-220

Relating to the regulation of physical therapists and physical therapist assistants.

Submitted by Department of Regulation and Licensing.

Report received from Agency, May 19, 1995.

Referred to committee on **Business, Economic Development and Urban Affairs**, May 23, 1995.

Senate Clearinghouse Rule 95-001

Relating to the grants to schools for the preschool through grade 5 program.

Submitted by Department of Public Instruction.

Report received from Agency, May 18, 1995.

Referred to committee on **Education and Financial Institutions**, May 23, 1995.

Senate Clearinghouse Rule 95-002

Relating to school district membership reporting.

Submitted by Department of Public Instruction.

Report received from Agency, May 18, 1995.

Referred to committee on **Education and Financial Institutions**, May 23, 1995.

Senate Clearinghouse Rule 95-005

Relating to environmental education board grants.

Submitted by Wisconsin Environmental Education Board.

Report received from Agency, May 18, 1995.

Referred to committee on **Education and Financial Institutions**, May 23, 1995.

Senate Clearinghouse Rule 95-020

Relating to reporting of pupils attending technical college districts.

Submitted by Department of Public Instruction.

Report received from Agency, May 18, 1995.

Referred to committee on **Education and Financial Institutions**, May 23, 1995.

Senate Clearinghouse Rule 95-031

Relating to competitive bidding requirements for public construction.

Submitted by Technical College System Board.

Report received from Agency, May 22, 1995.

Referred to committee on **Education and Financial Institutions**, May 23, 1995.

The Committee on **Environment and Energy** reports and recommends:

Senate Clearinghouse Rule 94-181

Relating to groundwater quality standards.

No action taken.

Robert Cowles
Chairperson

The Committee on **Insurance** reports and recommends:

Senate Clearinghouse Rule 94-224

Relating to the notice requirements for.

No action taken.

Peggy Rosenzweig
Chairperson

The Committee on **Transportation, Agriculture and Local Affairs** reports and recommends:

Senate Clearinghouse Rule 95-013

Relating to pseudorabies, swine brucellosis and equine infectious anemia.

No action taken.

Alan Lasee
Chairperson

MESSAGES FROM THE ASSEMBLY

By Charles Sanders, assistant chief clerk.

Mr. President:

I am directed to inform you that the Assembly has passed and asks concurrence in:

Assembly Bill 18

Assembly Bill 22

Assembly Bill 41

Assembly Bill 43

Assembly Bill 61

Assembly Bill 83

Assembly Bill 168

Assembly Bill 169

Assembly Bill 196

Assembly Bill 230

Assembly Bill 233

Assembly Bill 251

Adopted and asks concurrence in:

Assembly Joint Resolution 40

Assembly Joint Resolution 42

Assembly Joint Resolution 43

Concurred in:

Senate Bill 39

Senate Bill 48

Senate Joint Resolution 2

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Bill 18

Relating to: investigation of animal cruelty complaints.

By Representatives Ott, Ainsworth, Gronemus, Freese, Goetsch, Springer, Riley, Skindrud, Silbaugh, Johnsrud, Musser, Ladwig, Hahn, Brandemuehl, Reynolds, Hasenohrl, Ryba, Plombon, Wilder and Schneiders; cosponsored by Senator Clausung.

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

Assembly Bill 22

Relating to: the sale or movement within this state of cattle and granting rule-making authority.

By Representatives Ainsworth, Musser, Hutchison, Johnsrud, Zukowski, Brandemuehl, Seratti, Goetsch, Hahn, Silbaugh, Ladwig, Grothman, Duff, Ott, Skindrud, Owens and Gunderson; cosponsored by Senator Drzewiecki.

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

Assembly Bill 41

Relating to: membership of the council on veterans programs.

By Representatives Musser, Dobyms, Albers, Boyle, Silbaugh, Travis, Goetsch, Vander Loop, Hahn, Owens, Ziegelbauer, Turner, Plache, Gronemus, Ott, Baumgart, Porter, Lehman, Robson, Grothman, Wirch, Huber, Kaufert, Freese, Wilder, Notestein, Kreuser, Brandemuehl and Hasenohrl; cosponsored by Senators Zien, Rude, Breske, Moen, Wineke, Drzewiecki, Buettner and Burke, by request of Wisconsin Council on Veterans Programs.

Read first time and referred to committee on **Human Resources, Labor, Tourism, Veterans and Military Affairs**.

Assembly Bill 43

Relating to: injury caused by a dog and providing a penalty.

By Representatives Musser, Goetsch, Boyle, Ott, Grothman, Grobschmidt and Hasenohrl.

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

Assembly Bill 61

Relating to: imposing liability upon the owner of a vehicle failing to yield the right-of-way to an authorized emergency vehicle and providing a penalty.

By Representatives Hahn, Harsdorf, Silbaugh, Ainsworth, Musser, Otte and Boyle.

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

Assembly Bill 83

Relating to: battery to an emergency room worker and providing penalties.

By Representatives Urban, Freese, Lehman, Underheim, Owens, Walker, Handrick, Gunderson, Johnsrud, Carpenter, Musser, Ladwig, Baldus, Hasenohrl, Hoven, Hahn, Green, Robson, Lazich, Ziegelbauer, Wilder, Vrakas, Ott and Otte; cosponsored by Senators Darling, Rosenzweig, Moen and Breske.

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

Assembly Bill 168

Relating to: fishing seasons for certain persons and granting rule-making authority.

By Representatives Krusick, Lazich, Johnsrud, Black, Boyle, Gronemus, Kaufert, Kreuser, Notestein, Robson and Vrakas; cosponsored by Senators Cowles and Drzewiecki.

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

Assembly Bill 169

Relating to: eligibility for membership in the Wisconsin Veterans Home.

By Representatives Linton, R. Potter, Boyle, Wirch, Robson, Seratti and Hasenohrl; cosponsored by Senators Jauch, Andrea and Breske.

Read first time and referred to committee on **Human Resources, Labor, Tourism, Veterans and Military Affairs**.

Assembly Bill 196

Relating to: the operation of all-terrain vehicles by minors.

By Representatives Musser, Boyle, Brandemuehl, Kaufert, Baldus, Nass, Ryba, Coleman, Grothman and Ward; cosponsored by Senators Cowles, Breske, Zien and Schultz.

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

Assembly Bill 230

Relating to: regulation of grain dealers and warehouse keepers.

By Representatives Hahn, Goetsch, Musser, Ott, Johnsrud, Freese, Silbaugh, Skindrud, Grothman, Ward, Olsen, Zukowski, Gunderson, Seratti and Owens; cosponsored by Senators Fitzgerald, Drzewiecki and Schultz.

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

Assembly Bill 233

Relating to: modifying the definition of authorized emergency vehicle to include bicycles being operated by law enforcement officers.

By Representatives Ziegelbauer, Silbaugh, Dobyns, Robson, Brandemuehl, Bock, Kaufert, Turner, Grobschmidt, Hoven, Krusick, Ott, Boyle, Schneiders, Ryba, Underheim, Plache, Grothman, Kreuser, F. Lasee, Meyer, Baumgart, Hahn, La Fave and Seratti; cosponsored by Senators C. Potter, Darling, Burke, Risser, Buettner and Schultz.

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

Assembly Bill 251

Relating to: damage done by horses, sheep and goats.

By Representatives Skindrud, Musser, Ainsworth, Silbaugh, Hahn, Owens, Ott and Ward.

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

Assembly Joint Resolution 40

Relating to: designating May 1995 as "Older Americans Month".

By Representatives Silbaugh, Powers, Freese, Ladwig, Owens, Krusick, Gronemus, Ainsworth, Grobschmidt, Brandemuehl, Porter, Goetsch, Ott, R. Potter, Underheim, Rutkowski, Urban, Hahn, Hanson, Lazich, Turner, Walker, Dobyns, Kelso and R. Young; cosponsored by Senators Buettner, Rude, Zien, Petak, Moen, Schultz, Breske, Andrea, C. Potter, Plewa and Clausing.

Read and referred to committee on **Senate Organization**.

Assembly Joint Resolution 42

Relating to: honoring the sacrifices of American prisoners of war and persons missing in action.

By Representative Musser; cosponsored by Senator Zien.

Read and referred to committee on **Senate Organization**.

Assembly Joint Resolution 43

Relating to: the bombing of the federal building in Oklahoma City.

By Representatives Urban, Otte, Carpenter, Grobschmidt, Dobyns, Ladwig, Duff, Green, Albers, Hutchison, Gard, Porter, Ott, Lorge, Olsen, Handrick, Hahn, Zukowski, Goetsch, Skindrud, Powers, Walker, Kelso, Underheim, Gunderson, Hoven, Ourada, Ward, Kreibich, Owens, Huebsch, Brandemuehl, Jensen, Prosser, Vrakas, Freese, Klusman, Lazich and Seratti.

Read and referred to committee on **Senate Organization**.

ADJOURNMENT

Senator Drzewiecki, with unanimous consent, asked that the Senate adjourn until Wednesday, May 24 10:00 A.M..

Adjourned.

10:01 A.M.

**LEGISLATIVE REFERENCE BUREAU
CORRECTIONS**

CORRECTIONS IN:

1995 SENATE BILL 207

Prepared by the Legislative Reference Bureau
(May 18, 1995)

1. Page 1, line 4: substitute "amended" for "created".