

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

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WEDNESDAY, July 26, 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 275**

Relating to: interference with access to or use of a medical facility, civil actions for trespass to and interference with access to medical facilities and providing penalties.

By Senator Huelsman; cosponsored by Representative R. Young.

To committee on **Judiciary**.

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**REPORT OF COMMITTEES**

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

MOY, JOY A., of Racine, as a member of the Wisconsin Health and Educational Facilities Authority, to serve for the term ending June 30, 2002.

Confirmation.

Ayes, 6 – Senators Buettner, Rosenzweig, Fitzgerald, Moen, Breske and Moore.

Noes, 0 – None.

SIMIC, WILLIAM J., JR., of Minocqua, as a member of the Hearing and Speech Examining Board, to serve for the interim term ending July 1, 1997.

Confirmation.

Ayes, 6 – Senators Buettner, Rosenzweig, Fitzgerald, Moen, Breske and Moore.

Noes, 0 – None.

YAFFE, LOUSIE ABRAHAM, of Milwaukee, as a member of the Board on Aging and Long Term Care, to serve for the term ending May 1, 2000.

Confirmation.

Ayes, 6 – Senators Buettner, Rosenzweig, Fitzgerald, Moen, Breske and Moore.

Noes, 0 – None.

**Senate Bill 119**

Relating to: modifying the standards for incompetency to refuse medication or treatment and to refuse psychotropic medication.

Introduction and adoption of Senate substitute amendment 1.

Ayes, 4 – Senators Buettner, Rosenzweig, Fitzgerald and Moen.

Noes, 2 – Senators Breske and Moore.

Passage as amended.

Ayes, 4 – Senators Buettner, Rosenzweig, Fitzgerald and Moen.

Noes, 2 – Senators Breske and Moore.

Carol Buettner  
Chairperson

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**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin  
Ethics Board**

June 18, 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.

**Licensed Beverage Assn. of Wisconsin**

Subjects: Alcohol laws and .01 IBAC – 19 year old age for consumption. Video poker for bars and restaurants. Excise tax on alcohol. Smokers rights – cigarette taxes.

Brozek, Michael

**North American Salt Company**

Subjects: Policies and procedures related to highway salt and its use, storage and procurement.

Zeppos, Evan

**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:

**Amusement and Music Operators, Wisconsin**

Driessen, Anthony

**Dental Management Services, Inc**

Broydrick, Cynthia

**Potato and Vegetable Growers Assn, Wisconsin**  
Jentz, Robert

**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.

**Clinical & Consulting Psychologists, Inc, Society of**  
Gundermann, Robert 7/6/95

**Jobs, Inc, Wisconsin Alliance for**  
Sobiek, Steven 7/11/95

**Medical College of Wisconsin**  
Gessert, Charles 7/10/95

**Metropolitan Milwaukee Assn of Commerce**  
Mitchell, Susan 7/12/95

**Trial Lawyers, Wisconsin Academy of**  
Jablonski, Ann 7/10/95

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**

June 25, 1995  
 To the Honorable the Senate:

At the direction of s. 13.685(7), Wisconsin Statutes, I am notifying you of 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:

**Cancer Society, Wisconsin Division, American**  
Ranous, Jeffrey

**Mercy Health System Corporation**  
Graven, Mara

**Minnesota Mining and Manufacturing Co**  
Porch, Timothy

**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.

**Agribusiness Council, Wisconsin**  
Lund, Daryll 7/21/95

**Cancer Society, Wisconsin Division, American**  
Duff, Nancy 7/19/95

**Financial Institutions, Ltd., Wisconsin League of**  
Brouse, William 7/18/95

**Mercy Health System Corporation**  
Buchen, Elizabeth 7/18/95

**Organization's modification or amendment of records:**

The registered organization listed below has indicated the following modification to its records:

Merrill Lynch, Pierce, Fenner and Smith Inc has identified a Wisconsin office on behalf of which the individuals identified below are authorized to lobby:

**Merrill Lynch, Pierce, Fenner and Smith Inc – Wisconsin Office**

Bablitch, Stephen  
Klauser, David

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  
 Department of Corrections**

July 13, 1995

The Honorable, The Legislature:

Attached is the second quarter report on Prison Industries for the fiscal year ending June 30, 1995, as required by Section 303.019 of the Wisconsin Statutes. This report includes the year-to-date cash balance of each industry.

Prison Industries had a cash deficit of \$3.1 million through the Second quarter ending December 31, 1994. The actual cash expenditure for the time period was \$7,775,314. Revenues for the same time period were \$4,655,224. Prison Industries have adequate fixed assets, inventories and receivables to cover the overdraft. The cash deficit is attributable to an uncommonly large accounts receivable during this time period. In addition, raw materials for Dodge Correctional expansion were purchased during this time period. Manufacturing and shipping of the products will not be completed during this same quarter.

The projected profit on the accrual basis for the fiscal year ending June 30, 1995 is \$575,000.

Sincerely,  
 MICHAEL J. SULLIVAN, SECRETARY  
 Department of Corrections

JAMES R. KLAUSER, SECRETARY  
 Department of Administration

**State of Wisconsin  
 Legislative Audit Bureau**

July 13, 1995

The Honorable, The Legislature:

We have completed a financial and compliance audit of the State of Wisconsin as requested by State agencies to meet the audit requirements of the Single Audit Act of 1984 and provisions of the federal Office of Management and Budget Circular A-128. Our audit covers the period July 1, 1993 through June 30, 1994. In addition to satisfying audit requirements, the single audit assists us in meeting state audit requirements under section 13.94, Wis. Stats.

Report 95-15 contains the auditor's reports on internal control structure and compliance; findings of noncompliance with federal requirements and the results of our follow up to prior audit findings; agencies' responses to our recommendations and their plans for corrective action; and the Schedules of Federal Financial Assistance and accompanying notes. We

have identified \$480,402 in questioned costs, plus an additional, undetermined amount of questioned costs.

Our audit opinion on the State's general purpose financial statements was included in the Comprehensive Annual Financial Report for the fiscal year ended June 30, 1994. This report was issued by the Department of Administration in June 1995 and is available from the Department of Administration, State Controller's Office. Our opinion was qualified because we were unable to determine the fair presentation of amounts due from one fund to another.

Our single audit report is lengthy and detailed. We are, therefore, limiting our initial distribution to those persons required by law to receive copies and to those who have an obvious and direct interest in our detailed findings. However, if you are interested in receiving a copy of the single audit report, please contact our office and request report number 95-15.

Sincerely,

DALE CATTANACH  
State Auditor

**State of Wisconsin  
Department of Health and Social Services**

July 12, 1995

The Honorable, The Legislature:

As required by Chapter 140.05(16)(h) of the Wisconsin Statutes, we are pleased to provide the annual report on the statewide immunization program. Please distribute this report to the appropriate standing committees.

Sincerely,

RICHARD W. LORANG  
Deputy Secretary

**State of Wisconsin  
Department of Development**

July 10, 1995

The Honorable, The Legislature:

In accordance with s. 234.65(5), the Department of Development is required to provide a report addressing the effects of the Wisconsin Housing and Economic Development Authority's (WHEDA) lending activities on the state's economic development.

I am respectfully submitting the attached WHEDA report for loans closed in 1994 in the manner provided in section 13.172(3), Wisconsin Statutes. If you have any questions concerning the report or would like to obtain copies, please contact Bev Haberman in our Division of Policy and Information at 608/266-5381.

Sincerely,

WILLIAM J. MCCOSHEN  
Secretary

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**EXECUTIVE COMMUNICATIONS**

**State of Wisconsin  
Office of the Governor**

July 20, 1995

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DE SIMONE, ALFRED S., of Kenosha, as

a member of the Board of Regents of the University of Wisconsin System, to serve for the term ending May 1, 2002.

Sincerely,

TOMMY G. THOMPSON  
Governor

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

**State of Wisconsin  
Office of the Governor**

July 7, 1995

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BROWN, BRIGIT E., of La Crosse, as a member of the Board of Regents of the University of Wisconsin System, to serve for the term ending May 1, 1997.

Sincerely,

TOMMY G. THOMPSON  
Governor

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

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

**Senate Clearinghouse Rule 94-071**

Relating to quota allocation, quota transfers and commercial fishing for smelt on Lake Michigan and Green Bay.

Submitted by Department of Natural Resources.

Report received from Agency, July 20, 1995.

Referred to committee on **Environment and Energy**, July 26, 1995.

**Senate Clearinghouse Rule 94-172**

Relating to Relating to the uniform dwelling code.

Submitted by Department of Industry, Labor and Human Relations.

Report received from Agency, July 14, 1995.

Referred to committee on **Human Resources, Labor, Tourism, Veterans and Military Affairs**, July 26, 1995.

**Senate Clearinghouse Rule 94-175**

Relating to cheese grading, packaging and labeling, and standard of identity and labeling requirements for baby Swiss cheese.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, July 20, 1995.

Referred to committee on **Transportation, Agriculture and Local Affairs**, July 26, 1995.

**Senate Clearinghouse Rule 95-028**

Relating to state land use regulations.

Submitted by Department of Natural Resources.

Report received from Agency, July 19, 1995.

Referred to committee on **Environment and Energy**, July 26, 1995.

**Senate Clearinghouse Rule 95-035**

Relating to incorporation of revisions and additions to the federal new source performance standards.

Submitted by Department of Natural Resources.

Report received from Agency, July 20, 1995.

Referred to committee on **Environment and Energy**, July 26, 1995.

**Senate Clearinghouse Rule 95-037**

Relating to capping private bar attorney billable hours to 2,080 hours annually.

Submitted by State Public Defender.

Report received from Agency, July 14, 1995.

Referred to committee on **Judiciary**, July 26, 1995.

**Senate Clearinghouse Rule 95-044**

Relating to habitual traffic offenders.

Submitted by Department of Transportation.

Report received from Agency, July 17, 1995.

Referred to committee on **Transportation, Agriculture and Local Affairs**, July 26, 1995.

**Senate Clearinghouse Rule 95-050**

Relating to the biennial training requirement for physicians.

Submitted by Department of Regulation and Licensing.

Report received from Agency, July 20, 1995.

Referred to committee on **Business, Economic Development and Urban Affairs**, July 26, 1995.

**Senate Clearinghouse Rule 95-054**

Relating to the ability of a dentist to delegate remediable portions of an oral prophylaxis to an unlicensed person.

Submitted by Department of Regulation and Licensing.

Report received from Agency, July 13, 1995.

Referred to committee on **Business, Economic Development and Urban Affairs**, July 26, 1995.

**Senate Clearinghouse Rule 95-056**

Relating to clarification and cleanup changes in NR 30 and throughout the NR 400 series.

Submitted by Department of Natural Resources.

Report received from Agency, July 20, 1995.

Referred to committee on **Environment and Energy**, July 26, 1995.

**Senate Clearinghouse Rule 95-066**

Relating to internship credit hours.

Submitted by Pharmacy Internship Board.

Report received from Agency, July 12, 1995.

Referred to committee on **Education and Financial Institutions**, July 26, 1995.

**Senate Clearinghouse Rule 95-083**

Relating to reducing the time frame required for department of revenue approval of noncredit continuing education courses for assessors and assessment personnel.

Submitted by Department of Revenue.

Report received from Agency, July 17, 1995.

Referred to committee on **State Government Operations and Corrections**, July 26, 1995.

**Senate Clearinghouse Rule 95-089**

Relating to the fee paid by a home health agency to renew its license.

Submitted by Department of Health and Social Services.

Report received from Agency, July 14, 1995.

Referred to committee on **Health, Human Services and Aging**, July 26, 1995.

**Senate Clearinghouse Rule 95-096**

Relating to the elderly and disabled transportation capital assistance program.

Submitted by Department of Transportation.

Report received from Agency, July 17, 1995.

Referred to committee on **Transportation, Agriculture and Local Affairs**, July 26, 1995.

**Senate Clearinghouse Rule 95-133**

Submitted by Department of Natural Resources.

Report received from Agency, July 18, 1995.

Referred to committee on **Environment and Energy**, July 26, 1995.

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

**Senate Clearinghouse Rule 94-218**

Relating to the control of volatile organic compound emissions from the application of industrial source adhesives.

No action taken.

**Senate Clearinghouse Rule 95-024**

Relating to general confor.

No action taken.

**Senate Clearinghouse Rule 95-027**

Relating to emission standards for.

No action taken.

**Senate Clearinghouse Rule 95-033**

Relating to sport fishing.

No action taken.

**Senate Clearinghouse Rule 95-034**

Relating to sport fishing and fish refuges.

No action taken.

**Senate Clearinghouse Rule 95-040**

Relating to telecommunications utility price regulation.

No action taken.

**Senate Clearinghouse Rule 95-110**

No action taken.

Robert Cowles  
Chairperson

The Committee on **Human Resources, Labor, Tourism, Veterans and Military Affairs** reports and recommends:

**Senate Clearinghouse Rule 93-158**

Relating to fire department health and safety standards.

No action taken.

**Senate Clearinghouse Rule 95-046**

Relating to notice of intent regarding certain construction sites.

No action taken.

David Zien  
Chairperson

The Committee on **State Government Operations and Corrections** reports and recommends:

**Senate Clearinghouse Rule 95-051**

Relating to hazardous material transportation registration and fee.

No action taken.

**Senate Clearinghouse Rule 95-052**

Relating to fee exemptions from inventory fees due under s. 166.20, Stats.

No action taken.

Gary Drzewiecki  
Chairperson

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

**Senate Clearinghouse Rule 95-082**

Relating to transportation system management program.

No action taken.

Alan Lasee  
Chairperson