



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

10:00 A.M.

THURSDAY, October 12, 1995

The Senate met.

The Senate was called to order by Senator Fred Risser.

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 374**

Relating to: background investigations of applicants for employment in, and employes of, private schools participating in the Milwaukee parental choice program.

By Senators Jauch, Risser, Breske, Chvala, Shibilski and Moen; cosponsored by Representatives Krug, Boyle, Bock, Bell and Hubler.

To committee on **Education and Financial Institutions**.

**Senate Bill 375**

Relating to: the production, sale and distribution of planting stock from state forest nurseries.

By Senators Farrow, A. Lasee, Zien, Buettner and Darling; cosponsored by Representatives Klusman, Freese, Jensen, Ladwig, Lehman, Olsen, Goetsch, Schneiders, Duff, Hoven, Grothman, Skindrud and Plache.

To committee on **Environment and Energy**.

**Senate Bill 376**

Relating to: damaging natural resources and archaeological features and providing penalties.

By Senators Schultz, A. Lasee, Breske, Welch, Cowles, Zien and Farrow; cosponsored by Representatives Freese, Musser, Green, Carpenter, Hahn, Dobyms, Baumgart, Hutchison, Krug, Hanson, Otte, Johnsrud, Notestein, Brandemuehl, Ryba, Grobschmidt, Bock, Olsen, Silbaugh, F. Lasee and Grothman.

To committee on **Environment and Energy**.

**Senate Bill 377**

Relating to: membership of the investment board.

By Senators Adelman, Burke, Clausing, Moen, Risser and Wineke; cosponsored by Representatives Plache, Baldus, Plombon, Black, Bock, Gronemus, Boyle, R. Young and Hasenohrl.

To committee on **Education and Financial Institutions**.

**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin**

October 12, 1995

The Honorable, The Senate:

Pursuant to Senate Rule 20, I have made the following appointment to a Senate Standing Committee:

**Government Effectiveness**; Senator Fred Risser.

With regards to members of the minority party, the appointments reflect recommendations of that caucus.

Sincerely,

SENATOR MICHAEL ELLIS  
Committee on Senate Organization

**State of Wisconsin  
Department of Transportation**

July 1995

The Honorable, The Senate:

This is to submit to the Legislature the 1994 Wisconsin Highway Traffic Volume Data book. This publication contains data collected over a three-year cycle at nearly 30,000 rural and urban locations around the state. Data from 1992, 1993 and 1994 are included.

Additional information may be obtained from the Department of Transportation by calling (608) 266-0775. Copies are available from: Document Sales, 3617 Pierstorff Road, Madison, WI 53707-7713, (608) 246-3265.

Sincerely,

CHARLES H. THOMPSON  
Secretary

**State of Wisconsin  
Department of Administration**

October 4, 1995

The Honorable, The Legislature:

**Chapter 34, Laws of 1979**, requires that when the Department of Administration maintains an office in Washington, DC, for the purpose of promoting federal/state cooperation, it should submit a report detailing the activities of the office and reporting the status of federal legislation of concern to the Legislature and other state agencies (Wis. Stats. 16.548(2)).

The report for the period July 1, 1995, through September 30, 1995, is attached.

Sincerely,

JAMES KLAUSER  
Secretary

**State of Wisconsin  
Ethics Board**

October 10, 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.

**Organization recently registered:**

Below is the name of an organization recently registered with the Ethics Board as employing one or more individuals to affect state legislation or administrative rules.

**Greater Milwaukee Committee**

Construction financing for a new baseball stadium in Milwaukee.

Mueller, H. Carl

**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:

**Athletic Trainers Assn, Inc. , Wisconsin**

Driessen, Tony

**Automatic Merchandising Council, Wisconsin**

Stenger, Scott

**Cooperatives, Wisconsin Federation of**

Bablitch, Stephen

Jentz, Robert

**Podiatric Medicine, Wisconsin Society of**

Stenger, Scott

**Procter & Gamble Distributing Co, The**

Graven, Mara

**Tavern League of Wisconsin**

Graven, Mara

**Women's Network, Wisconsin**

Fitzsimmons, Therese

**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.

**Automatic Merchandising Council, Wisconsin**

Theo, Peter 10/6/95

**Milwaukee, County of**

Welch, Robert 10/6/95

**Optometric Assn, Wisconsin**

Theo, Peter 10/5/95

**Podiatric Medicine, Wisconsin Society of**

Theo, Peter 10/6/95

**Procter & Gamble Distributing Co, The**

Theo, Peter 10/5/95

**Water Quality Assn of Wisconsin**

Blume, Ed 10/3/95

**Women's Network, Wisconsin**

Martin, Mary 7/31/95

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

**EXECUTIVE COMMUNICATIONS**

**THE STATE OF WISCONSIN  
OFFICE OF THE GOVERNOR**

**EXECUTIVE ORDER #262**

*Relating to the Creation of the Commission on Reform of the State's Human Resource System*

**WHEREAS**, the State of Wisconsin's human resources system, including civil service statutes and processes, is not meeting the needs of the State's managers and employees;

**WHEREAS**, the changing roles of government and state employes, as affected by technology and the need to reorganize state government, require new skills and abilities, as well as responsiveness and flexibility not provided by current statutes, rules and processes;

**WHEREAS**, the State's human resource system, which includes civil service, has not been reviewed since the late 1970s and is in need of study to identify how to further streamline and reform the system;

**WHEREAS**, it is in the interest of state government and the people of Wisconsin to balance efficient, effective and economical management of state employes with the legitimate interests of those employes for employment safeguards, fair hiring and promotion processes, appropriate compensation and satisfying work;

**WHEREAS**, re-engineering Wisconsin's human resource system is essential to prepare the State to successfully meet the challenges state employes face now and in the twenty-first century; and

**WHEREAS**, 1995 marks the one hundredth anniversary of Wisconsin's civil service statute;

**NOW, THEREFORE**, I, TOMMY G. THOMPSON, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and the laws of this State, and specifically by Wisconsin Statute s. 14.019, do hereby:

1. Establish the Commission on State Human Resource Reform to:
  - a. Review the State's human resource system to develop recommendations for statutory and system reform to be implemented on a trial basis in two state agencies beginning July 1, 1996. The Commission's review should include, to the extent practicable, the full range of human resource activities essential for state government to acquire, develop, allocate and maintain a skilled and highly-motivated workforce. These human resource activities include strategic human resource planning (to enable state government to systematically identify future skill needs), recruitment and appointment, transfer and promotion, classification, compensation, employe training and development, supervision,

performance evaluation, the layoff process, discipline and termination, employe assistance, affirmative action and diversity, and collective bargaining.

- b. Identify two state agencies for participation in the pilot program.
  - c. Submit its recommendation to the Governor by April 1, 1996.
2. Designate the following members of the Commission:
    - a. A Commission chairperson.
    - b. Members of the State Legislature.
    - c. Representatives of State Employees.
    - d. A private sector member.
    - e. Secretary of Administration or his designee, Secretary of Employment Relations or his designee, and Secretary of Revenue or his designee.
  4. Designate the Department of Administration to provide administrative assistance to the Commission.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the city of Madison this tenth day of October in the year one thousand nine hundred and ninety-five.

TOMMY G. THOMPSON  
Governor

BY THE GOVERNOR:

DOUGLAS LA FOLLETTE  
Secretary of State

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

#### Senate Clearinghouse Rule 95-145

Relating to allowing the operation of double bottoms and certain other vehicles on certain specified highways.

Submitted by Department of Transportation.

Report received from Agency, October 12, 1995.

Referred to committee on **Transportation, Agriculture and Local Affairs**, October 12, 1995.

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

#### Senate Clearinghouse Rule 95-109

Relating to third-party testing.

No action taken.

#### Senate Clearinghouse Rule 95-126

Relating to motor carrier safety regulations.

No action taken.

#### Senate Clearinghouse Rule 95-127

Relating to motor carrier safety requirements for transportation of hazardous materials.

No action taken.

#### Senate Clearinghouse Rule 95-128

Relating to motor carrier safety requirements for intrastate transportation of hazardous materials.

No action taken.

Alan Lasee  
Chairperson

### MESSAGES FROM THE ASSEMBLY

By Charles Sanders, chief clerk.

Mr. President:

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

**Assembly Bill 303**

**Assembly Bill 317**

**Assembly Bill 391**

**Assembly Bill 406**

**Assembly Bill 437**

**Assembly Bill 465**

**Assembly Bill 466**

**Assembly Bill 467**

**Assembly Bill 483**

**Assembly Bill 546**

**Assembly Bill 556**

Adopted and asks concurrence in:

**Assembly Joint Resolution 39**

Concurred in:

**Senate Bill 130**

**Senate Bill 148**

Amended and concurred in as amended:

**Assembly Bill 55** Assembly amendment 1 to Senate amendment 1

**Assembly Bill 130** Assembly amendments 2, 3, 4, 5, 7 and 8 to Senate substitute amendment 1

**Senate Bill 4** Assembly amendment 1

**Senate Bill 210** Assembly substitute amendment 1

### MESSAGES FROM THE ASSEMBLY CONSIDERED

#### Assembly Bill 303

Relating to: exempting certain auctioneers from the requirement to obtain a livestock dealer license.

By Representatives Ott, Ainsworth, Brandemuehl, Musser, Otte, Albers, Silbaugh, Seratti, F. Lasee, Hahn, Lehman, Zukowski, Olsen, Gronemus, Goetsch, Grothman and Gunderson; cosponsored by Senators A. Lasee and Schultz.

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

#### Assembly Bill 317

Relating to: eligibility for the veterans rehabilitation program.

By Representatives Musser, Huebsch, Seratti, Boyle, Hahn, Bock, Dobyms, Gronemus, Notestein, R. Young, Riley, Ourada, Hasenohrl, Morris-Tatum, Wirch, Kreuser and Ott; cosponsored by Senators Zien, Schultz, Breske, Moen, Andrea and Cowles.

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

**Assembly Bill 391**

Relating to: disclosures of conditions of residential real estate.

By Representatives Wood, Hahn, Baldus, R. Young, Grobschmidt, Robson, Lorge, Freese and Baldwin; cosponsored by Senators Burke and Plewa.

Read first time and referred to committee on **Business, Economic Development and Urban Affairs**.

**Assembly Bill 406**

Relating to: the membership of the veterinary examining board and changing the term "animal technician" to "veterinary technician".

By Representatives Ott, Ward, Ainsworth, Zukowski, Olsen, Turner, Gard, Albers, Brandemuehl, Schneiders, Silbaugh, Seratti and Vrakas, by request of Wisconsin Veterinary Examining Board and Department of Regulation and Licensing.

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

**Assembly Bill 437**

Relating to: changes in the rural economic development program.

By Representatives Ainsworth, Lorge, Ott, Albers, Freese, Duff, Lehman, Hutchison, Green, Owens, Kreibich, Goetsch, Silbaugh, Gunderson, Olsen, Klusman and Zukowski, by request of Governor Tommy G. Thompson.

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

**Assembly Bill 465**

Relating to: limiting appeals as a matter of right to traffic regulation cases in which the penalty is a forfeiture.

By Law Revision Committee .

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

**Assembly Bill 466**

Relating to: the award of litigation expenses in condemnation proceedings.

By Law Revision Committee .

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

**Assembly Bill 467**

Relating to: restitution.

By Law Revision Committee .

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

**Assembly Bill 483**

Relating to: appraisal of and payment for animals that are destroyed because of infectious diseases, livestock remedies, violations of animal health laws, granting rule-making authority and providing a penalty.

By Representatives Ott, Ainsworth, Brandemuehl, Seratti, Baldus, Freese, F. Lasee, Zukowski, Hahn and Olsen; cosponsored by Senator Schultz.

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

**Assembly Bill 546**

Relating to: restricting the remedies available and requiring awards of costs in actions against agricultural uses.

By Representatives Klusman, Ward, Gronemus, Ott, Olsen, Zukowski, Ainsworth, Wilder, Hahn, Skindrud, Otte, Kreibich, Coleman, Jensen, Freese, Seratti, Brandemuehl, Silbaugh, Gunderson, Nass, Hutchison, Brancel, Powers,

Ourada, Goetsch, Lehman, Musser, Huebsch, Albers, Grothman, Johnsrud, Foti, Porter, Gard and Harsdorf; cosponsored by Senators Drzewiecki, A. Lasee, Breske, Schultz, Weeden, Rude, Zien, Darling and Fitzgerald.

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

**Assembly Bill 556**

Relating to: a loan guarantee program for the acquisition or improvement of farm assets.

By Representatives Ott, Ainsworth, F. Lasee, Ward, Harsdorf, Baldus, Wilder, Green, Freese, Hahn, Olsen, Gard, Albers, Hutchison, Kreibich, Gunderson, Dobyms, Musser, Seratti, Plombon and Ladwig; cosponsored by Senators Fitzgerald, Schultz, Breske, Rude, Clausing and Decker.

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

**Assembly Joint Resolution 39**

Relating to: memorializing Congress to amend the internal revenue code to allow intrafamily transfers of property under the first-time farmer bond program.

By Representatives Ott, Ainsworth, Klusman, Lehman, Skindrud, Ourada, F. Lasee, Freese, Musser, Brandemuehl, Gard, Vrakas, Hahn, Albers, Harsdorf, Gunderson, Ladwig, Owens, Otte, Johnsrud, Huebsch, Kreibich, Green, Goetsch, Olsen, Springer, Grothman, Brancel, Zukowski, Nass and Silbaugh; cosponsored by Senators Petak, Buettner, Panzer, Rude, Burke, Cowles, Breske and Clausing.

Read and referred to special committee on **State and Federal Relations**.

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**ADJOURNMENT**

Senator Risser, with unanimous consent, asked that the Senate adjourn Regular Session pursuant to **Senate Joint Resolution 1** and the motion approved by the organization committee of the two houses to extend the September floor period to October 12, 1995.

Adjourned.

10:01 A.M.

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**AMENDMENTS OFFERED**

Senate substitute amendment 1 to **Assembly Bill 441** offered by Senators Drzewiecki, Buettner, Zien, Welch, Breske, Farrow and Petak.

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**SENATE ENROLLED PROPOSALS**

The Chief Clerk records:

**Senate Joint Resolution 36**

**Senate Joint Resolution 37**

Report correctly enrolled on October 10, 1995.

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**SENATE ENROLLED PROPOSALS**

The Chief Clerk records:

**Senate Bill 113**

Report correctly enrolled on October 11, 1995.

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**LEGISLATIVE REFERENCE BUREAU  
CORRECTIONS**

**Corrections In:**

**ASSEMBLY AMENDMENT 1,  
To 1995 SENATE BILL 144**

Prepared by the Legislative Reference Bureau  
(October 11, 1995)

In enrolling, the following corrections  
were made:

1. Page 1, line 13: substitute "(cw)" for  
"(aw)"; and substitute "(c)" for "(a)".

**Corrections In:**

**ASSEMBLY AMENDMENT 3,  
To 1995 SENATE BILL 144**

Prepared by the Legislative Reference Bureau  
(October 11, 1995)

In enrolling, the following correction was  
made:

1. Page 4, line 16: before "If" insert "(a)".

**Corrections In:**

**ASSEMBLY AMENDMENT 4,  
To 1995 SENATE BILL 144**

Prepared by the Legislative Reference Bureau  
(October 11, 1995)

In enrolling, the following corrections  
were made:

1. Page 1, line 4: on lines 4, 8 and 12,  
substitute "is" for "in".