



STATE OF WISCONSIN

Senate Journal

Ninety—Second Regular Session

10:00 A.M.

THURSDAY, January 18, 1996

The Senate met.

The Senate was called to order by Senator Brian Rude.

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 491

Relating to: municipal revenue sharing agreements, authorizing cities to create joint police departments, eliminating the requirement that municipalities be contiguous in order to form a joint library, public library system eligibility requirements, making cooperative educational service agencies coterminous with technical college districts and increasing the membership of technical college district boards and cooperative educational service agency boards of control.

By Joint Legislative Council .

To committee on **Government Effectiveness**.

Senate Bill 492

Relating to: wearing a bulletproof vest while committing a felony and providing a penalty.

By Senators Drzewiecki, Welch, Zien, Shibilski, Breske, C. Potter, Andrea, Petak, Darling, Schultz, Buettner, A. Lasee, Farrow, Huelsman, Rosenzweig, Fitzgerald, Panzer, Grobschmidt, Moen, Clausing and Burke; cosponsored by Representatives Goetsch, Walker, Musser, Dobyns, Albers, Hasenohrl, Silbaugh, Turner, Ziegelbauer, Kaufert, Green, Gard, F. Lasee, Ainsworth, Johnsrud, Hoven, Ladwig, Ward and Riley.

To committee on **Judiciary**.

Senate Bill 493

Relating to: the powers of certain towns.

By Senators Schultz and Decker; cosponsored by Representatives Ladwig, Porter, Owens, Ott, Grothman, Nass, Ward, Goetsch, Brandemuehl, Seratti, Hasenohrl and Springer.

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

Senate Bill 494

Relating to: state banking law, the definition of public depository, residential and variable interest rate loans, granting rule-making authority and providing a penalty.

By Senators Darling, C. Potter, Petak, Shibilski, Huelsman, Grobschmidt, Welch, Drzewiecki, George, Cowles, Breske, Rosenzweig, Moen, Fitzgerald, Moore, Andrea, Panzer, Buettner, Rude, Zien, Farrow and Burke; cosponsored by Representatives Kaufert, Ziegelbauer, Ward, Meyer, Hoven,

Baldus, F. Lasee, Hanson, Green, Gronemus, Jensen, Musser, Kreibich, Ourada, Gard, Goetsch, Handrick, Ott, Grothman, Lehman, Hahn and Seratti, by request of the Office of the Commissioner of Banking.

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

REPORT OF COMMITTEES

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

Assembly Bill 585

Relating to: incidental takings of wild animals and wild plants of endangered species or threatened species and making an appropriation.

Concurrence.

Ayes, 5 – Senators Cowles, Farrow, Panzer, Burke and Clausing.

Noes, 0 – None.

Senate Bill 376

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

Introduction and adoption of Senate substitute amendment 1.

Ayes, 3 – Senators Cowles, Farrow and Panzer.

Noes, 2 – Senators Burke and Clausing.

Passage as amended.

Ayes, 5 – Senators Cowles, Farrow, Panzer, Burke and Clausing.

Noes, 0 – None.

Senate Bill 456

Relating to: disposal facilities on outlying waters for toilet wastes from boats and granting rule-making authority.

Passage.

Ayes, 4 – Senators Cowles, Panzer, Burke and Clausing.

Noes, 1 – Senator Farrow.

Senate Joint Resolution 45

Relating to: memorializing Congress to ensure that the federal government will accept civilian spent nuclear fuel on January 31, 1998.

Adoption.

Ayes, 3 – Senators Cowles, Farrow and Panzer.

Noes, 2 – Senators Burke and Clausing.

Robert Cowles
Chairperson

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Ethics Board**

January 16, 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:

Aurora Health Care, Inc

Tarantino, Jeanne

Fair Liquidation of Waste (FLOW)

Essie, Patrick

Homecare Organization, Wisconsin

Serpe, Michael

Milwaukee Metropolitan Sewerage District

Huffer, Linda

Oakley, Kara

Termination of lobbying authorizations:

The following individuals are no longer authorized to lobby on behalf of the organizations listed below, as of the dates indicated.

Local Union 2150, IBEW

Sharp, Glen 1/11/96

Newspaper Assn, Wisconsin

Yorgason, J. LeRoy 12/31/95

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

**State of Wisconsin
Department of Natural Resources**

January 4, 1996

The Honorable, The Legislature:

I am please to send you the report, **Milwaukee River Watershed *Cryptosporidium/Giardia* Monitoring Project**, March 1994–June 1995. this study was conducted by the City of Milwaukee under a grant from the Department of Natural Resources. This grant was provided as part of the Legislative appropriation in 1993 to the Department for conducting a Statewide study on *Cryptosporidium*. Our report, ***Cryptosporidium* spp. Oocyst and *Giardia* spp. Cyst, Occurrence, Distribution and Levels in Wisconsin Waters**, was sent to you on August 31, 1995.

I greatly appreciated the opportunity to conduct these important studies. We hope you find the Milwaukee report informative. If you have questions on anything in the report please contact Joe Ball in the Bureau of Water Resources Management at (608) 266–7390.

Sincerely,

GEORGE E. MEYER

Secretary

**State of Wisconsin
Department of Employment Relations**

January 12, 1996

The Honorable, The Senate:

Please find enclosed three documents from the Education Commission of the States (ECS):

1. 1995 Annual Report;
2. 1995 Education Agenda; and
3. A copy of the ECS bylaws with amendments, if any.

The ECS is required to file these with your office in order to meet its statutory requirements under ss. 39.75 and 39.76, Wis. Stats. If there are any questions please call me at 266–9820.

Sincerely,

JON E. LITSCHER

Secretary

EXECUTIVE COMMUNICATIONS

**State of Wisconsin
Office of the Governor**

January 9, 1996

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DEAN, RICHARD L., of Eau Claire, as Secretary of the Department of Financial Institutions, to serve for the term ending at the pleasure of the Governor

Sincerely,

TOMMY G. THOMPSON

Governor

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

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

Senate Clearinghouse Rule 95–141

Relating to examination requirements for optometrists to obtain diagnostic pharmaceutical agent certificates.

Submitted by Department of Regulation and Licensing.

Report received from Agency, January 18, 1996.

Referred to committee on **Business, Economic Development and Urban Affairs**, January 18, 1996.

Senate Clearinghouse Rule 95–142

Relating to examinations, continuing education and late renewal.

Submitted by Department of Regulation and Licensing.

Report received from Agency, January 18, 1996.

Referred to committee on **Business, Economic Development and Urban Affairs**, January 18, 1996.

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

Senate Clearinghouse Rule 95–102

Relating to the interest rate subsidy for the small loan program.

No action taken.

Robert Cowles
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 162

Assembly Bill 217

Assembly Bill 235

Assembly Bill 389

Assembly Bill 438

Assembly Bill 532

Assembly Bill 534

Assembly Bill 535

Assembly Bill 570

Assembly Bill 610

Assembly Bill 652

Adopted and asks concurrence in:

Assembly Joint Resolution 16

Assembly Joint Resolution 44

Assembly Joint Resolution 62

Assembly Joint Resolution 73

Concurred in:

Senate Bill 164

Senate Bill 279

Senate Joint Resolution 46

Senate substitute amendment 1 to **Assembly Bill 22**

Senate amendment 1 to **Assembly Bill 546**

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Bill 162

Relating to: a “legislative hotline” service and placement of information regarding that service on folded state highway maps.

By Representatives Baumgart, Hahn, Hanson, Kaufert, Ryba, Cullen, Morris–Tatum, Boyle, Lorge and Grothman.

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

Assembly Bill 217

Relating to: battery.

By Representatives Bell, Baldus, Boyle, Morris–Tatum, Musser, Plache, Riley, Robson and Wilder; cosponsored by Senators Clausing, Burke and Darling.

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

Assembly Bill 235

Relating to: privileged communications between spouses.

By Representatives Dobyms, Goetsch, Ladwig, Silbaugh, Hahn, Skindrud, Ott, Gard, Gunderson and Seratti; cosponsored by Senator Darling.

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

Assembly Bill 389

Relating to: the regulation of the practice of psychology and granting rule–making authority.

By Representatives Urban, Johnsrud, Hasenohrl, Handrick, Robson, Wasserman, Walker, Goetsch, Hahn, Lehman, Silbaugh, Olsen, Duff, Ziegelbauer, Kaufert, Hanson, Porter, Vrakas and Albers; cosponsored by Senators Leean, Fitzgerald, Rude, Rosenzweig, Darling, C. Potter, Risser and Chvala, by request of The Society of Clinical and Consulting Psychologists and the Psychology Examining Board.

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

Assembly Bill 438

Relating to: the improper use of radios, electric sound amplification devices and other sound–producing devices, the imposition of vehicle owner liability for improper use of a horn, other warning device, radio or other electric sound amplification device and providing a penalty.

By Representatives Riley, Schneiders, Krug, Otte, Hahn, Wasserman, Ott, Robson, La Fave, Ryba, Bell, Boyle and Cullen; cosponsored by Senators Darling, Leean, Burke, Huelsman, Rosenzweig, Petak and Weeden.

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

Assembly Bill 532

Relating to: temporary licenses for aestheticians, electrologists and manicurists.

By Representatives Skindrud, Kaufert, Zukowski, Schneiders, Goetsch, Hahn, Grothman and Silbaugh.

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

Assembly Bill 534

Relating to: permitting the use of a green light on fire department command post vehicles.

By Representatives Skindrud, Schneiders, Grothman, Porter, F. Lasee and Underheim; cosponsored by Senator Schultz.

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

Assembly Bill 535

Relating to: the expenditure of \$6,256.39 from moneys appropriated to the department of transportation for payment of a claim against the state made by Barbara Hestekin.

By Representative Brancel; cosponsored by Senator Weeden.

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

Assembly Bill 570

Relating to: retention of special motor vehicle registration plates related to the armed services.

By Representatives Musser, Brandemuehl, Gunderson, Albers, Ryba, Green, Turner, Dobyms, Grobschmidt, Goetsch, La Fave, Wirsch, Boyle, Kaufert, Freese, Gronemus, F. Lasee, Olsen and Grothman; cosponsored by Senators Zien, Schultz, Breske and Moen.

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

Assembly Bill 610

Relating to: claims for damages by dogs to animals.

By Representatives Springer, Ainsworth, Baldus, Brandemuehl, Powers, Huber, Seratti, Ott, Wilder, Dobyms, F. Lasee, Gronemus, Gunderson and Kreuser; cosponsored by Senators Decker, A. Lasee, Schultz and Moen.

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

Assembly Bill 652

Relating to: requirements for contracts under which one party possesses livestock owned by another party.

By Representatives Brandemuehl, Ott, Ward, Freese, Gunderson, Goetsch, Musser and Olsen; cosponsored by Senator Schultz.

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

Assembly Joint Resolution 16

Relating to: eligibility to seek or hold office of a person convicted of a misdemeanor involving a violation of public trust or of a felony (2nd consideration).

By Representatives Wood, Ward, Dobyms, Schneiders, Hahn, Huber, Ainsworth, Ladwig, Ziegelbauer, Robson, Gronemus, Goetsch, Harsdorf, Notestein, La Fave, Otte, Brandemuehl, Ryba and Underheim; cosponsored by Senators Weeden, Huelsman and Moen.

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

Assembly Joint Resolution 44

Relating to: requesting the U.S. Postal Service to issue a stamp commemorating Richard Bong.

By Representatives Boyle, Urban, Hanson, Musser, Huebsch, Gronemus, Johnsrud, Schneiders, Dobyms, Hahn, Grothman, Seratti, Wirsch and Kreuser; cosponsored by

Senators Jauch, Clausing, Burke, Rude, Plewa, Cowles, Moen, Andrea and Breske.

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

Assembly Joint Resolution 62

Relating to: memorializing Congress to modify restrictions on the use of veterans mortgage bonds.

By Representatives Musser, Kaufert, Porter, Grothman, Murat, Boyle, Owens, Ainsworth, Otte, Gunderson, Dobyms, Brandemuehl, Baldus, Plombon, Coleman, Goetsch, Plache, Hahn, Olsen, Ryba, Nass and Zukowski; cosponsored by Senators Fitzgerald, Zien, Buettner, Rude, Drzewiecki, Moen, Breske and Clausing, by request of Council on Veterans Programs.

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

Assembly Joint Resolution 73

Relating to: commending the 1995 Green Bay Packers.

By Representatives Kelso, Green, Ryba, F. Lasee, Hutchison, Lorge and Gard; cosponsored by Senators Drzewiecki, Cowles and A. Lasee.

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

ADJOURNMENT

Senator Rude, with unanimous consent, asked that the Senate adjourn until Tuesday, January 23 at 10:00 A.M..

Adjourned.

10:01 A.M.

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

Senate Bill 18
Senate Bill 120
Senate Bill 181
Senate Bill 239
Senate Bill 241
Senate Bill 344
Senate Bill 361
Senate Bill 362

Report correctly enrolled on January 18, 1996.

**LEGISLATIVE REFERENCE BUREAU
CORRECTIONS**

Corrections In:

1995 Senate Bill 481

Prepared by the Legislative Reference Bureau
(January 12, 1996)

1. Page 1, line 3: delete "automobile".