



STATE OF WISCONSIN

Senate Journal

Ninety—Second Regular Session

10:00 A.M.

TUESDAY, September 26, 1995

The Senate met.

The Senate was called to order by Senator Margaret Farrow.

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 351

Relating to: credit union operation and authority, reorganizing the credit union chapter, granting rule-making authority and providing a penalty.

By Senators Zien, C. Potter, Rosenzweig, Rude, Jauch, Andrea, Burke, Chvala, Clausing, Cowles, Drzewiecki, George, Moen and Risser; cosponsored by Representatives Ourada, Grobschmidt, Otte, Baldus, Carpenter, La Fave, Ziegelbauer, Ainsworth, Baldwin, Baumgart, Bell, Bock, Boyle, Goetsch, Hanson, Gronemus, Hasenohrl, Huber, Johnsrud, Kreibich, Kreuser, Lehman, Musser, Notestein, Plombon, Ryba, Springer, Vander Loop, Wilder, Wirsch and Wood.

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

Senate Bill 352

Relating to: the issuance of higher education bonds and granting bonding authority.

By Senators Chvala, Jauch, Decker, Moen, Burke and Clausing; cosponsored by Representatives Plache, Williams, Black, Grobschmidt, Gronemus, Huber, Wirsch, Notestein, R. Young, Meyer, Boyle and Baldwin.

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

Senate Bill 353

Relating to: granting the department of veterans affairs increased bond refunding authority.

By Senators Zien, Fitzgerald, Breske and Rude; cosponsored by Representatives Musser and Foti.

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

Senate Bill 354

Relating to: removal of a child from a foster home or treatment foster home.

By Senators Darling, Rude, Zien and Andrea; cosponsored by Representatives Vrakas, Musser, Gronemus, Hahn, Ainsworth, Baldus, Robson, Gunderson, Krusick, Hutchison, Harsdorf, Ott, Albers, Seratti and Silbaugh.

To committee on **Judiciary**.

REPORT OF COMMITTEES

The committee on **Judiciary** reports and recommends:

Senate Bill 294

Relating to: placing foreign objects in edibles.

Passage.

Ayes, 5 – Senators Huelsman, Darling, Risser, Adelman and Burke.

Noes, 0 – None.

Joanne Huelsman
Chairperson

PETITIONS AND COMMUNICATIONS

State of Wisconsin Legislative Audit Bureau

September 21, 1995

The Honorable, The Legislature:

We have completed a review of the investments and investment practices of local governments, as requested by the Joint Legislative Audit Committee. The value of investments held on December 31, 1994, by the 672 local governments that responded to our survey was approximately \$3.3 billion. Of these funds, approximately \$2.5 billion was invested in the State Investment Fund and in financial institutions. The remainder was invested primarily in government and corporate securities.

We found the investment strategies used by most local governments to be conservative, emphasizing safety of public funds and investment liquidity. The level of risk in the investments typically being made by most local governments is reasonable.

Wisconsin currently appears to have few problems with local governments' investment practices. While the Legislature could consider a number of strategies that might limit potential problems in the future, including restricting allowable investments and limiting undesignated fund balances available for investing, devising restrictions that apply appropriately to all local units may be difficult.

Some local officials would oppose legislative changes that restrict investment alternatives or require certain actions because they expect the State to provide them maximum flexibility in managing local affairs. However, it is important that all the local governmental entities establish investment policies and procedures to ensure that public funds are kept safe and readily available for public purposes.

We appreciate the courtesy and cooperation extended to us by local officials and staff.

Sincerely,
DALE CATTANACH
State Auditor

EXECUTIVE COMMUNICATIONS

**State of Wisconsin
Office of the Governor**

September 14, 1995

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BUSSAN, BRENT, of Livingston, as a member of the Wisconsin Technical College System Board, to serve for the term ending May 1, 1997.

Sincerely,

TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

September 14, 1995

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MARBES, RICHARD E., of Green Bay, as a member of the Board of Veterans Affairs, to serve for the term ending May 1, 2001.

Sincerely,

TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

September 14, 1995

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SCOCOS, JOHN A., of Madison, as a member of the Board of Veterans Affairs, to serve for the term ending May 1, 2001.

Sincerely,

TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

September 14, 1995

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BOYLE, BERNARD, of Burlington, as a member of the Board of Veterans Affairs, to serve for the term ending May 1, 2001.

Sincerely,

TOMMY G. THOMPSON
Governor

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

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

Senate Clearinghouse Rule 95-017

Relating to pesticide worker protection and pesticide application site posting.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, September 25, 1995.

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

Senate Clearinghouse Rule 95-065

Relating to extensions of time to file corporation franchise or income tax returns, the dividends received deduction for corporations and the requirements for making estimated tax payments for short taxable years.

Submitted by Department of Revenue.

Report received from Agency, September 25, 1995.

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

The Committee on **Education and Financial Institutions** reports and recommends:

Senate Clearinghouse Rule 95-066

Relating to internship credit hours.

No action taken.

Alberta Darling
Chairperson

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

Senate Clearinghouse Rule 95-081

relating to electric construction by public utilities requiring commission review and approval.

No action taken.

Robert Cowles
Chairperson

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

Senate Clearinghouse Rule 95-116

relating to indigency evaluation and verification.

No action taken.

Joanne Huelsman
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 70**
- Assembly Bill 154**
- Assembly Bill 207**
- Assembly Bill 222**
- Assembly Bill 418**
- Assembly Bill 448**
- Assembly Bill 470**
- Assembly Bill 471**
- Assembly Bill 554**

Amended and concurred in as amended:

Senate Bill 55(Assembly substitute amendment 1)

Senate Bill 98(Assembly substitute amendment 1)

Concurred in:

Senate Bill 132

Senate Bill 151

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Bill 70

Relating to: expungement of records of certain misdemeanor offenders.

By Representatives Dobyns, Freese, Ladwig, Goetsch, Musser, Brandemuehl, Silbaugh, Owens, Seratti, Albers and Grothman; cosponsored by Senators Buettner and A. Lasee.

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

Assembly Bill 154

Relating to: breast-feeding.

By Representatives Bell, Albers, Baldwin, Black, Bock, Boyle, Hahn, Handrick, Lorge, Notestein, Riley, Robson, Travis, Wasserman, Wilder, Wirch, R. Young and L. Young; cosponsored by Senators Panzer, Breske, Burke, Chvala, Risser and Rosenzweig.

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

Assembly Bill 207

Relating to: access to public records.

By Representatives Goetsch, Wood, Kaufert, Owens, Ward, Otte, Underheim, Ainsworth, Hoven, Porter, Ziegelbauer, Foti, Lehman, F. Lasee, Schneiders, Brandemuehl, Duff, Ryba, Gard, Musser, Green, Dobyns, Ladwig, Jensen, Handrick, Seratti, Silbaugh, Lorge, Freese, Albers, Urban, Vrakas, Ott, Ourada, Grothman and Skindrud; cosponsored by Senators Drzewiecki, Fitzgerald, Huelsman, Schultz and Darling.

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

Assembly Bill 222

Relating to: termination of parental rights over a child conceived as a result of sexual assault.

By Representatives Brandemuehl, Goetsch, Riley, Owens, Hoven, Nass, Duff, Dobyns, Wasserman, Ainsworth, Wirch, Schneiders, Grothman, Kreibich, Silbaugh, F. Lasee, Kaufert, Ladwig, Ziegelbauer, Gard, Hahn, Musser, Gunderson, Lehman, Otte, Klusman, Ward, Seratti, Underheim, Freese, Hasenohrl, Vrakas, Huebsch, Skindrud, Olsen, Hutchison, Johnsrud, Springer and Ott; cosponsored by Senators A. Lasee, Drzewiecki, Petak, Farrow, Clausing, Rosenzweig, Buettner, Cowles, Andrea, Darling, Weeden, Breske, Llean, Panzer and Schultz.

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

Assembly Bill 418

Relating to: permitting parents of certain minors to limit access by a protection and advocacy agency to the minor's treatment and patient health care records and making limitations on access by a protection and advocacy agency to

treatment and patient health care records inapplicable in certain situations.

By Representatives Vrakas, Schneiders, Grothman, Kelso, Lehman, Otte, Skindrud, Hahn and Owens; cosponsored by Senators Huelsman, Panzer, Darling and Rosenzweig.

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

Assembly Bill 448

Relating to: restitution payments for future counseling costs for sexual assault victims and certain child victims.

By Representatives Albers, Goetsch, Green, Skindrud, Schneiders, Kaufert, Wirch and Ziegelbauer; cosponsored by Senators Buettner, Huelsman and Farrow.

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

Assembly Bill 470

Relating to: the adoption of a nonmarital child, the readoption of a foreign adoptive child, county adoption services and the state adoption center.

By Representatives Albers, Ainsworth, Baldus, Goetsch, Grothman, Duff, Kelso, Klusman, Seratti and Walker; cosponsored by Senators Darling and Rosenzweig, by request of Governor Tommy G. Thompson.

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

Assembly Bill 471

Relating to: the adoption of children with special needs and making an appropriation.

By Representatives Albers, Baldus, Duff, Ainsworth, Grothman, Kelso, Klusman, Seratti and Walker; cosponsored by Senators Darling and Rosenzweig, by request of Governor Tommy G. Thompson.

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

Assembly Bill 554

Relating to: acquisition of in-state banks and in-state bank holding companies, ability of banks to contract with depository institutions for financial products and services, customer bank communications terminals, control of limited service banking institutions, meetings of bank boards of directors and committees, granting rule-making authority and providing penalties.

By Representatives Hoven, La Fave, Riley, Baldus, Vrakas, Silbaugh, Green, Jensen, Klusman and Johnsrud; cosponsored by Senators Darling, Shibilski, Breske, Panzer, Rosenzweig and Huelsman.

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

ADJOURNMENT

Senator Farrow, with unanimous consent, asked that the Senate adjourn until Wednesday, September 27 at 10:00 A.M.

Adjourned.

10:01 A.M.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 310** offered by Senator Burke.

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

Senate Bill 17

Senate Bill 249

Report correctly enrolled on September 26, 1995.

**LEGISLATIVE REFERENCE BUREAU
CORRECTIONS**

CORRECTIONS IN:

1995 ASSEMBLY BILL 498

Prepared by the Legislative Reference Bureau
(September 19,1995)

1. Page 18, line 3: substitute a colon for the period.

CORRECTIONS IN:

1995 ASSEMBLY BILL 554

Prepared by the Legislative Reference Bureau
(September 19, 1995)

1. Page 12, line 9: delete “, the” and substitute “in the”.
2. Page 20, line 18: after that line insert:
“**SECTION 29t.** 221.59 (6) (g) of the statutes, as created by 1995 Wisconsin Act (this act), is amended to read:”.

CORRECTIONS IN:

1995 SENATE BILL 318

Prepared by the Legislative Reference Bureau
(September 19, 1995)

1. Page 12, line 9 delete the first comma.