

STATE OF WISCONSIN  
**Senate Journal**  
Ninety–Third Regular Session

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WEDNESDAY, April 9, 1997

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The Chief Clerk makes the following entries under the above date.

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**INTRODUCTION AND REFERENCE OF  
RESOLUTIONS AND JOINT RESOLUTIONS**

Read and referred:

**Senate Joint Resolution 18**

Relating to: proclaiming Blue and White Sunday.

By Senators Drzewiecki, C. Potter, Welch, Breske, Cowles, Zien, Huelsman, A. Lasee, Rosenzweig, Fitzgerald, Buettner and Schultz; cosponsored by Representatives Gard, Turner, Krusick, Dobyns, Otte, Bock, Lazich, Zukowski, Ladwig, Hasenohrl, M. Lehman, Handrick, Ryba, Musser, Walker, Plouff, Green, Porter, Goetsch, Harsdorf, Hahn, Huebsch, Plale, Robson, Sykora, R. Potter, Seratti, Kedzie and Riley.

To committee on **Senate Organization**.

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**INTRODUCTION, FIRST READING AND  
REFERENCE OF BILLS**

Read first time and referred:

**Senate Bill 150**

Relating to: the apportionment of certain services costs among counties and municipalities.

By Senators Wirch and Grobschmidt; cosponsored by Representatives Travis, Duff, Meyer, Black, Steinbrink, Turner, R. Young, Urban, Riley, Boyle and Seratti.

To committee on **Economic Development, Housing and Government Operations**.

**Senate Bill 151**

Relating to: granting credit against child or family support.

By Senators Weeden and Wineke; cosponsored by Representatives Ainsworth and Wood.

To committee on **Judiciary, Campaign Finance Reform and Consumer Affairs**.

**Senate Bill 152**

Relating to: qualification of candidates for justice of the supreme court for grants from the Wisconsin election campaign fund and making an appropriation.

By Senators Adelman, Clausing, C. Potter, Moen and Wirch; cosponsored by Representatives Notestein, Huber, Baldwin, Baumgart, Meyer, Black, Carpenter, R. Young, Riley, Bock, Boyle and Springer.

To committee on **Judiciary, Campaign Finance Reform and Consumer Affairs**.

**Senate Bill 153**

Relating to: changing the term “assisted living facility” to “residential care apartments” and defining the term “stove” for the purposes of residential care apartments.

By Senators Moen, Moore, Rosenzweig, Breske, Buettner and Grobschmidt; cosponsored by Representatives Underheim, Johnsrud, Springer, F. Lasee, Wasserman, Olsen, Lorge, Ryba, Gronemus, Handrick, Hasenohrl, Boyle, Hanson, Albers, Ladwig, Huber, Hahn, Harsdorf, Porter, Goetsch, Kaufert, Grothman and Sykora.

To committee on **Health, Human Services, Aging, Corrections, Veterans and Military Affairs**.

**Senate Bill 154**

Relating to: a use tax exemption for medicines.

By Senators Moen, Welch, Wirch, Plache, Rosenzweig, Zien, A. Lasee, Farrow and Huelsman; cosponsored by Representatives Urban, Meyer, Musser, Wasserman, Powers, Lorge, Bock, Springer, Cullen, Ladwig, Plale, Harsdorf, Johnsrud, Plouff, Green, Gronemus, Ryba, Albers, Dobyns, Turner, Hahn, Kelso, Seratti and Grothman.

To joint survey committee on **Tax Exemptions**.

**Senate Bill 155**

Relating to: bonding authority of the Wisconsin Health and Educational Facilities Authority.

By Senators Moen, Farrow and Decker; cosponsored by Representatives Musser, R. Young, Springer and Ryba.

To committee on **Health, Human Services, Aging, Corrections, Veterans and Military Affairs**.

**Senate Bill 156**

Relating to: regulation of physician assistants and the authority of physician assistants to prescribe drugs and devices.

By Senators Moen, Breske, Rosenzweig, Buettner, Clausing and Rude; cosponsored by Representatives Ourada, Urban, Bock, Hasenohrl, Powers, Dueholm, Ryba, Meyer, Black, Dobyns, Reynolds, Handrick, Owens, Kaufert, F. Lasee, Plouff, Hahn, Albers, Ott and Brandemuehl.

To committee on **Health, Human Services, Aging, Corrections, Veterans and Military Affairs**.

**Senate Bill 157**

Relating to: mandatory release on parole.

By Senators Wineke, Moen, Plache, Clausing, Buettner and Zien; cosponsored by Representatives Black, Musser, Kaufert, Ziegelbauer, Powers, Reynolds, Plouff and Staskunas.

To committee on **Judiciary, Campaign Finance Reform and Consumer Affairs**.

**Senate Bill 158**

Relating to: the property tax exemption for professional sports home stadiums and imposing the sales tax on the lease of

sky boxes and private luxury boxes by for-profit professional sports teams.

By Senators Moen, Plache, Decker and Clausing; cosponsored by Representatives Musser, Meyer, Springer, Wood, Freese, J. Lehman, Turner, Ryba, Baldwin, R. Young, Black and Plouff.

To joint survey committee on **Tax Exemptions**.

#### **Senate Bill 159**

Relating to: disclosure of human immunodeficiency virus test results by attending physicians.

By Senators Rosenzweig, Rude, Panzer, Huelsman, Weeden, Farrow, Welch, Schultz and Fitzgerald; cosponsored by Representatives Wasserman, Walker, Freese, Handrick, Krug, La Fave, Brandemuehl, Duff, Goetsch, Gunderson, Hahn, Hasenohrl, Kedzie, F. Lasee, Meyer, Musser, Ryba, Skindrud, Springer, Vrakas, Albers, Seratti, Ladwig and Lazich.

To committee on **Health, Human Services, Aging, Corrections, Veterans and Military Affairs**.

#### **Senate Bill 160**

Relating to: possession of a firearm by certain persons and providing a penalty.

By Senators Huelsman, Cowles, A. Lasee, Buettner, Zien and Farrow; cosponsored by Representatives Jensen, Urban, Ladwig, Kelso, Ziegelbauer, Staskunas, Goetsch, Dobyns, F. Lasee, Riley, Robson, Plale, Seratti, Bock, Walker, Sykora and Gunderson.

To committee on **Judiciary, Campaign Finance Reform and Consumer Affairs**.

#### **Senate Bill 161**

Relating to: including certain disabled veterans as members of a targeted group for the development zones jobs credit.

By Senators Welch, Zien, Fitzgerald, Clausing and Schultz; cosponsored by Representatives Musser, Hasenohrl, Hahn, Ladwig, Plale, Porter, Sykora, Gronemus, Handrick, Albers, Kreibich, Dobyns, Kreuser, Seratti, Huebsch, Turner, Ryba, Lorge and Owens.

To committee on **Economic Development, Housing and Government Operations**.

#### **Senate Bill 162**

Relating to: creating a nonrefundable individual income tax credit for low-income persons.

By Senators Welch, Schultz, A. Lasee and Zien; cosponsored by Representatives Jensen, Freese, Hasenohrl, Handrick, Owens, Ward, Albers, F. Lasee, Ainsworth, Musser, Hoven, Huebsch, Reynolds, Dobyns, Green, Kaufert, Schafer, Sykora, Walker, Olsen, Gunderson and Lorge.

To committee on **Economic Development, Housing and Government Operations**.

#### **Senate Bill 163**

Relating to: the child care worker loan repayment assistance program; early childhood councils; requiring recipients of child care funding to have received training in child development and safety; training and network development for special needs child care providers; eligibility for low-income child care funding recipients; a tax credit for employers who provide child care; funding for child care resource and referral services; granting rule-making authority; and making appropriations.

By Senators Risser, Clausing, Burke, George, Plache and Moore; cosponsored by Representatives R. Potter, Robson, Black, Boyle, L. Young, Turner, Morris-Tatum, Notestein, La

Fave, Cullen, Ryba, Baldwin, Plouff, Hanson, Riley, Springer, Wasserman, Bock and Baumgart.

To committee on **Labor, Transportation and Financial Institutions**.

## **PETITIONS AND COMMUNICATIONS**

### **State of Wisconsin**

April 1, 1997

The Honorable, The Senate:

On March 13, I introduced **Senate Bill 120**. Senator Huelsman was inadvertently listed as a coauthor of the bill. Please remove Senator Huelsman as a coauthor of **Senate Bill 120**.

Thank you. If you have any questions about this matter, please contact me.

Sincerely,

RODNEY C. MOEN

State Senator

### **State of Wisconsin Department of Revenue**

April 3, 1997

The Honorable, The Legislature:

Included with this correspondence, I am submitting the quarterly report of the Wisconsin Lottery for the quarter ending March 31, 1997. As required by s. 565.37 (3), Wis. Stats., the attached materials contain Wisconsin Lottery year to date sales and financial information.

If you have any questions or comments regarding this report, please do not hesitate to contact me at (608) 266-6466.

Sincerely,

CATE ZEUSKE

Secretary of Revenue

### **State of Wisconsin Department of Administration**

March 31, 1997

The Honorable, The Legislature:

As required by s. 16.045(5), I am submitting the fifth *Wisconsin Gasahol and Alternative Fuel Use Report* for distribution to the appropriate standing committees.

Should you or legislative members have questions, please contact the Division of Energy and Intergovernmental Relations, Nathaniel E. Robinson, Administrator, at 608/266-7257.

Sincerely,

MARCH D. BUGHER

Secretary

Referred to committee on **Agriculture and Environmental Resources**.

### **State of Wisconsin Legislative Audit Bureau**

April 8, 1997

The Honorable, The Legislature:

We have completed an evaluation of the University of Wisconsin (UW)-Extension, as directed by the Joint Legislative Audit Committee. UW-Extension provides continuing education and public service programs through its Division of Continuing Education, and programs to serve children and families, farmers, urban and rural communities, business, and industry through its Division of Cooperative Extension. A third division, the Division of Extension Communications and Information Technology, was not the subject of this evaluation. In fiscal year (FY) 1995-96,

UW-Extension's expenditures from all funding sources were \$135.3 million, which represents the third-highest total among all UW System institutions. These expenditures supported 1,655 full-time equivalent positions.

Over time, the emphasis of the University's extension programs has expanded from practical skills in agriculture, home economics, and industrial work to include all areas of human knowledge, presented through an array of seminars, workshops, televised distance education, and other means. This growth in both volume and diversity of program offerings is reflected in an 79.4 percent increase in expenditures since FY 1986-87.

UW-Extension's programs have a long tradition in Wisconsin and generally are popular. However, both the breadth and the increasing cost of current programming raise questions about whether UW-Extension should redefine its core mission. Over 8,400 credit and non-credit continuing education program sections were offered in FY 1995-96, and in the most recent data available, cooperative extension agents reported over 1.15 million contacts in programs serving children and families, farmers, urban communities, and business. However, program priorities are defined so broadly that they can include virtually any educational area. In addition, the current organizational structure of UW-Extension may limit the efficiency of its service delivery. Therefore, this may be an appropriate time to address the future funding, direction, and organizational structure of UW-Extension.

We appreciate the courtesy and cooperation extended to us by the University, including UW-Extension, UW System, and the campuses, and by the counties. A response from the UW System President is Appendix IV.

Sincerely,

DALE CATTANACH  
State Auditor

**State of Wisconsin  
Ethics Board**

April 3, 1997

To the Honorable the Senate:

At the direction of § 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.

**ARDA – WI**

Subject(s): Language for sales tax pertaining to flex time.

Hanson, Thomas

**Cattlemens Assn, Wisconsin**

Subject(s): Any legislation that will impact the production of beef in this state. Also to improve Wisconsin's competitive position in national and world markets.

Hauser, R F (Dick)

**Competitive Wisconsin, Inc**

Subject(s): Economic development of Wisconsin.

Cook, Sharon

Mitchell, Brian

**Corrections Corporation of America**

Subject(s): The construction and management of prisons and jails for state and local government in all matters related thereto.

Christianson, Peter

**Criminal Defense Lawyers, Wisconsin Assn of**

Subject(s): Promote the proper administration of justice; foster and maintain the integrity, independence and expertise of the criminal bar; protection of individual rights and due process.

Blume, Ed

**Deferred Deposit Assn, Wisconsin**

Subject(s): Any legislative or regulatory effort relating to pay day loans and consumer transactions.

Essie, Patrick

**Domestic Violence, Wisconsin Coalition Against**

Subject(s): The Coalition monitors and informs its members on all areas of legislation – criminal, civil and family law – that pertain to victims of domestic violence and their children.

Krenek, Kathleen

**EMS Associates**

Subject(s): Any and all legislative/regulatory matters affecting emergency medical services providers in Wisconsin.

Mitchell, Brian

**Enron Corporation**

Subject(s): Enron Corp is interested in state legislation and administrative rules relating to energy issues (natural gas and electricity) with particular emphasis on retail competition in the electric industry.

Landwehr, Susan M

Vaughan, Michael

**Fabricare Institute, Wisconsin**

Subject(s): Create a Drycleaners Environmental Response Fund to assist in paying costs of remediation of contaminated lands.

Phillips, Joe

**Glendale City of**

Subject(s): To promote and encourage the need for Wisconsin to maintain and expand the current legislation on tax incremental financing as an economic development tool for local governments, specifically as it may apply to environmental remediation and the use of one TIF district generated funds to support another TIF district within the same local jurisdiction.

Mueller, H. Carl

**Household Financial Group Ltd**

Subject(s): All legislation dealing with financial community such as lending, collections, securitizations, etc. All legislation dealing with insurance matters such as credit insurance and specialty insurance and agents proposals. Administrative rules such as all matters before FLB-INS-Dept of Agriculture and Consumer Protection. Also, administrative issues such as licensing and joint venture licensing matters.

Marien, Ron

**Journal Communications Inc**

Subject(s): Recycled content – newsprint: state budget; state legal advertising.

Mueller, H. Carl

Remsik, Jeffrey J

**March of Dimes Birth Defects Foundation**

Subject(s): The March of Dimes advocates for issues that will impact on the availability and accessibility of health care

services for pregnant women, infants and children. Our organization also advocates for research and surveillance programs to study the causes of birth defects and to discover treatments and cures. Also priority issues include prevention programs such as WIC, immunizations.

Richardson, Amy

**Plastic Container Recovery, National Assn for**

Subject(s): Any and all legislative and regulatory matters affecting the plastic container industry.

Mitchell, Brian

**Pro-Life Wisconsin**

Subject(s): Pro-Life Wisconsin seeks to influence all legislation which directly affects the unborn, the aged, the disabled, and the terminally ill. Pro-Life Wisconsin opposes all abortion, infanticide, and euthanasia. We also oppose any public financing of abortion, infanticide, euthanasia and birth

Matuska, Mary

**Rural Development Center, Wisconsin**

Subject(s): WRDC's public policy advocacy work will primarily focus on agriculture, environmental and conservation issues, banking and commerce and rural development initiatives.

Wenzel, William

**St. Paul Fire and Marine Insurance Company**

Subject(s): Areas relating to health care liability insurance.

Vaughan, Michael

**Wackenhut Corrections Corporation, MultiState Associates Inc on**

**behalf of**

Subject(s): Corrections legislation, administration, regulation and policy.

Cook, Sharon

Mitchell, Brian

**Organization's authorization of additional lobbyists:**

The following organizations previously registered with the Ethics Board have authorized to act on their behalf these additional licensed lobbyists:

**Automatic Merchandising Council, Wisconsin**

Stenger, Scott

**Automobile Manufacturers Assn, American**

Edmunds, Donald

**Counties Assn, Wisconsin**

Behrens, Ken

**Economic Development Assn, Wisconsin**

Steinmetz, Amy

**Flambeau Mining Co**

Kent, Paul

**Forethought Group, Inc, The**

Kuehn, Ronald W

**Homesteaders Life Company**

Kuehn, Ronald W

**Manufactured Housing Assn, Wisconsin**

Bright, Michael

**Manufacturers & Commerce, Wisconsin**

Borgerding, Eric

McElligott, Thomas

**Milwaukee Brewers Baseball Club**

Selig-Prieb, Wendy

**Mortgage Bankers Assn, Wisconsin**

Steinmetz, Amy

**Pierce National Life Insurance Company**

Kuehn, Ronald W

**United Family Life Insurance Co**

Kuehn, Ronald W

**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.

**Milwaukee Metropolitan Sewerage District**

Katzman, William 3/17/97

Stitt, Donald 3/20/97

Tenuta, James 4/2/97

**Milwaukee, City of**

Czarnecki, Joseph J 3/17/97

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 #308**

*Relating to a Proclamation that the Flag of the United States and the Flag of the State of Wisconsin be Flown at Half-Staff as a Mark of Respect for the Brave Personnel of the United States Air Force Reserve's 440th Airlift Wing Who Lost Their Lives in the Line of Duty in Tegucigalpa, Honduras*

**WHEREAS**, on Tuesday, April 1, 1997, a Milwaukee-based Air Force Reserve cargo aircraft en route from Howard Air Force Base to Soto Cano Air Base crashed at the end of an airport runway in Honduras; and

**WHEREAS**, Senior Master Sergeant Leland Rassmussen, Staff Sergeant Vicki Clifton, and Senior Airman Samuel Keene of the United State Air Force Reserve's 440th Airlift Wing lost their lives while on this resupply mission; and

**WHEREAS**, Senior Master Sergeant Rassmussen, Staff Sergeant Clifton, and Senior Airman Keene honorably served the people of the United States and the people of Wisconsin; and

**WHEREAS**, the people of Wisconsin mourn the loss of these brave service personnel;

**NOW, THEREFORE, I, TOMMY G. THOMPSON**, Governor of the State of Wisconsin, by the authority vested in me by Federal and State law, DO HEREBY ORDER that the flag of the United States and the flag of the State of Wisconsin shall be flown at half-staff at all buildings, grounds, and military installations of the State of Wisconsin, located in Milwaukee County and at the State Capitol in the City of Madison, beginning forthwith until sundown on Monday, April 7, 1997.

**IN TESTIMONY WHERE OF**, 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 second day of April in the year one thousand nine hundred and ninety-seven.

TOMMY G. THOMPSON  
Governor

BY THE GOVERNOR:

DOUGLAS LA FOLLETTE  
Secretary of State

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

**EXECUTIVE ORDER #309**

***Relating to the creation of the Wisconsin Science Advisory Council on Metallic Mining***

**WHEREAS**, Wisconsin has a well-established tradition and history of mining its metallic ore resources for the benefit of its citizens; and

**WHEREAS**, Wisconsin has an equally well-established tradition and history of protecting and preserving its environmental heritage; and

**WHEREAS**, mining of metallic ore reserves represents a significant economic opportunity in this state; and

**WHEREAS**, certain metallic mining practices have caused degradation of surface and ground water through acid drainage and the release of heavy metals; and

**WHEREAS**, technology has been advanced that promises to prevent or eliminate environmental pollution caused by the mining of metallic ore reserves; and

**WHEREAS**, the interests of the citizens of Wisconsin will best be served by basing decisions regarding metallic ore mining in this state on sound scientific principles;

**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 Section 14.019 of the Wisconsin Statutes, do hereby:

1. Create the Wisconsin Science Advisory Council on Metallic Mining (hereinafter "Council") and require the Council to perform the following substantive functions:
  - a. Identify the technologies that are effective in preventing or eliminating environmental degradation from metallic ore mining operations;
  - b. Review, on a site-specific basis, proposed metallic ore mining operations in this state and determine the effectiveness and feasibility of implementing technologies to reduce or eliminate environmental impacts, including acid drainage and the release of heavy metals from the tailings site, from the proposed metallic ore mining operations;
  - c. Formulate and submit recommendations to the Secretary of the Department of Natural Resources (hereinafter "Secretary") concerning the existence of technology that will ensure compliance with state groundwater and surface water statutes or rules by metallic ore mining operations and confirm that any proposed metallic ore mining operation would utilize these technologies.

2. Provide that the recommendations of the Council required in paragraph 1. c. shall be considered in state environmental impact statement preparation and permit decisions.
3. Provide that the Council shall be composed of five members who shall serve at the pleasure of the Secretary.
4. Provide that the Secretary shall appoint the members of the Council and shall designate a chair from such membership to serve in that capacity at the pleasure of the Secretary.
5. Provide that members of the Council must have training and experience in at least one of the following disciplines, each of which must be represented on the Council: geology or hydrology, environmental engineering, metallic ore mining, and environmental risk assessment and management.
6. Direct agencies of the State of Wisconsin to cooperate fully with the Council and provide assistance to the Council upon the request of the Secretary.
7. Direct the Department of Natural Resources to provide staff and other necessary support to the Council.
8. Require the Secretary to establish dates by which the Council must submit the recommendations required in paragraph 1.c..
9. Provide that the Council shall submit such information and reports to the Secretary as the Secretary directs..

**IN TESTIMONY WHERE OF**, 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 seventh day of April in the year one thousand nine hundred and ninety-seven.

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 97-026**

Relating to the annual allocation of volume cap for calendar year 1998.

Submitted by Department of Commerce.

Report received from Agency, April 8, 1997.

Referred to committee on **Economic Development, Housing and Government Operations**, April 9, 1997.

**AMENDMENTS OFFERED**

Senate amendment 1 to **Senate Bill 131** offered by Senator Weeden.