

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

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WEDNESDAY, October 20, 1999

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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 23**

Relating to: memorializing the U.S. Congress to provide funding for research on recycled lumber by the Forest Products Laboratory of the U.S. Department of Agriculture Forest Service.

By Joint Legislative Council.

To committee on **Agriculture, Environmental Resources and Campaign Finance Reform.**

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

Read first time and referred:

**Senate Bill 254**

Relating to: the procedure for changing the number of school board members in a common or unified school district.

By Senator Huelsman; cosponsored by Representatives Stone and Owens.

To committee on **Education.**

**Senate Bill 255**

Relating to: various changes in the unemployment insurance law, granting rule-making authority, making appropriations and providing penalties.

By Senators Baumgart and Zien; cosponsored by Representatives Vrakas and Turner.

To committee on **Labor.**

**Senate Bill 256**

Relating to: flag etiquette.

By Senators Drzewiecki, Breske, Schultz, Rude, Zien, Panzer and Darling; cosponsored by Representatives Pettis, Ryba, Hahn, Sherman, Porter, Urban, Suder, Turner, Goetsch, Spillner, Kelso, Black, Townsend, Seratti, Hutchison and Kedzie.

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

**Senate Bill 257**

Relating to: minimum standards for life insurance policies in which the proceeds are assigned to funeral directors or funeral establishment operators.

By Senators Breske, Rude and Shibilski; cosponsored by Representatives F. Lasee, Musser, Ryba, La Fave, Pettis, Wasserman, Hoven, Grothman, Underheim and Albers.

To committee on **Insurance, Tourism, Transportation and Corrections.**

**Senate Bill 258**

Relating to: appealing managed care plan decisions, obtaining the services of specialist providers and suing managed care plans.

By Senators Clausing, Robson and Wirsch; cosponsored by Representatives Wasserman, Pocan, Bock, Richards, La Fave, Sherman, Plouff, Black, Hasenohrl, Young, J. Lehman and Kreuser.

To committee on **Health, Utilities, Veterans and Military Affairs.**

**Senate Bill 259**

Relating to: creating a consumer privacy advocate in the department of justice and making an appropriation.

By Senators Erpenbach, Decker, Baumgart, Rosenzweig, Risser, Plache and Grobschmidt; cosponsored by Representatives Schneider, La Fave, Bock, Black, Travis, Musser, Boyle, Ryba, Lassa, Hebl, J. Lehman, Hasenohrl, Schooff, Richards and Coggs.

To committee on **Privacy, Electronic Commerce and Financial Institutions.**

**Senate Bill 260**

Relating to: sale or rental of certain information pertaining to minors by state agencies.

By Senators Erpenbach, Clausing, A. Lasee, Schultz and Rosenzweig; cosponsored by Representatives Schneider, Bock, Sherman, Black, Ryba, Pocan, Musser, Staskunas, Coggs, Gundrum and Lassa.

To committee on **Privacy, Electronic Commerce and Financial Institutions.**

**Senate Bill 261**

Relating to: exempting certain barns and agricultural outbuildings from property taxation and providing a penalty.

By Joint Legislative Council.

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

**Senate Bill 263**

Relating to: mass media activities in relation to election campaigns.

By Senators Clausing, Burke and Wirch; cosponsored by Representatives Travis and Lassa.

To committee on **Agriculture, Environmental Resources and Campaign Finance Reform**.

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**REPORT OF COMMITTEES**

The committee on **Insurance, Tourism, Transportation and Corrections** reports and recommends:

**Senate Bill 262**

Relating to: the lease and operation of correctional facilities and making an appropriation.

Introduction.

Ayes, 7 – Senators Breske, Grobschmidt, Baumgart, Shibilski, Schultz, A. Lasee and Zien.

Noes, 0 – None.

To committee on **Insurance, Tourism, Transportation and Corrections**.

**Assembly Bill 2**

Relating to: the use of high-beam headlamps on motor vehicles.

Concurrence.

Ayes, 7 – Senators Breske, Grobschmidt, Baumgart, Shibilski, Schultz, A. Lasee and Zien.

Noes, 0 – None.

**Assembly Bill 24**

Relating to: regulating telephone solicitation by prisoners and providing a penalty.

Concurrence.

Ayes, 7 – Senators Breske, Grobschmidt, Baumgart, Shibilski, Schultz, A. Lasee and Zien.

Noes, 0 – None.

**Senate Bill 136**

Relating to: requiring insurance coverage of certain immunizations for children.

Introduction and adoption of Senate amendment 1.

Ayes, 7 – Senators Breske, Grobschmidt, Baumgart, Shibilski, Schultz, A. Lasee and Zien.

Noes, 0 – None.

Passage as amended.

Ayes, 7 – Senators Breske, Grobschmidt, Baumgart, Shibilski, Schultz, A. Lasee and Zien.

Noes, 0 – None.

**Senate Bill 230**

Relating to: responding to disasters, granting rule-making authority and making appropriations.

Introduction and adoption of Senate amendment 1.

Ayes, 6 – Senators Breske, Grobschmidt, Shibilski, Schultz, A. Lasee and Zien.

Noes, 1 – Senator Baumgart.

Passage as amended.

Ayes, 7 – Senators Breske, Grobschmidt, Baumgart, Shibilski, Schultz, A. Lasee and Zien.

Noes, 0 – None.

Roger Breske  
Chairperson

The committee on **Agriculture, Environmental Resources and Campaign Finance Reform** reports and recommends:

**Assembly Bill 92**

Relating to: the unauthorized release of animals, immunity from liability and providing a penalty.

Concurrence.

Ayes, 5 – Senators Clausing, Baumgart, Wirch, Schultz and A. Lasee.

Noes, 0 – None.

**Senate Bill 27**

Relating to: the appointment of the secretary of natural resources.

Passage.

Ayes, 3 – Senators Clausing, Baumgart and Wirch.

Noes, 2 – Senators Schultz and A. Lasee.

Alice Clausing  
Chairperson

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

**Assembly Bill 279**

Relating to: school district boundary disputes.

Concurrence.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

**Assembly Bill 370**

Relating to: distribution of certain state documents; school district reports on programs for school age parents and on special transfer programs; the supervision of nurses and dentists employed by a school board; and the term “limited-English speaking” (suggested as remedial legislation by the department of public instruction).

Concurrence.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

**Assembly Bill 447**

Relating to: the conditional early reinstatement to school of a pupil who has been expelled from school.

Concurrence.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

Richard Grobschmidt  
Chairperson

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**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin  
Department of Administration**

October 15, 1999

The Honorable, The Legislature:

This report presents statements of fund condition and operations (budgetary basis) of the State of Wisconsin for the fiscal year ended June 30, 1999. This satisfies the requirements of sec. 16.40(3), Wisconsin Statutes. Displayed are major sources of revenues and major categories of expenditures for the General fund and other funds compared to the prior year.

The General Fund has an undesignated balance of \$701.3 million as of the end of the fiscal year. This is \$583.7 million

higher than the \$117.6 million estimate that was projected in the final Chapter 20 fund condition statement.

General purpose revenue taxes were \$9.948 billion compared to \$9.528 billion in the prior year, an increase of \$420 million or 4.4 percent. General purpose revenue expenditures were \$10.009 billion compared to \$9.695 billion in the prior year, an increase of \$314 million or 3.2 percent.

General purpose revenue spending increases in fiscal year 1999 were largely driven by increases in three areas: School Aids increased by \$197.5 million, Corrections by \$63.6 million, and the U. W. System by \$26.8 million.

In fiscal year 1999, the State of Wisconsin continued to devote the major share of state tax collections to assistance to local school districts, municipalities and counties. Local assistance accounted for 61.2 percent of total general purpose revenue spending. Aid payments to individuals and organizations represented 16.6 percent of total general purpose revenue expenditures. The University of Wisconsin accounted for 9.2 percent of total general purpose revenue spending and state operations spending for all other state agencies accounted for 13.0 percent of the total.

The State of Wisconsin expects to publish its comprehensive annual financial report in December 1999. The report will be prepared under generally accepted accounting principles.

Sincerely,

GEORGE LIGHTBOURN  
Acting Secretary

WILLIAM J. RAFTERY, CPA  
State Controller

**State of Wisconsin  
Southeast Wisconsin Professional Baseball Park District**

October 21, 1999

The Honorable, The Legislature:

Enclosed please find the Miller Park monthly progress report for the month of September 1999 for your review and consideration. We continue to move forward with our recovery plan and standard ballpark construction efforts in the aftermath of the July crane accident.

Please feel free to contact me if you have any questions or comments regarding the enclosed report.

Sincerely,

MICHAEL R. DUCKETT, P.E., R.L.S.  
Executive Director

**State of Wisconsin  
Legislative Audit Bureau**

October 15, 1999

The Honorable, The Legislature:

We have completed a financial audit of the Mendota and Winnebago Mental Health Institutes for fiscal year 1997-98, at the request of the Department of Health and Family Services. We were able to provide unqualified opinions on the Institutes' financial statements. We note that, on an accrual basis, the Mendota Mental Health Institute had net income of \$771,737, and the Winnebago Mental Health Institute had net income of \$53,465.

Because of limitations in the Department's patient billing system, the prior year's financial statements contained errors, which overstated patient accounts receivable, revenues, and net income. To correct for these overstatements, the fiscal year 1997-98 financial statements include a \$2.6 million prior-period reduction in Mendota Mental Health Institute's retained earnings and a \$3.7 million prior-period reduction in Winnebago Mental Health Institute's retained earnings.

Copies of the audit report have been distributed to members of the Joint Audit Committee and those required by law to receive them. If you are interested in receiving a copy of the audit report, please contact our office and request a copy of report 99-17.

Sincerely,

JANICE MUELLER  
State Auditor

**State of Wisconsin  
Department of Revenue**

October 12, 1999

The Honorable, The Legislature:

I am submitting the quarterly report of the Wisconsin Lottery for the quarter ending September 30, 1999. As required by s. 565.37(3), Wis. Stats., the attached materials contain unaudited Wisconsin Lottery year to date Sales and Expenditure information.

The summary information reported here is not intended to be a complete financial accounting of the Wisconsin Lottery Fund. It reflects current law, including provisions of 1999 Wisconsin Act 5, but does not reflect the pending provisions of the 1999-01 biennial budget. This report may be amended pending the results of the biennial budget.

If you have any questions or comments regarding this report, please feel free to contact me at (608) 266-6466.

Sincerely,

CATE ZEUSKE  
Secretary of Revenue

**State of Wisconsin  
Ethics Board**

October 19, 1999

The Honorable, The Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

For more detailed information about these lobbyists and organizations and a complete list of organizations and people authorized to lobby the 1999 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us>.

Essie, Patrick	<b>Deere &amp; Company</b>
Jordan, Bob	<b>Association of</b>
<b>Career Employees</b>	
Jordan, Le	<b>Association of</b>
<b>Career Employees</b>	
Partenfelder-Moede, Peggy	<b>Deere &amp; Company</b>
Rubin, Carol	<b>WEA Insurance</b>
<b>Corporation</b>	

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,

ROTH JUDD  
Director

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**EXECUTIVE COMMUNICATIONS**

**State of Wisconsin  
Office of the Governor**

September 30, 1999

The Honorable, The Senate:

This is to inform you that I am withdrawing the nomination of James W. Nellen, II for appointment to the Wisconsin Advanced Telecommunications Foundation, Inc.

Mr. Nellen has notified my office that he wishes his nomination be withdrawn at this time.

Thank you for your attention to this matter.

Sincerely,

TOMMY G. THOMPSON  
Governor

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

**Senate Clearinghouse Rule 99-040**

Relating to use of limited liability in chiropractic practice.

Submitted by Department of Regulation and Licensing.

Report received from Agency, October 18, 1999.

Referred to committee on **Human Services and Aging**, October 20, 1999.

**Senate Clearinghouse Rule 99-087**

Relating to the chemical and container collection program.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, October 18, 1999.

Referred to committee on **Agriculture, Environmental Resources and Campaign Finance Reform**, October 20, 1999.

**Senate Clearinghouse Rule 99-127**

Relating to computerized examinations.

Submitted by Department of Regulation and Licensing.

Report received from Agency, October 13, 1999.

Referred to committee on **Economic Development, Housing and Government Operations**, October 20, 1999.

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

**Senate Clearinghouse Rule 98-187**

Relating to pharmacists administering by injection a drug product or device in the course of teaching a patient self-administration techniques.

No action taken.

**Senate Clearinghouse Rule 99-001**

Relating to licensure and regulation of physician assistants.

No action taken.

**Senate Clearinghouse Rule 99-098**

Relating to the repeal of rules relating to the practice of podiatry.

No action taken.

Judy Robson  
Chairperson

The committee on **Insurance, Tourism, Transportation and Corrections** reports and recommends:

**Senate Clearinghouse Rule 98-168**

Relating to operator's licenses and identification cards.

No action taken.

**Senate Clearinghouse Rule 99-091**

Relating to the local bridge program.

No action taken.

**Senate Clearinghouse Rule 99-119**

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

No action taken.

Roger Breske  
Chairperson

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**AMENDMENTS OFFERED**

Senate amendment 2 to **Senate Bill 204** offered by Senator Grobschmidt.