

# Ninety-First Regular Session

WEDNESDAY, September 15, 1993

The chief clerk makes the following entries under the above date.

## INTRODUCTION OF RESOLUTIONS

### Senate Joint Resolution 35

Relating to calling on Congress to provide funding to tribal governments for environmental protection programs.

By Senators Breske, Jauch, Plewa and Clausing; cosponsored by Representatives Holperin, Boyle, Gruszynski, Lorge, Baldus, Turner, L. Young, Huber and Coggs

To committee on Environment and Energy.

## INTRODUCTION OF BILLS

Read first time and referred:

### Senate Bill 419

Relating to abating nuisances caused by waste tires.

By Senator Wineke; cosponsored by Representative Travis.

To committee on Environment and Energy.

### Senate Bill 420

Relating to impersonating a utility employe.

By Senators Burke, Huelsman and Cowles; cosponsored by Representatives Bock, Wood and Porter.

To committee on Environment and Energy.

### Senate Bill 421

Relating to expanding the types of projects for which tax incremental financing may be used.

By Senators Breske and Rosenzweig; cosponsored by Representatives Holperin, Schneiders, Roberts, Lorge, Turner, Ourada, Gruszynski, Ryba, Wirch, L. Young, Seratti and Boyle.

To committee on Business, Economic Development and Urban Affairs.

### Senate Bill 422

Relating to school enrollment and issuance of an operator's license or instruction permit and revocation of the motor vehicle operating privilege of school dropouts.

By Senators Lorman, Huelsman, Rude and Drzewiecki; cosponsored by Representatives Ward, Grobschmidt, Nass, Ryba, Freese, Goetsch, Porter, Owens, Dobyns, Ladwig, Ainsworth, Musser, Holperin, Green, Kaufert, Ott and Seratti.

To committee on Education.

### Senate Bill 423

Relating to railroad trains, locomotives and cars obstructing highways and street crossings and providing a penalty.

By Senator Ellis; cosponsored by Representatives Kaufert, Musser, Dobyns, Baldus, Ladwig, Underheim, Boyle and Urban.

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

### Senate Bill 424

Relating to the use of pilings and the placement of pilings on the beds of navigable waters.

By Senators Ellis, Breske and Darling; cosponsored by Representatives Kaufert, Porter, Ainsworth, Roberts, Lorge, Turner, Panzer, Klusman and Ott.

To committee on Environment and Energy.

### Senate Bill 425

Relating to a study on shoreline protection measures and making an appropriation.

By Senators Ellis, Rude, Clausing and Darling; cosponsored by Representatives Holperin, Kaufert, Porter, Lehman, Black, Roberts, Panzer, Turner, Klusman, Lorge, Hanson, Ott and Silbaugh.

To committee on Environment and Energy.

### Senate Bill 426

Relating to increasing the penalties of a person who operates a motor vehicle while under the influence of an intoxicant when a minor is a passenger in the motor vehicle.

By Senators Farrow, Rosenzweig, Huelsman and Buettner; cosponsored by Representatives Hanson, Walker, Ladwig, Morris-Tatum, La Fave, Harsdorf, Silbaugh, Seratti, Musser and Beal.

To committee on Judiciary and Insurance.

### Senate Bill 427

Relating to preadmission screening and resident review for and relocation from institutions for mental diseases and granting rule-making authority.

By Senators Potter, Moen and Buettner; cosponsored by Representatives Baumgart, Otte and Gronemus.

To committee on Health, Human Services and Aging.

### Senate Bill 428

Relating to the possession of wild animals, their carcasses or parts of wild animals during certain times of the year.

By Senators Helbach, Cowles, Breske, Decker, Moen, Lorman, Plewa, Clausing and Schultz; cosponsored by Representatives Hasenohrl, Baldus, Plombon, Plache, Ziegelbauer, Gronemus, Holperin, Wilder, Lehman, Brandemuehl, Goetsch, Schneiders, Otte, Musser, Nass, Lorge, Skindrud, Porter, Hanson, Underheim, Seratti, Gruszynski, Boyle, Schneider and Ott.

To committee on Environment and Energy.

### Senate Bill 429

Relating to the requirements for a lump sum payment under the Wisconsin retirement system.

By Senator Ellis, by request of Tom and La Nore Zielkowski.

To Joint Survey committee on Retirement Systems.

**Senate Bill 430**

Relating to a book on the experiences of the state's Vietnam war veterans and making an appropriation.

By Senators Jauch, Moen, Zien, Clausing, Andrea, Breske, Decker and Schultz; cosponsored by Representatives Musser, Holperin, Porter, Lorge, Turner, Carpenter, R. Young, Ryba, Silbaugh, Krug, Seratti, Panzer, Stower, Schneider and Potter.

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

**Senate Bill 431**

Relating to health care liability, the patients compensation fund, the mediation system and granting rule-making authority.

By Senator Buettner, by request of Dr. Al Fisher.

To committee on Health, Human Services and Aging.

**Senate Bill 432**

Relating to prepaid maintenance liens.

By Senators Chvala, Burke and Clausing; cosponsored by Representatives Baldus, Riley, Ladwig, Hasenohrl, Bock, Ryba, Carpenter, R. Young, L. Young, Ott, Notestein, Grobschmidt, Bell, Potter, Boyle, Albers, Musser, Huber and Ainsworth.

To committee on Judiciary and Insurance.

**Senate Bill 433**

Relating to the appointment of the secretary of natural resources being confirmed by the senate.

By Senators Drzewiecki, Cowles, Huelsman, Lasee, Moore, Petak, Plewa and Schultz; cosponsored by Representatives Brandemuehl, Boyle, Gard, Ladwig, Owens, Lazich, Otte, Goetsch, Plache, Ryba, Silbaugh, Urban, Walker and Zukowski.

To committee on State Government Operations and Corrections.

**Senate Bill 434**

Relating to changing the definition of a community-based residential facility.

By Senators Darling, Lorman, Zien and Breske; cosponsored by Representatives Schneiders, La Fave, Hanson and Panzer.

To committee on Health, Human Services and Aging.

**Senate Bill 435**

Relating to the registration and operation of reconstructed, replica, street modified and homemade vehicles and providing a penalty.

By Senators Darling, Huelsman, Burke, Rosenzweig, Lorman, Breske, Plewa, Moen and Zien; cosponsored by Representatives Hasenohrl, Vrakas, Holperin, Musser, Huber, Grobschmidt, Urban, Boyle, Underheim, Albers, Ourada, Panzer and Lorge.

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

**Senate Bill 436**

Relating to commencement of the fall semester at the university of Wisconsin system, vocational, technical and adult education schools and public schools.

By Senators Lekan, Lasee, Schultz and Breske; cosponsored by Representatives Swoboda, Porter, Holperin, Albers, Goetsch, Seratti, Walker and Ott.

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

**Senate Bill 437**

Relating to the regulation of perfusionists by the medical examining board, creating a perfusionists examining council and granting rule-making authority.

By Senators Rude, Wineke, Rosenzweig, Cowles, Decker, Darling and Breske; cosponsored by Representatives Robson, Prosser, Bock, Musser, Skindrud, Potter, Bell, Goetsch, La Fave, Lehman, Seratti, Baldus, Meyer, Vrakas, Panzer, Lazich, Wirsch, Ryba, Hanson, Turner, Boyle and Huber.

To committee on Health, Human Services and Aging.

**Senate Bill 438**

Relating to snowmobile rail crossings, granting rule-making authority, providing an exemption from emergency rule procedures and extending the time limit for emergency rules.

By Senators Rude, Lekan, Schultz, Breske, Buettner, Zien, Decker, Potter, Lorman, Chvala, Moen, Wineke, Clausing, Weeden, Cowles and Farrow; cosponsored by Representatives Holperin, Swoboda, Musser, Linton, Stower, Ourada, Brancel, Schneider, Travis, Lehman, Johnsrud, Vergeront, Krosnicki, Panzer, Hasenohrl, Gronemus, Kaufert, Hahn, Lorge, Ott, Boyle, Hanson, Coleman, Brandemuehl, Huber, Klusman, Springer, Porter, Nass, Albers and Prosser.

To committee on Environment and Energy.

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COMMITTEE REPORTS

The committee on Business, Economic Development and Urban Affairs reports and recommends:

**Assembly Bill 64**

Relating to job shifting requirements for industrial development revenue bond projects.

Concurrence:

Ayes, 3 -- Senators Petak, Buettner and Plewa;

Noes, 0 -- None.

George Petak  
Chair

The committee on Human Resources, Labor, Tourism, Veterans and Military Affairs reports and recommends:

**Senate Bill 66**

Relating to changes in the law enforcement officers' bill of rights and the applicability of collective bargaining dispute and disciplinary procedures affecting certain local governmental employes.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 3 -- Senators Zien, Breske and Decker;

Noes, 0 -- None.

Passage as amended:

Ayes, 3 -- Senators Zien, Breske and Decker;

Noes, 1 -- Senator Lasee.

David A. Zien  
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin

Department of Administration

Department of Natural Resources

September 14, 1993

SUBJECT: Clean Water Fund Biennial Report  
for FY 1993-1995

To the Honorable the Legislature:

Attached to this letter is the third version of the Clean Water Fund Biennial Finance Plan for FY 1993-1995.

This plan was prepared jointly by the Department of Natural Resources and the Department of Administration Capital Finance Office. Its purpose is to support the administration of the Clean Water Fund which provides financial assistance to municipalities that are required to construct new wastewater treatment facilities to protect the surface water and groundwater of Wisconsin. The first version of the plan, which was submitted to your office on August 17, 1992, reflected the Department of Natural Resources biennial budget proposal to the Governor. The second version, which was submitted to your office on March 24, 1993 was updated to reflect the Governor's proposed biennial budget. This third version of the plan reflects the adopted biennial budget.

The preparation, submission, and review of the Biennial Finance Plan by the Joint Committee on Finance, environmental legislative standing committees and the Building Commission is required under s. 144.2415(3), Stats. The statute allows the Joint Committee on Finance and each standing committee to submit to the Building Commission its recommendations and comments regarding each version of the Biennial Finance Plan.

If you have any questions regarding the Biennial Finance Plan, please contact Paulette Harder at 266-0836 or Frank Hoadley at 266-2305.

Sincerely,  
Paulette Harder, Director      Frank R. Hoadley, Director  
Office of                      Capital Finance  
Governmental Relations      Department of Administration  
Department of Natural Resources

State of Wisconsin  
Department of Development

September 1, 1993

To the Honorable the Legislature:

Section 144.955(3)(f), Wis. Stats., requires the Hazardous Pollution Prevention Board (Board) submit a report to the Governor and to the Chief Clerk of each

house of the Legislature each year in which a Capacity Assurance Plan (CAP) is not revised. A CAP was not required this year. However, the Board wanted to inform you of the activities that were conducted in 1992 under this program.

The Department of Development pursued legislative changes in the biennial budget to the Hazardous Pollution Prevention Audit Program. Therefore, the Department postponed submitting the report until the budget had been signed. Enclosed are copies of the Board's report for the calendar year ending December 31, 1992.

The report provides information on the following items, as required by the statute:

- A. The Hazardous Pollution Prevention Audit Grant Program.
- B. The University of Wisconsin-Extension Hazardous Pollution Prevention Program.
- C. The hazardous pollution prevention activities of the Department of Natural Resources.
- D. The implementation of the hazardous pollution prevention goals in the Capacity Assurance Plan.

In passing the legislation that resulted in 1989 Wisconsin Act 325, which set up the various pollution prevention activities, the Legislature recognized that there are opportunities to reduce or eliminate hazardous waste at the source. The members of the Board look forward to doing their part to help reduce the amount of hazardous waste generated in Wisconsin.

If you would like to receive additional copies of the report, please contact Mr. Todd Kearney at the Department of Development, P. O. Box 7970, Madison, Wisconsin 53707, telephone number: 608/266-6675.

Sincerely,  
Robert N. Trunzo  
Secretary

State of Wisconsin  
Department of Transportation

September 14, 1993

To the Honorable the Legislature:

The enclosed report has been sent to you pursuant to sec. 1.11(2)(j), Stats. This statute states:

*"Annually, no later than September 15, submit a report to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172(2), including the number of proposed actions for which the agency conducted an assessment of whether an impact statement was required under par. (c) and the number of impact statements prepared under par. (c)."*

This report addresses the activities of the Department of Transportation for Fiscal Year 1993, the period from July 1, 1992 to June 30, 1993.

JOURNAL OF THE SENATE [September 15, 1993]

Sincerely,  
Charles H. Thompson  
Secretary  
State of Wisconsin  
Legislative Council

September 14, 1993

To the Honorable the Legislature:

I am pleased to transmit to you the following report to the 1993 Legislature on legislation introduced by the Legislative Council:

RL 93-6 -- Legislation on Energy Resources (1993 Assembly Bill 701)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available, on request, in the Legislative Council offices, One East Main, Suite 401.

Sincerely,  
David J. Stute  
Director  
State of Wisconsin  
Ethics Board

September 7, 1993

To the Honorable the Senate:

At the direction of s. 13.685(7), Wisconsin Statutes, I am furnishing you with the following 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:

**Milwaukee, City of**

Holt, Stephen  
Kuiper, Laurie

**Milwaukee Heart Research Foundation, Inc.**

Remsik, Jeffrey

**Milwaukee Public Museum, Inc.**

Broydrick, Bill

**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.

**Hospital Assoc., Wisconsin**

Olson, Jane 9/2/93

**Life & Health Insurers, Inc., Wisconsin Assoc. of**

Farnsworth, Kathleen 9/1/93

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  
Ethics Board

September 14, 1993

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 as employing one or more individuals to affect state legislation or administrative rules. For each organization I have noted the general area of legislative or administrative action which the organization has described as the object of its lobbying activity and the name of each licensed lobbyist that the organization has authorized to act on its behalf.

**DeHart & Darr**

**Subjects:** Any function or activity of any branch, department or phase of federal, state or local government; agriculture, outdoors or environment; taxation, regulation of business, finance or insurance or other topics pertaining to the general public health or welfare.

Petersen, Eric  
Wimmer, James

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  
Ethics Board

September 14, 1993

To the Honorable the Senate:

At the direction of s. 13.685(7), Wisconsin Statutes, I am furnishing you with the following changes in the Ethics Board's records of licensed lobbyists and their employers.

**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.

**United Gaming, Inc.**

Chrnelich, Joseph 9/7/93

**Wisconsin Central, Ltd.**

Kerbs, Glenn 9/9/93

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

State of Wisconsin  
Office of the Governor

September 10, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MAURICE DRESANG of Appleton, as a member of the Credit Union Review Board pursuant to the statute governing, to serve for the term ending May 1, 1998.

Respectfully,  
Tommy Thompson  
Governor

Read and referred to committee on Financial Institutions and Cultural Affairs.

SENATE CLEARINGHOUSE ORDERS

**Senate Clearinghouse Rule 93-12**

Relating to groundwater quality standards.  
Submitted by Department of Natural Resources.  
Report received from agency, September 14, 1993.  
Referred to committee on Environment and Energy,  
September 15, 1993.

**Senate Clearinghouse Rule 93-46**

Relating to the electrical code.  
Submitted by Department of Industry, Labor and Human Relations.  
Report received from agency, September 9, 1993.

Referred to committee on Human Resources, Labor, Tourism, Veterans and Military Affairs, September 15, 1993.

**Senate Clearinghouse Rule 93-82**

Relating to representations that products are recycled, recyclable or degradable.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from agency, September 13, 1993.

Referred to committee on Transportation, Agriculture, Local and Rural Affairs, September 15, 1993.

**Senate Clearinghouse Rule 93-121**

Relating to bungee jumping.

Submitted by Department of Industry, Labor and Human Relations.

Report received from agency, September 14, 1993.

Referred to committee on Human Resources, Labor, Tourism, Veterans and Military Affairs, September 15, 1993.

The committee on Human Resources, Labor, Tourism, Veterans and Military Affairs reports and recommends:

**Senate Clearinghouse Rule 93-20**

Relating to uniform firewall identification.

No action taken.

**Senate Clearinghouse Rule 92-182**

Relating to cross connection control for water supply systems.

No action taken.

**Senate Clearinghouse Rule 92-183**

Relating to plumbing.

No action taken.

David A. Zien  
Chair

AMENDMENTS OFFERED

Senate amendment 1 to Assembly Bill 220 offered by Senator Potter.