

STATE OF WISCONSIN
Senate Journal
Ninety–Second Regular Session

WEDNESDAY, April 12, 1995

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

INTRODUCTION AND REFERENCE OF RESOLUTIONS AND JOINT RESOLUTIONS

Read and referred:

Senate Joint Resolution 23

Relating to: 4–year terms of office for, and the restriction on holding any other office by, sheriffs (first consideration).

By Senators A. Lasee, Fitzgerald, Drzewiecki, Leean, Buettner, Petak, Schultz, Weeden, Panzer, Huelsman and Darling; cosponsored by Representatives Walker, Krusick, Handrick, Lehman, Albers, Brandemuehl, Dobyns, Goetsch, Hahn, Musser, Grothman, Gunderson, Hoven, Otte, Owens, Hutchison, Porter, Schneiders, Seratti, Zukowski, L. Young, Wasserman, Ryba, R. Potter, Plombon, La Fave, Ladwig, Olsen, Lazich, Bock and Boyle.

To committee on **State Government Operations and Corrections**.

Senate Joint Resolution 24

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

By Senators Jauch, Clausing, Burke, Rude, Plewa, Cowles, Moen, Andrea and Breske; cosponsored by Representatives Boyle, Urban, Hanson, Musser, Huebsch, Gronemus, Johnsrud, Schneiders, Dobyns, Hahn, Grothman, Seratti, Wirch and Kreuser.

To special committee on **State and Federal Relations**.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 137

Relating to: the employe trip reduction program and granting rule–making authority.

By Senators Panzer, Cowles, Andrea, Petak, Huelsman, Farrow, Rosenzweig, Darling and Plewa; cosponsored by Representatives Hoven, Lazich, Duff, Jensen, Powers, Walker and Gunderson.

To committee on **Environment and Energy**.

Senate Bill 138

Relating to: prohibiting certain insurance practices on the basis of domestic abuse.

By Senators Burke, Buettner, Clausing, Moen, Moore, C. Potter, Risser and Wineke; cosponsored by Representatives Wasserman, Notestein, Baldus, Baldwin, Black, Bock, Boyle,

Carpenter, Dueholm, Grobschmidt, Gronemus, Hanson, Kreuser, Krug, Krusick, La Fave, Morris–Tatum, Murat, Musser, Ourada, Plache, Plombon, R. Potter, Riley, Robson, Ryba, Springer, Travis and R. Young.

To committee on **Insurance**.

Senate Bill 139

Relating to: the delivery for sale in this state of zero emission vehicles.

By Senator Risser; cosponsored by Representatives Bock, Boyle, Notestein and Lorge.

To committee on **Environment and Energy**.

Senate Bill 140

Relating to: recovery of certain medical assistance benefits from the estate of the recipient or his or her surviving spouse.

By Senators Clausing, Burke, Breske, Jauch and Moore; cosponsored by Representatives Black, Krusick, Robson, Plache, R. Young, Turner, L. Young, Notestein, Baldwin, Grobschmidt, Springer, Bock, Olsen, Gronemus, Riley, Murat, La Fave, Baldus and Hasenohrl.

To committee on **Health, Human Services and Aging**.

Senate Bill 141

Relating to: furnishing notice to individuals regarding individual income tax liens.

By Senators Cowles, Petak, Zien and A. Lasee; cosponsored by Representatives Ott, Plache, Baldus, Goetsch, F. Lasee, Huebsch, Musser, Hahn, Ainsworth, Schneiders, Gronemus, Morris–Tatum, Notestein, Silbaugh, Wirch, Hasenohrl, Albers, Grothman, Wilder, Seratti and Springer.

To committee on **State Government Operations and Corrections**.

REPORT OF COMMITTEES

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

ADRIAN, LINDA S., of Platteville, as a member of the Rural Health Development Council, to serve for the term ending July 1, 1999.

Confirmation.

Ayes, 6 – Senators Buettner, Rosenzweig, Fitzgerald, Moen, Breske and Moore.

Noes, 0 – None.

RASMUSSEN, CHARLOTTE, of Ringle, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 1998.

Confirmation.

Ayes, 6 – Senators Buettner, Rosenzweig, Fitzgerald, Moen, Breske and Moore.

Noes, 0 – None.

Carol Buettner
Chairperson

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Department of Development**

April 7, 1995

The Honorable, The Legislature:

Pursuant to s. 560.03 (15), Wisconsin Statutes, the Department of Development is required to submit a report summarizing employee impact statements and an analysis of the use of IRBs including the benefits derived and the effects on employment in the state.

I am respectfully submitting the attached "Industrial Revenue Bond Activity" report to the Legislature in the manner provided in s. 13.172 (3), Wisconsin Statutes. If you have any question concerning the report, please contact Richard Kotenbeutel at (608) 266-3074. To request a copy of the report, contact Bev Haberman at (608) 266-5381.

Sincerely,

WILLIAM J. MCCOSHEN
Secretary

**State of Wisconsin
Department of Industry, Labor and Human Relations**

April 6, 1995

The Honorable, The Legislature:

As specified in 101.122, we are submitting last year's annual report for the Rental Weatherization Program. The program began on January 1, 1985. This is the tenth report of the program's operation. Additional copies of the report are available by contacting the program staff at: Rental Weatherization Program, DILHR-Safety and Buildings, GEF 1, Room 103, Madison, WI 53702, Telephone: (608) 266-0671.

Sincerely,

CAROL SKORNICKA
Secretary

**State of Wisconsin
Council on Recycling**

March 31, 1995

The Honorable, The Legislature:

The Council on Recycling, created by 1989 Wisconsin Act 335 under s. 15.347 (17), Wis. Stats., is a body of citizens given the responsibility to advise the Governor, Legislature, and state agencies on implementation of state solid waste reduction, waste recovery, and recycling programs.

On behalf of the Council on Recycling, I am please to provide you with the Annual Report of the Council's activities for 1994. This report is being submitted for your distribution to interested Legislators so they may obtain an overview of the Council's activities over the past year.

The Council has discussed and acted on a wide variety of issues in 1994, and many of the themes and topics have carried over to the formulation of the Council's goals for 1995. In particular, the Council hopes to continue the close working relationship with the Recycling Market Development Board and to pursue greater inter-agency cooperation and coordination in market development. Throughout 1995, the Council plans to continue its role of providing a forum for the varied interests throughout Wisconsin, interests who are dedicated to making Wisconsin's recycling laws work. The Council also plans to continue to serve as a valued advisor to the Legislature, government

agencies and the Governor. The Council looks forward to working with all sectors, public and private, involved with recycling to ensure maximum compliance and efficiency of programs and markets.

Please contact Dan Fields, staff to the Council, at 266-5334 if you should have any questions about this report or the Council on Recycling.

Sincerely,

DAN MEYER
Chair, Council on Recycling

**State of Wisconsin
Legislative Audit Bureau**

April 6, 1995

The Honorable, The Legislature:

We have completed our evaluation of the Adolescent Pregnancy Prevention and Pregnancy Services Board, as requested by the Joint Legislative Audit Committee. The Board's primary responsibility is to award grants to local organizations to fund community-based pregnancy prevention programs. Over the past five years, the Board disbursed \$2.5 million in grants to organizations for pregnancy prevention programs. Approximately 80 percent of all grant expenditures were for personnel costs.

All programs funded by the Board provide services to adolescents at risk of becoming pregnant or of fathering children, and many of the programs direct their services to adolescents with the highest risk of pregnancy. Even though programs tended to focus on serving high-risk participants, we found that grantees reported a high success rate in assisting participants to avoid adolescent pregnancies.

Although it is difficult to compare the pregnancy avoidance rates of participants in Board-funded programs with the rates in their communities, we estimate that, between 1990 and 1993, female participants in Board-funded programs had an average pregnancy avoidance rate of 96.8 percent, compared to a rate of 91.1 percent for adolescents in their respective communities.

We appreciate the courtesy and cooperation extended to us by members of the Board, its staff, and the staff in the Department of Health and Social Services. The Board has not prepared a written response to this report. Instead, its staff indicated the report and the Board's response will be discussed at a future public meeting.

Sincerely,

DALE CATTANACH
State Auditor

EXECUTIVE COMMUNICATIONS

**State of Wisconsin
Office of the Governor**

March 30, 1995

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DENSOW, DANIEL P., of Appleton, as a member of the Funeral Directors Examining Board, to serve for the term ending July 1, 1998.

Respectfully submitted,

TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

March 30, 1995

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JOHNSON-POWELL, PATRICIA, of Milwaukee, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 1999.

Respectfully submitted,

TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

March 30, 1995

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint LADWIG, E. JAMES, of Racine, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the interim term ending January 1, 1996.

Respectfully submitted,

TOMMY G. THOMPSON
Governor

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

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

Senate Clearinghouse Rule 94-216

Relating to water quality standards for cadmium for the protection of aquatic life.

Submitted by Department of Natural Resources.

Report received from Agency, April 11, 1995.

Referred to committee on **Environment and Energy**, April 12, 1995.

Senate Clearinghouse Rule 94-224

Relating to the notice requirements for terminating worker's compensation insurance policies.

Submitted by Office of the Commissioner of Insurance.

Report received from Agency, April 6, 1995.

Referred to committee on **Insurance**, April 12, 1995.

Senate Clearinghouse Rule 95-021

Relating to certification to perform asbestos abatement activities or asbestos management activities and accreditation of training courses for persons performing asbestos abatement activities or asbestos management activities.

Submitted by Department of Health and Social Services.

Report received from Agency, April 10, 1995.

Referred to committee on **Health, Human Services and Aging**, April 12, 1995.

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

Senate Clearinghouse Rule 94-059

Relating to special education handicapping conditions.

No action taken.

Alberta Darling
Chairperson

MESSAGES FROM THE ASSEMBLY

By Thomas T. Melvin, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has passed and asks concurrence in:

Assembly Bill 126

Assembly Bill 175

Assembly Bill 185

Assembly Bill 241

Assembly Bill 242

Assembly Bill 244

Assembly Bill 245

Assembly Bill 264

Assembly Bill 281

Assembly Bill 291

Assembly Joint Resolution 30

Assembly Joint Resolution 33

Concurred in:

Senate Bill 11

Senate Bill 38

Senate Bill 40

Senate Bill 63

Assembly Bill 21, Senate amendment 3.

Assembly Bill 56, Senate amendment 1.

Assembly Bill 36, Senate substitute amendment 1.

Assembly Bill 145, Senate amendment 1.

Amended and concurred in as amended:

Senate Bill 6, Assembly substitute amendment 1.

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Bill 126

Relating to: requests for increased appropriations to state agencies and positions of state employees on policies of state agencies.

By Representatives Silbaugh, Underheim, Prosser, Vrakas, Foti, Goetsch, Lehman, Duff, Lorge, Albers, Harsdorf, Ainsworth, Hahn, Owens, Dobyns, Grothman, Zukowski and Olsen; cosponsored by Senators Rude, Buettner, Schultz and Wineke.

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

Assembly Bill 175

Relating to: the recording of mortgages with a register of deeds.

By Representatives Grothman, Brandemuehl, Duff, Goetsch, Green, Hahn, Hanson, Kaufert, Klusman, Kreuser, Ladwig, F. Lasee, Lehman, Olsen, Ott, Otte, Owens, Porter,

Ryba, Schneiders, Seratti, Silbaugh, Underheim, Ward, Wirch, R. Young and Zukowski; cosponsored by Senators A. Lasee, Andrea, Buettner, Chvala, Darling, Drzewiecki, Panzer, C. Potter, Schultz and Wineke.

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

Assembly Bill 185

Relating to: eliminating certain public service commission hearings.

By Representatives Duff, Ott, Porter, Lehman, Goetsch, Jensen, Hahn and Silbaugh; cosponsored by Senators Cowles, Farrow and Panzer.

Read first time and referred to committee on **Environment and Energy.**

Assembly Bill 241

Relating to: permitting exchange of certain confidential client information among subunits of the same county departments of social services and developmental disabilities services and expanding the exchange of certain confidential client information among subunits of county departments of human services and community programs.

By Representatives Ward, Olsen, Ziegelbauer, Lehman, Ainsworth, Freese, Prosser, Zukowski, Owens, Hahn, F. Lasee, Musser, Silbaugh, Seratti, Goetsch, Porter, Gard, Ladwig, Handrick and Grothman; cosponsored by Senators Rude, Buettner, Panzer, Weeden and Schultz.

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

Assembly Bill 242

Relating to: requirements for admission to high school.

By Representatives Handrick, Goetsch, Grothman, Musser, Otte, Owens, Silbaugh, Skindrud and Jensen.

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

Assembly Bill 244

Relating to: limiting required funding for protective placements or protective services and mental health services and expanding factors to be considered in making protective placements.

By Representatives Freese, Olsen, Gunderson, Ward, Seratti, Ziegelbauer, Ryba, Kaufert, Kreibich, Gard, Albers, Duff, Foti, Goetsch, Huber, Harsdorf, Grothman, Brandemuehl, Hahn, Schneiders, Travis, Silbaugh, Lehman, Ott, Green, Murat, Wood, Walker, Vrakas, Ladwig, Ourada, Klusman, Otte, Lazich, Skindrud, Owens, Musser, Meyer and Reynolds; cosponsored by Senators Buettner, Rude, Rosenzweig, Panzer, Darling, Farrow, Schultz, Breske, Burke, Petak, Weeden, Drzewiecki and Cowles.

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

Assembly Bill 245

Relating to: changing certain requirements for administration of the long-term support community options program, aging program and family support program.

By Representatives Ward, Seratti, Ziegelbauer, Hahn, Silbaugh, Musser, Otte, Reynolds, Klusman, Gronemus, Porter, Gard, Duff, Kaufert, Kreibich, Ladwig, Harsdorf, Handrick, Goetsch, Grothman, Lehman, Huber and Foti; cosponsored by Senator Petak.

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

Assembly Bill 264

Relating to: requiring state agencies to provide additional notices at various stages of the rule-making process.

By Representatives Grothman, Goetsch, Green, Gunderson, Hoven, Jensen, Kreibich, Lazich, Olsen, Owens, Porter, Reynolds, Silbaugh and Seratti; cosponsored by Senators A. Lasee and Darling.

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

Assembly Bill 281

Relating to: the prohibition on the sale of gasoline other than reformulated gasoline in certain areas of this state.

By Representatives Duff, Bock, Hoven, Jensen and Gunderson; cosponsored by Senator Cowles.

Read first time and referred to committee on **Environment and Energy.**

Assembly Bill 291

Relating to: the employe trip reduction program.

By Representatives Hoven, Lazich, Duff, Jensen and Powers.

Read first time and referred to committee on **Environment and Energy.**

Assembly Joint Resolution 30

Relating to: requesting Congress to eliminate the requirement for an employe commute option and trip reduction program.

By Representatives Lazich, Hoven, Duff, Brandemuehl, Ziegelbauer, Seratti, Olsen, Turner, Grothman, Porter, Plache, Otte, Ladwig, Owens, Urban, Schneiders, Lehman, Wirch, Gunderson, Dobyms and Nass; cosponsored by Senators Petak, Farrow, Panzer, Schultz, Andrea, Darling and Zien.

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

Assembly Joint Resolution 33

Relating to: requesting the Department of Justice to assist in seeking relief from the mandated use of reformulated gasoline in Southeastern Wisconsin and other regulatory requirements related to the federal Clean Air Act.

By Representatives Duff, Gunderson, Jensen and Hoven; cosponsored by Senators Farrow and Cowles.

Read and referred to committee on **Environment and Energy.**

Senate Enrolled Proposals

The Chief Clerk records:

Senate Bill 52

Senate Bill 122

Report correctly enrolled on April 5, 1995.

Senate Enrolled Proposals

The Chief Clerk records:

Senate Bill 111

Report correctly enrolled on April 11, 1995.

Chief Clerk's Report

The Chief Clerk records:

Senate Bill 122

Presented to the Governor on April 12, 1995.

**LEGISLATIVE REFERENCE BUREAU
CORRECTIONS**

CORRECTIONS IN:

**ASSEMBLY AMENDMENT 1,
TO 1995 SENATE BILL 11**

Prepared by the Legislative Reference Bureau
(April 7, 1995)

1. Page 1, line 1: after "bill" insert ", as shown by senate substitute amendment 1,".

CORRECTIONS IN:

**ASSEMBLY AMENDMENT 2,
TO 1995 SENATE BILL 11**

Prepared by the Legislative Reference Bureau
(April 7, 1995)

1. Page 1, line 1: after "bill" insert ", as shown by senate substitute amendment 1,".

CORRECTIONS IN:

**ASSEMBLY AMENDMENT 1,
TO 1995 SENATE BILL 49**

Prepared by the Legislative Reference Bureau
(March 31, 1995)

1. Page 1, line 1: after "bill" insert ", as shown by senate substitute amendment 1,".

CORRECTIONS IN:

1995 SENATE BILL 104

Prepared by the Legislative Reference Bureau
(April 7, 1995)

1. Page 8, line 6: delete ", 773.03 (50)" and substitute "and (49)".