

STATE OF WISCONSIN
Senate Journal
Ninety–Second Regular Session

WEDNESDAY, April 19, 1995

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

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 142

Relating to: lowering the legal drinking age to 19.

By Senators Zien, Schultz, A. Lasee, Wineke, Risser, Decker and Breske; cosponsored by Representatives Musser, Lorge, Baldwin, Vander Loop, Baldus, F. Lasee, Johnsrud, Hahn, Handrick, Seratti, L. Young, Boyle, Skindrud, Freese, Albers, Kreibich, Springer and Hasenohrl.

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

Senate Bill 143

Relating to: return of fingerprint records and photographs.

By Senators Risser, Huelsman and Moore; cosponsored by Representatives Baldwin, Lorge, Coggs, Cullen, Duff, Notestein, F. Lasee, Seratti, Grothman, Ryba, R. Young, Hanson, Wilder, Boyle, Ward and L. Young.

To committee on **Judiciary**.

Senate Bill 144

Relating to: the possession of firearms by persons who are subject to certain injunctions and providing a penalty.

By Senators Rosenzweig, Panzer, Buettner, Darling, Wineke, Burke and Chvala; cosponsored by Representatives Travis, Urban, Robson, Harsdorf, Kaufert, Plache, Riley, Lehman, F. Lasee, Owens, Krug, Baldwin, Ryba, Black, Bell and R. Young.

To committee on **Judiciary**.

Senate Bill 145

Relating to: demolition of historic buildings and providing a penalty.

By Senators Rude, Burke, Cowles, Risser, Plewa and Wineke; cosponsored by Representatives Freese, Johnsrud, Baldwin, Ott, Lorge, La Fave, R. Young, Hanson, Robson, Notestein and Plache.

To committee on **Judiciary**.

Senate Bill 146

Relating to: commencement of the fall semester at public schools.

By Senators Leean, A. Lasee, Zien, Schultz, George and Breske; cosponsored by Representatives Brancel, Handrick,

Seratti, Hahn, Gard, Vrakas, Albers, Brandemuehl and Kreibich.

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

Senate Bill 147

Relating to: the expenditure of \$3,500 from the general fund for payment of a claim against the state made by Annie Joyce Daniel.

By Senator Leean; cosponsored by Representative Brancel.

To joint committee on **Finance**.

Senate Bill 148

Relating to: the expenditure of \$24,795.42 from the general fund for payment of a claim against the state made by Mary Johnson.

By Senator Leean; cosponsored by Representative Brancel.

To joint committee on **Finance**.

Senate Bill 149

Relating to: the commencement of negotiations and final automatic review proceedings under the state employment labor relations act, granting rule-making authority and making an appropriation.

By Senators Risser and Moen; cosponsored by Representatives Ryba, L. Young, Baldwin, Baldus, R. Young, Robson, Hahn, Boyle and Hanson.

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

Senate Bill 150

Relating to: requiring establishment and maintenance of a toll-free telephone number to provide information on services for the elderly and making an appropriation.

By Senators Breske, Andrea, Burke and Moen; cosponsored by Representatives Musser, Krusick, Ziegelbauer, Lorge, Bock, Turner, Ryba, Notestein, Black, Springer, Plombon, Hasenohrl, Wilder, Huber, Seratti, Boyle and Carpenter.

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

PETITIONS AND COMMUNICATIONS

Senate Petition 2

A petition by 635 citizens of the State of Wisconsin in opposition to the creation of any new state wide public safety agency.

By Senator Rude.

To committee on **Judiciary**.

Senate Petition 3

A petition by 213 citizens of the State of Wisconsin in opposition to the 1995–97 budget proposals to dismantle the

Department of Public Instruction, take away the constitutional right to vote for school superintendent and to erode local control of schools.

By Senator Zien.

To joint committee on **Finance**.

**State of Wisconsin
Office of the Secretary of State**

To the Honorable, the Senate:

<u>Bill, Joint Resolu- tion or Resolution Number</u>	<u>Act Number or Enrolled Number</u>	<u>Publication Date</u>
Senate Bill 122	Wisconsin Act 2	April 27, 1995
Senate Bill 40	Wisconsin Act 3	April 27, 1995

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

**State of Wisconsin
Legislative Audit Bureau**

April 13, 1995

The Honorable, The Legislature:

We have completed our biennial program evaluation of the Wisconsin Gaming Commission, as required by s. 13.94, Wis. Stats. The Gaming Commission is responsible for regulating pari-mutuel racing and charitable gaming, overseeing Indian gaming, and operating and regulating the Wisconsin Lottery.

Although the proposals included in 1995 Assembly Bill 150, the 1995-97 biennial budget bill, will affect the conduct and financing of gaming in Wisconsin, our review focused on their effect on the Gaming Commission's operations, particularly its operation of the Wisconsin Lottery and the provision of security services.

Because the Gaming Commission already relies extensively on contracts to provide lottery services, increased contracting would be consistent with current practice. Of concern, however, is whether sufficient accountability for the lottery's operations can be maintained with heavier reliance on contracting. Nevertheless, if public accountability can be maintained, an increase in contracting could have another benefit: it could shift the Gaming Commission's focus from day-to-day operations of the Wisconsin Lottery to the broader issue of regulation of the lottery and other gaming activities.

The potential benefits of contracting for security services are not, however, as evident. Therefore, it may not be appropriate to contract for these services. At a minimum, if contracting for security services is pursued, the State should continue to rely on a public agency, rather than a private vendor, to provide these services.

Finally, while we agree that modifications should be made to the Gaming Commission's current structure and membership, we question whether the proposal to replace the current three-member commission with a single full-time paid commissioner and two uncompensated part-time commissioners is prudent. We suggest other options for the Legislature's consideration.

We appreciate the courtesy and cooperation extended to us by the Gaming Commission staff. The Gaming Commission has chosen not to attach a response to this report.

Sincerely,

DALE CATTANACH
State Auditor

**State of Wisconsin
The University of Wisconsin System**

March 13, 1995

The Honorable, The Senate:

Section 20.923 (5), Wis. Stats., requires that the Board of Regents assign specified titled positions to salary ranges in whatever manner the board determines. The board is required to file a report annually with the Governor and the Legislature. The board has directed that all positions referenced in s. 20.923 (5) be assigned to either a State Executive Salary Group or to a UW System salary range based on the following assignment criteria:

- I. Positions subject to State Executive Salary Group assignment.
 - A. All position referenced in s. 20.923 (5) which carry the following titles regardless of annual salary:
 - Associate Vice Presidents
 - Assistant Vice Presidents
 - Associate Chancellors
 - Vice Chancellors not designated in s. 20.923 (4m)
 - Associate Vice Chancellors
 - Assistant Vice Chancellors
 - Assistant Chancellors
 - B. All positions carrying the director or associate director title with over 50 percent of their activities coded as physical plant, general operations and services, and auxiliary enterprises whose fiscal year annual salary rate exceeds the maximum pay range 1-17 (1994-95 maximum is \$57,367) of the general non-represented pay schedule #1.
- II. Positions subject to UWS Salary Range Assignment:
 - All directors or associate directors with over 50 percent of their position assigned to an enumerated activity code in the statute whose annual salary does not exceed the maximum of pay range 1-17.

Part A of the attached report designates those positions assigned to State Executive Salary Groups and Part B provides the minimum and maximum for those positions assigned to a UWS Salary Range. The report is dated January 1, 1995 and serves to fulfill this calendar year's reporting requirement.

Sincerely,

KATHARINE C. LYALL
President

**State of Wisconsin
The University of Wisconsin System**

April 14, 1995

The Honorable, The Senate:

The University of Wisconsin System Board of Regents at its regular meeting on April 7, 1995, adopted the following resolution:

That, pursuant to 1989 Wisconsin Act 177, s. 36.11 (22), Wisconsin Statutes, the board hereby accepts the report on implementation of the Act (the report on orientation programs and information provided to students on sexual assault and sexual harassment) and

directs that the report be submitted to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3).

The referenced report is attached. If you have any questions, please feel free to call.

Sincerely,

KATHARINE C. LYALL
President

Referred to committee on **Education and Financial Institutions.**

**State of Wisconsin
The University of Wisconsin System**

April 14, 1995

The Honorable, The Senate:

The University of Wisconsin System Board of Regents at its regular meeting on April 7, 1995, adopted the following resolution:

That the Board of Regents accepts the 1993–94 Minority and Disadvantaged Student Annual Report for submission to the Governor and to the chief clerk of each house of the Legislature for distribution to the appropriate standing committees under s. 13.172 (3), Wis. Stats.

The referenced report is attached. The 1993–94 Minority and Disadvantaged Student Annual Report fulfills the requirement in Section 36.25 (14m)(b) of the Wisconsin Statutes that the Board of Regents report annually on its precollege, recruitment, and retention plan for students of color and disadvantaged students enrolled in the UW System. The report also includes information on financial aid programs serving those students.

If any questions arise, please feel free to call.

Sincerely,

KATHARINE C. LYALL
President

Referred to committee on **Education and Financial Institutions.**

EXECUTIVE COMMUNICATIONS

**State of Wisconsin
Office of the Governor**

April 13, 1995

To the Honorable, the Senate:

The following bill(s), originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Senate Bill 122	Wisconsin Act 2	April 13, 1995
Senate Bill 40	Wisconsin Act 3	April 13, 1995

Sincerely,

TOMMY G. THOMPSON
Governor

**State of Wisconsin
Office of the Governor**

April 11, 1995

The Honorable Members of the Senate:

As required by Article V, Section 6 of the Wisconsin Constitution, I am submitting the annual Executive Clemency report to the Legislature, covering those clemency cases considered by the Pardon Advisory Board upon which final

dispositions were rendered for applicants during the calendar year 1994. The following applicants received full or conditional pardons in 1994:

Sheryl Laurene Doering Baird, convicted of Forgery, Issuing Bad Checks (9Counts), Shoplifting, Possession of Marijuana — twelve counts total — on 5/5/71 and sentenced to four years Taycheetah, recommended by the Pardon Advisory Board by a vote of 5–0 to be granted a pardon, was granted a pardon on January 14, 1994 because she is a productive member of society and otherwise deserving of extraordinary relief.

Paul Watson Lee Zakhar, convicted of Forgery and sentenced to one year probation on 1/11/57, recommended by the Pardon Advisory Board by a vote of 4–0 to be granted a pardon, was granted a pardon on January 14, 1994 because he is a productive member of society and otherwise deserving of extraordinary relief.

Dennis Einar Nordstrom, convicted of Criminal Damage to Property and Escape and sentenced to one year at Wisconsin State Reformatory at Green Bay 11/18/70, recommended by the Pardon Advisory Board by a vote of 4–0 to be granted a conditional pardon, was granted a conditional pardon for the sole purpose of possessing firearms designed to be discharged from the shoulder on February 23, 1994 because he is a productive member of society and otherwise deserving of extraordinary relief.

Michael Julius Otto, convicted of Commercial Gambling and sentenced on 2/28/86 to fine of \$1000 and \$250 court costs, recommended by the Pardon Advisory Board by a vote of 4–1 to be granted a conditional pardon, was granted a conditional pardon for the sole purpose of possessing firearms designed to be discharged from the shoulder on February 23, 1994 because he is a productive member of society and otherwise deserving of extraordinary relief.

Gerald Allen Settingsgaard, convicted of Sexual Intercourse With a Child and sentenced on 2/10/59 to three years Probation with costs, recommended by the Pardon Advisory Board by a vote of 5–0 to be granted a pardon, was granted a pardon on January 14, 1994 because he is a productive member of society and otherwise deserving of extraordinary relief.

Leslie Howard Smith, convicted of Party to a Theft and sentenced on 2/21/72 to one year Probation, recommended by the Pardon Advisory Board by a vote of 5–0 to be granted a pardon, was granted a pardon on February 24, 1994 because he is a productive member of society and otherwise deserving of extraordinary relief.

Sylvia F. O'Malley, convicted of Forgery of Prescription and sentenced on 12/31/71 to a \$200 fine, recommended by the Pardon Advisory Board by a vote of 5–0 to be granted a pardon, was granted a pardon on June 22, 1994 because she is a productive member of society and otherwise deserving of extraordinary relief.

Sandra D. Law-Grigsby, convicted of Delivery of Controlled Substance (2 Counts) PTAC and sentenced on 3/5/82 to 10 days in jail and two years probations, recommended by the Pardon Advisory Board by a vote of 5–0 to be granted a pardon, was granted a pardon on June 16, 1994 because she is a productive member of society and otherwise deserving of extraordinary relief.

Harry R. Borth, convicted of issuing Bad Checks and sentenced on 1/18/80 to Restitution, Court Costs and Two Years of Probation, recommended by the Pardon Advisory Board by a vote of 5–0 to be granted a pardon, was granted a pardon on June 22, 1994 because he is a productive member of society and otherwise deserving of extraordinary relief.

Thomas Harold Van Handel, convicted of Perjury and sentenced on 3/25/77 to 60 days in County Jail with Huber Privileges, recommended by the Pardon Advisory Board by a

vote of 4–0 to be granted a pardon, was granted a pardon on December 13, 1994 because he is a productive member of society and otherwise deserving of extraordinary relief.

Norma J. Leonard, convicted of Misconduct in Public Office and sentenced on 3/29/84 to 60 days Jail, 3 Years Probation, recommended by the Pardon Advisory Board by a vote of 4–0 to be granted a pardon, was granted a pardon on December 13, 1994 because she is a productive member of society and otherwise deserving of extraordinary relief.

Sincerely,

TOMMY G. THOMPSON
Governor

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

Senate Clearinghouse Rule 92–068

Relating to implementing the Wisconsin environmental policy act.

Submitted by Public Service Commission.

Report received from Agency, April 18, 1995.

Referred to committee on **Environment and Energy**, April 19, 1995.

Senate Clearinghouse Rule 94–181

Relating to groundwater quality standards.

Submitted by Department of Natural Resources.

Report received from Agency, April 19, 1995.

Referred to committee on **Environment and Energy**, April 19, 1995.

Senate Clearinghouse Rule 95–013

Relating to pseudorabies, swine brucellosis and equine infectious anemia.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, April 17, 1995.

Referred to committee on **Transportation, Agriculture and Local Affairs**, April 19, 1995.

Senate Clearinghouse Rule 95–030

Relating to screening of newborn infants for cystic fibrosis.

Submitted by Department of Health Social Services.

Report received from Agency, April 13, 1995.

Referred to committee on **Health, Human Services and Aging**, April 19, 1995.

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

Senate Clearinghouse Rule 94–162

Relating to the standard passing score for.

No action taken.

Senate Clearinghouse Rule 95–011

Relating to disclosure documents used by certain investment companies.

No action taken.

Alberta Darling
Chairperson

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

Senate Clearinghouse Rule 94–207

Relating to sex offender registration.

No action taken.

Joanne Huelsman
Chairperson

The Committee on **Transportation, Agriculture and Local Affairs** reports and recommends:

Senate Clearinghouse Rule 92–195

Relating to rail passenger excursion permits on state–owned rail lines.

No action taken.

Alan Lasee
Chairperson

Senate Enrolled Proposals

The Chief Clerk records:

Senate Bill 40

Report correctly enrolled on April 13, 1995.

Senate Enrolled Proposals

The Chief Clerk records:

Senate Bill 38

Senate Bill 63

Report correctly enrolled on April 17, 1995.

Chief Clerk’s Report

The Chief Clerk records:

Senate Bill 40

Presented to the Governor on April 13, 1995.

**LEGISLATIVE REFERENCE BUREAU
CORRECTIONS**

CORRECTIONS IN:

1995 ASSEMBLY BILL 91

Prepared by the Legislative Reference Bureau
(April 5, 1995)

1. Page 2, line 1: substitute “en route” for
“enroute”.