

STATE OF WISCONSIN
Senate Journal
Ninety–Second Regular Session

WEDNESDAY, August 30, 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 311

Relating to: the prohibition against underage persons entering or being on any premises operating under an alcohol beverage license.

By Senators Moen, Rosenzweig, A. Lasee and Fitzgerald; cosponsored by Representatives Plombon, Albers, Gronemus, Ryba, Ainsworth, Schneiders, F. Lasee, Olsen, Boyle, Bock, Travis, Musser, Green, Huebsch and Meyer, by request of Art Wagner of Eau Claire..

To committee on **Business, Economic Development and Urban Affairs**.

Senate Bill 312

Relating to: the sale and distribution of butane and of butane lighters and providing a penalty.

By Senators Moen, Burke, Andrea and Clausing; cosponsored by Representatives Rutkowski, Bock, Ryba, R. Young, Urban, Kaufert, Boyle, Lehman and L. Young, by request of Judy Oakland of Eau Claire..

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

Senate Bill 313

Relating to: interest payments under a restitution order.

By Senators Jauch, Burke, C. Potter, Panzer, Petak, Moen, Cowles, Clausing and Drzewiecki; cosponsored by Representatives Boyle, Musser, Ainsworth, Ziegelbauer, Ryba, Seratti, Springer, Wirch, F. Lasee and Olsen.

To committee on **Judiciary**.

Senate Bill 314

Relating to: the pay out of a death benefit for participating employes under the Wisconsin retirement system.

By Senators Andrea, Rude, Wineke and Clausing; cosponsored by Representatives Wirch, Kreuser, R. Young, Musser, Gronemus, Black, Grobschmidt, Notestein, Baldus, Ryba, Bock, Boyle and Baldwin.

To joint survey committee on **Retirement Systems**.

Senate Bill 315

Relating to: increasing the membership of the employe trust funds board.

By Senators Andrea, Wineke, Moen and Clausing; cosponsored by Representatives Wirch, Kreuser, Gronemus,

Black, Grobschmidt, Notestein, Baldus, Plombon, Ryba, Boyle and Baldwin.

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

Senate Bill 316

Relating to: public school teacher representation on the employe trust funds board and increasing the size of the employe trust funds board.

By Senators Andrea, Wineke, Moen, Decker and Clausing; cosponsored by Representatives Wirch, Kreuser, Gronemus, Black, Cullen, Grobschmidt, Notestein, Baldus, Plombon, Ryba, Boyle and Baldwin.

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

Senate Bill 317

Relating to: the expenditure of \$2,087 from the general fund for payment of a claim against the state made by Winnebago County.

By Senator Ellis.

To joint committee on **Finance**.

Senate Bill 318

Relating to: acquisition of in–state banks and in–state bank holding companies, ability of banks to contract with depository institutions for financial products and services, customer bank communications terminals, control of limited service banking institutions, meetings of bank boards of directors and committees, granting rule–making authority and providing penalties.

By Senator Darling; cosponsored by Representative Hoven.

To committee on **Education and Financial Institutions**.

Senate Bill 319

Relating to: the physical education high school graduation requirement.

By Senators Darling, Petak, Rosenzweig, Panzer and A. Lasee; cosponsored by Representatives Lehman, Ainsworth, Duff, Olsen, Jensen, Goetsch, Wilder, Baldus, Albers, Owens, F. Lasee, Seratti, Ladwig, Skindrud and Ott.

To committee on **Education and Financial Institutions**.

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Senator Gary R. George**

August 22, 1995

The Honorable, The Senate:

I would like to respectfully request that my name be added as a coauthor of **Senate Bill 301**, relating to specialty license plates with partial funding going to Wisconsin Special Olympics, submitted by Senator Huelsman.

Sincerely,

GARY R. GEORGE
State Senator

**State of Wisconsin
Ethics Board**

August 29, 1995

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 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.

Crop Protection Assn., American

Subjects: All legislative and administrative actions directly and indirectly affecting the manufacture, distribution and use of crop protection and animal care products and procedures.

Weisensel, Russel

Saukville, Village of

Subjects: Federal ISTEA grant for transportation enhancement.

Hagerup, Chris

Stitt, Don

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:

Citizens Assn. for Alternative Medicine

Solie, Denise

Milwaukee Brewers Baseball Club

Hackett, Richard

Bablitch, Stephen

Milwaukee Metropolitan Sewerage District

Tries, John

Organization's termination of lobbyists:

The following organization 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.

Covenant Healthcare System, Inc.

Wilbur, Marjorie 8/23/95

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
Department of Administration
Department of Natural Resources**

August 25, 1995

The Honorable, The Senate:

Attached to this letter is the Clean Water Fund Biennial Finance Plan for the 1995-1997 biennium. Submission to 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)**, Wis. Stats. The statute allows the Joint Committee on Finance and each standing committee to submit to the Building Commission its recommendations and comments regarding the Biennial Finance Plan.

This plan was prepared jointly by the Department of Natural Resources and the Department of Administration Capitol Finance Office. This final version of the plan reflects **1995 Wis. Act 27**. Previous Biennial Finance Plans included a list of grant and loan funds received by municipalities during the last biennium. That list will be part of the Biennial Finance Report which will be distributed on November 1, 1995.

If you have any questions regarding the Biennial Finance Plan, please contact Kathryn A. Curtner at 266-0860 or Frank Hoadley at 266-2305.

Sincerely,

KATHRYN A. CURTNER
Director, Bureau of Environmental Loans
Department of Natural Resources

FRANK R. HOADLEY
Capital Finance Director
Department of Administration

Referred to joint committee on **Finance**.

Referred to committee on **Environment and Energy**.

**State of Wisconsin
Legislative Audit Bureau**

August 29, 1995

The Honorable, The Legislature:

We have completed an evaluation of the State of Wisconsin Investment Board's bonus compensation plan and private placement investment activities, as directed by the Joint Legislative Audit Committee. This is in addition to report 95-16, which examined the Board's investment practices.

Administration of the bonus compensation plan has improved since 1991, when the Legislature required changes to ensure that awards were based on merit. Nevertheless, the Investment Board remains concerned that staff turnover and recruiting efforts are affected by its ability to compete with private-sector investment firms for staff. In **Assembly Bill 150**, the Governor proposed increasing the amount of funds available for bonuses and the size of bonuses available to individual staff. However,

bonuses that have been paid have seldom approached the current limit of 25 percent of an individual's salary, because funds available are limited to 10 percent of annual salaries and because the Board's policy allows some available funds to lapse.

Private placements are loans or other direct investments in businesses. In 1995, the Investment Board's private placement portfolio includes almost \$3.6 billion, of which 12 percent is invested in Wisconsin companies. A 1994 review by Price Waterhouse found only one instance in which investment staff did not follow all of the Board's investment guidelines for private placements. However, Price Waterhouse recommended more investment authority be delegated to staff and that investment procedures be made more explicit.

We also reviewed the Board's investments with companies controlled by Mr. Irwin Jacobs of Minneapolis, Minnesota. Although several steps in the transactions involving Mr. Jacobs raise questions, Investments Board staff indicate the process used in approving these investments was similar to that used in other private placement transactions.

We appreciate the courtesy and cooperation extended to us by the State of Wisconsin Investment Board's staff. A response from the Board's Executive Director is Appendix II.

Sincerely,

DALE CATTANACH
State Auditor

EXECUTIVE COMMUNICATIONS

**State of Wisconsin
Office of the Governor**

The Honorable, The Senate:

This is to inform you that I am withdrawing the nomination of Ms. **Maureen Hlavacek** for appointment to the Wisconsin Gaming Commission.

Ms. Hlavacek has notified me that she will be resigning effective Monday, August 21, 1995.

Thank you for your attention to this matter.

Sincerely,

TOMMY G. THOMPSON
Governor

**State of Wisconsin
Office of the Governor**

August 28, 1995

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint POULSON, HOWARD (DAN), of Palmyra, as a member of the Department of Natural Resources Board, to serve for the term ending May 1, 2001.

Sincerely,

TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

August 21, 1995

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SCEPANIAK, F. SCOTT, of Madison, as a member of the Wisconsin Gaming Commission, to serve for the interim term ending July 1, 1996.

Sincerely,

TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

August 23, 1995

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MILLIS, DON M., of Sun Prairie, as a member of the Tax Appeals Commission, to serve for the term ending March 1, 2001.

Sincerely,

TOMMY G. THOMPSON
Governor

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

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

Senate Clearinghouse Rule 94-169

Relating to authorizing savings banks to invest their funds in specified financial products.

Submitted by Office of the Commissioner of Savings and Loan

Report received from Agency, August 25, 1995.

Referred to committee on **Education and Financial Institutions**, August 30, 1995.

The Committee on **Environment and Energy** reports and recommends:

Senate Clearinghouse Rule 94-071

Relating to quota allocation, quota transfers and commercial fishing for smelt on Lake Michigan and Green Bay.

No action taken.

Senate Clearinghouse Rule 95-028

Relating to state land use regulations.

No action taken.

Senate Clearinghouse Rule 95-035

Relating to incorporation of revisions and additions to the federal new source performance standards.

No action taken.

Senate Clearinghouse Rule 95-056

Relating to clarification and cleanup changes in NR 30 and throughout the NR 400 series.

No action taken.

Senate Clearinghouse Rule 95–133

An order to create a shoreland–wetland zoning ordinance for the city of Abbotsford.

No action taken.

Robert Cowles
Chairperson

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

Senate Clearinghouse Rule 94–172

Relating to Relating to the uniform dwelling code.

No action taken.

David Zien
Chairperson

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

Senate Clearinghouse Rule 95–037

Relating to capping private bar attorney billable hours to 2,080 hours annually.

No action taken.

Joanne Huelsman
Chairperson

The Committee on **State Government Operations and Corrections** reports and recommends:

Senate Clearinghouse Rule 95–083

Relating to reducing the time frame required for department of revenue approval of noncredit continuing education courses for assessors and assessment personnel.

No action taken.

Gary Drzewiecki
Chairperson

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

Senate Clearinghouse Rule 94–175

Relating to cheese grading, packaging and labeling, and standard of identity and labeling requirements for baby Swiss cheese.

No action taken.

Senate Clearinghouse Rule 95–044

Relating to habitual traffic offenders.

No action taken.

Senate Clearinghouse Rule 95–096

Relating to the elderly and disabled transportation capital assistance program.

No action taken.

Alan Lasee
Chairperson

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 268** offered by Senators C. Potter, Shibilski and Wineke.

**MOTIONS UNDER SENATE RULE 98
for the Month of August of 1995**

A certificate of congratulation by Senator Panzer for Kay Blaeske the Bus Driver of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Julie Fraser the Scorekeeper of the Homestead High School Girls'

Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Reverend Ellsworth Freyer the team motivator of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Lisa Zappia is a member of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Rachel Wilde is a member of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Lisa Swenson is a member of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Jenny Groh is a member of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Sarah Ann Helms is a member of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Casey Kirkpatrick is a member of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Kim Maslowski is a member of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Kim Mayer is a member of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Erika Meggison is a member of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Stephanie Nass is a member of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Liz Corski is a member of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Beth Geiger is a member of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Heidi Fritz is a member of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Anne Fishman is a member of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Heather Edens is a member of the Homestead High School

Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Julie Cooke is a member of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Kaela Betz is a member of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Ernie Millard is the Assistant Coach of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Lance Northey is the Assistant Coach of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Heather Wenzel is the Assistant Coach of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulation by Senator Panzer for Dave Keel is the Coach of the Homestead High School Girls' Varsity Softball Team that won the 1995 North Shore Conference Championship.

A certificate of congratulations by Senator Breske for Hans Peterman on the occasion of earning and attaining the rank of Eagle Scout.

A certificate of commendation by Senator Schultz for the Village of Avoca on the celebration of the 125th anniversary of its incorporation.

A certificate of commendation by Senator Buettner for Representative John Dobyns for his tremendous service in the U.S. Army Reserves.

A certificate of commendation by Senator Panzer for Michael Townsend on the occasion of earning and attaining the rank of Eagle Scout.

A certificate of commendation by Senator Panzer for Nat Sattler on the occasion of earning and attaining the rank of Eagle Scout.

A certificate of congratulation by Senator Adelman for George W. Guhr on the occasion of his 40 years of dedicated service to the city of Muskego and the Waukesha County.

A certificate of commendation by Senator Fitzgerald for the Village of Randolph celebrating their Quasiquicentennial.

A certificate of commendation by Senator Jauch for Anna E. Cromley for being named one of "The Ten Most Admired Senior Citizens" and all her dedicated work.

A certificate of commendation by Senator Jauch for Richard James Somerville II on the occasion of earning and attaining the rank of Eagle Scout.

A certificate of commendation by Senator Jauch for Casey Nye on the occasion of earning and attaining the rank of Eagle Scout.

A certificate of commendation by Senator Panzer for Benjamin Walter on the occasion of earning and attaining the rank of Eagle Scout.

A certificate of congratulation by Senator Burke for Robert "Woody" Welch on the occasion of his retirement and his years of dedication to the public service.

A certificate of commendation by Senator Potter for Habitat for Humanity International the founder Millard and Linda

Fuller and for the years of selfless service to their communities and continued success to improve the quality of life by providing housing for those in need.

A certificate of commendation by Senator Potter for Gerald DuMonthier for his selfless service to the Sheboygan County Mobile Food Service "Meals on Wheels".

A certificate of commendation by Senator Potter for Mary Koppelkam for her selfless service to the Sheboygan County Mobile Food Service "Meals on Wheels".

A certificate of commendation by Senator Potter for Lisel Grenwald for her selfless service to the Sheboygan County Mobile Food Service "Meals on Wheels".

A certificate of commendation by Senator Potter for Jackie Gore for her selfless service to the Sheboygan County Mobile Food Service "Meals on Wheels".

A certificate of commendation by Senator Potter for Freida Fritz for her selfless service to the Sheboygan County Mobile Food Service "Meals on Wheels".

A certificate of commendation by Senator Potter for Dorothy Wanazek for her selfless service to the Sheboygan County Mobile Food Service "Meals on Wheels".

A certificate of commendation by Senator Potter for Caroline Rodewald for her selfless service to the Sheboygan County Mobile Food Service "Meals on Wheels".

A certificate of commendation by Senator Potter for Maribeth Stewart for her selfless service to the Sheboygan County Mobile Food Service "Meals on Wheels".

A certificate of commendation by Senator Potter for Maryanne Hollingsworth for her selfless service to the Sheboygan County Mobile Food Service "Meals on Wheels".

A certificate of commendation by Senator Potter for Barbara Gruber for her selfless service to the Sheboygan County Mobile Food Service "Meals on Wheels".

A certificate of commendation by Senator Farrow for The Shalom Zone Incorporation for their role in creating a better life for the citizens of their community.

A certificate of congratulation by Senator Chvala for Heidi Schey on her exemplary participation in the 1995 Special Olympics World Summer Games.

A certificate of congratulation by Senator Chvala for Mike Virnig on her exemplary participation in the 1995 Special Olympics World Summer Games.

A certificate of congratulation by Senator Chvala for Susan Skrenes on her exemplary participation in the 1995 Special Olympics World Summer Games.

A certificate of congratulation by Senator Moore for the Bynum Family on the celebration of their 50th Family Reunion Anniversary.

A certificate of commendation by Senator Potter for Sister Georgene Tappa for her selfless service to the Sheboygan County Mobile Food Service "Meals on Wheels".

A certificate of commendation by Senator Rude for Mr. Tony Bahrke for his tremendous effort in making the MECCA facility work for the National Conference of State Legislatures 1995 Annual meeting.

A certificate of commendation by Senator Rude for Mr. Rick Risler, Mr. Rob Rude and Mr. Alan Wohlferd for their tremendous effort in making the Communication and Transportation System work for the National Conference of State Legislatures 1995 Annual meeting.

A certificate of congratulation by Senator Fitzgerald for Marion Race Dally on the occasion of celebrating her 100th Birthday.

A certificate of commendation by Senator Risser for Jason Ludden on the occasion of earning and attaining the rank of Eagle Scout.

A certificate of commendation by Senator Risser for James Clark on the occasion of earning and attaining the rank of Eagle Scout.

A certificate of congratulation by Senator Risser for Keith Grass on the occasion for his outstanding performance in the Special Olympics' World Summer Games.

A certificate of congratulation by Senator Risser for

Michelle Dale on the occasion for her outstanding performance in the Special Olympics' World Summer Games.

A certificate of congratulation by Senator Risser for Scott Moritz on the occasion for his outstanding performance in the Special Olympics' World Summer Games.

A certificate of congratulation by Senator Risser for Erin Donnell on the occasion for her outstanding performance in the Special Olympics' World Summer Games.

A certificate of congratulation by Senator Risser for Kamala Gesteland on the occasion for her outstanding performance in the Special Olympics' World Summer Games.