

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

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WEDNESDAY, October 25, 1995

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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 380**

Relating to: various changes in the campaign finance law and designations for the Wisconsin election campaign fund.

By Senators Clausing, Burke and Decker; cosponsored by Representatives Dueholm, Baldus, Baldwin, Black, Bock, Boyle, Plombon, Vander Loop, R. Young and Wilder.

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

**Senate Bill 381**

Relating to: removable prosthodontic services under medical assistance and making an appropriation.

By Senators Andrea, Shibilski, Clausing, Jauch, Breske, Burke, Decker, Moore, Risser, Moen, C. Potter, George, Wineke and Chvala.

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

**Senate Bill 382**

Relating to: making victims of the crime of stalking eligible for crime victim compensation awards.

By Senators Burke, Buettner, Clausing, Darling, Jauch, Moen, Rosenzweig and Rude; cosponsored by Representatives Krug, Baldus, Baldwin, Bell, Black, Bock, Boyle, Coggs, Grothman, Grobschmidt, Hahn, Huber, F. Lasee, Lazich, Notestein, Plache, Wasserman, Wirch and L. Young, by request of Department of Justice.

To committee on **Judiciary**.

**Senate Bill 383**

Relating to: tax-exempt individual employe medical savings accounts established by employers or self-employed persons with the difference between the cost of catastrophic and comprehensive health care coverage.

By Senators Buettner, Rosenzweig, Darling, Schultz, Petak and Panzer; cosponsored by Representatives Harsdorf, Urban, Prosser, Jensen, Freese, Brancel, Underheim, Albers, Ourada, Grothman, Porter, Hahn, Vrakas, Duff, Musser, Ainsworth, Walker, Grobschmidt, Ziegelbauer, Schneiders, Olsen, Ladwig, Ott, Brandemuehl, Ward, Green, F. Lasee, Seratti, Kreibich, Plache, Goetsch, Gard, Nass, Kaufert, Silbaugh, La Fave and Lehman.

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

**Senate Bill 384**

Relating to: increasing the formula multiplier for the amount of an annuity for certain classes of participants in the Wisconsin retirement system.

By Senators Andrea, Burke, Moen and Risser; cosponsored by Representatives Baldwin, Wirch, Baldus, Black, Boyle, Dobyms, Gronemus, Hasenohrl, Kreibich, Meyer, Musser, Plombon and Ryba.

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

**Senate Bill 385**

Relating to: the estimation of the amount necessary to ensure that the state pays 66.7% of school costs.

By Senators Clausing, Wineke and Jauch; cosponsored by Representatives Baldus, Ryba, Plombon, Baumgart, Gronemus and Wilder.

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

**Senate Bill 386**

Relating to: exempting certain fruit and vegetable washing facilities from certain permitting, plan approval and licensing requirements.

By Senators Schultz, Shibilski, A. Lasee, Breske, Rude, Wineke, Farrow, Moen, Drzewiecki, Andrea, Buettner, Moore, Zien, Petak and Welch; cosponsored by Representatives Ourada, Hubler, Johnsrud, Gronemus, Seratti, Baldus, Prosser, La Fave, Klusman, Brancel, Green, Ott, Silbaugh, Grothman, Gard, Hoven, Ward, Coleman, Brandemuehl, Lehman, Albers, Musser, Ainsworth, Owens, Urban, Huebsch, Powers, Gunderson, Freese, Jensen, Goetsch and Hahn.

To committee on **Environment and Energy**.

**Senate Bill 387**

Relating to: the financial responsibility of persons who perform on one-family and two-family dwellings work for which a building permit is required.

By Senators Rude and Moore; cosponsored by Representatives Green and R. Potter.

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

**Senate Bill 388**

Relating to: public service commission approval of tariffs permitting a gas utility to enter into an individual contract with an individual customer.

By Senators Cowles, Panzer, Farrow and Burke; cosponsored by Representatives Duff, Jensen, Ott, Klusman, Hoven and Albers.

To committee on **Environment and Energy**.

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**REPORT OF COMMITTEES**

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

**Assembly Bill 234**

Relating to: the possession and removal of deer killed on highways.

Concurrence.

Ayes, 5 – Senators Cowles, Farrow, Panzer, Burke and Clausing.

Noes, 0 – None.

**Assembly Joint Resolution 19**

Relating to: recognition of the Wisconsin Buck and Bear Club.

Concurrence.

Ayes, 5 – Senators Cowles, Farrow, Panzer, Burke and Clausing.

Noes, 0 – None.

COOK, CHARLES F., of Middleton, as a member of the Recycling Market Development Board, to serve for the term ending May 1, 1998.

Confirmation.

Ayes, 5 – Senators Cowles, Farrow, Panzer, Burke and Clausing.

Noes, 0 – None.

LARSCHIED, CHARLES J., of Green Bay, as a member of the Recycling Market Development Board, to serve for the term ending May 1, 1998.

Confirmation.

Ayes, 5 – Senators Cowles, Farrow, Panzer, Burke and Clausing.

Noes, 0 – None.

NETTUM, GEORGE E., of Viroqua, as a member of the Land and Water Conservation Board, to serve for the interim term ending May 1, 1998.

Confirmation.

Ayes, 5 – Senators Cowles, Farrow, Panzer, Burke and Clausing.

Noes, 0 – None.

OSBORNE, PATRICK J., of Madison, as a member of the Great Lakes Protection Fund, to serve for the term ending October 11, 1997.

Confirmation.

Ayes, 5 – Senators Cowles, Farrow, Panzer, Burke and Clausing.

Noes, 0 – None.

WALSH, CHRISTINE H., of Beloit, as a member of the Recycling Market Development Board, to serve for the term ending May 1, 1998.

Confirmation.

Ayes, 5 – Senators Cowles, Farrow, Panzer, Burke and Clausing.

Noes, 0 – None.

**Senate Bill 364**

Relating to: authorization for the city of Appleton to place fill on land under the Fox River.

Passage.

Ayes, 5 – Senators Cowles, Farrow, Panzer, Burke and Clausing.

Noes, 0 – None.

Robert Cowles  
Chairperson

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

BEASER, GLORIA A., of La Crosse, as a member of the Respiratory Care Practitioners Examining Council, to serve for the term ending July 1, 1999.

Confirmation.

Ayes, 6 – Senators Buettner, Rosenzweig, Zien, Welch, Moen and Moore.

Noes, 0 – None.

BOYLE, PATRICK G., of Madison, as a member of the University of Wisconsin Hospitals and Clinics Board, to serve for the term ending July 1, 1998.

Confirmation.

Ayes, 6 – Senators Buettner, Rosenzweig, Zien, Welch, Moen and Moore.

Noes, 0 – None.

BOYLE, PATRICK G., of Madison, as a member of the University of Wisconsin Hospitals and Clinics Authority, to serve for the term ending July 1, 1998.

Confirmation.

Ayes, 6 – Senators Buettner, Rosenzweig, Zien, Welch, Moen and Moore.

Noes, 0 – None.

CONNOLLY-KEESLER, EILEEN, of Neenah, as a member of the Council on Domestic Abuse to serve for the term ending July 1, 1998.

Confirmation.

Ayes, 6 – Senators Buettner, Rosenzweig, Zien, Welch, Moen and Moore.

Noes, 0 – None.

FREITAG, TERRY K., of Monroe, as a member of the Chiropractic Examining Board, to serve for the term ending July 1, 1999.

Confirmation.

Ayes, 6 – Senators Buettner, Rosenzweig, Zien, Welch, Moen and Moore.

Noes, 0 – None.

OGUREK, JAMES CLEMENCE, of Wausau, as a member of the Hearing and Speech Examining Board, to serve for the term ending July 1, 1999.

Confirmation.

Ayes, 6 – Senators Buettner, Rosenzweig, Zien, Welch, Moen and Moore.

Noes, 0 – None.

PELISEK, FRANK J., of River Hills, as a member of the University of Wisconsin Hospitals and Clinics Board, to serve for the term ending July 1, 1999.

Confirmation.

Ayes, 6 – Senators Buettner, Rosenzweig, Zien, Welch, Moen and Moore.

Noes, 0 – None.

PELISEK, FRANK J., of River Hills, as a member of the University of Wisconsin Hospitals and Clinics Authority, to serve for the term ending July 1, 1999.

Confirmation.

Ayes, 6 – Senators Buettner, Rosenzweig, Zien, Welch, Moen and Moore.

Noes, 0 – None.

RANDALL, WILLIAM J., of Milwaukee, as a member of the Board of Trustees of the Medical College of Wisconsin, to serve for the term ending May 1, 2001.

Confirmation.

Ayes, 6 – Senators Buettner, Rosenzweig, Zien, Welch, Moen and Moore.  
Noes, 0 – None.

SEAMAN, STEPHEN F., of Fort Atkinson, as a member of the Psychology Examining Board, to serve for the term ending July 1, 1999.

Confirmation.

Ayes, 6 – Senators Buettner, Rosenzweig, Zien, Welch, Moen and Moore.  
Noes, 0 – None.

SLEIGHT, BEVIER HASBROUCK, III, of Wisconsin Rapids, as a member of the Chiropractic Examining Board, to serve for the term ending July 1, 1999.

Confirmation.

Ayes, 6 – Senators Buettner, Rosenzweig, Zien, Welch, Moen and Moore.  
Noes, 0 – None.

TOWNSEND, JOYCE, of Glendale, as a member of the Council on Domestic Abuse to serve for the term ending July 1, 1998.

Confirmation.

Ayes, 6 – Senators Buettner, Rosenzweig, Zien, Welch, Moen and Moore.  
Noes, 0 – None.

Carol Buettner  
Chairperson

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

**Senate Bill 341**

Relating to: prohibiting the department of industry, labor and human relations from promulgating a rule requiring the provision of unisex toilet rooms in any building.

No recommendation pursuant to s. 227.19 (6)(b), Wisconsin Statutes.

David Zien  
Chairperson

**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin  
Senator Chuck Chvala**

October 25, 1995

The Honorable, The Senate:

As I am now serving as Senate Minority Leader, I am writing to formally resign my position on the Joint Committee on Finance.

Sincerely,

SENATOR CHUCK CHVALA  
Minority Leader

**State of Wisconsin  
Senator Michael G. Ellis**

October 25, 1995

The Honorable, The Senate:

Pursuant to Senate Rule 20, I have made the following appointment to a Senate Committee:

**Joint committee on Finance;** Senator Russell Decker.

With regards to members of the minority party, the appointments reflect recommendations of that caucus.

Sincerely,

MICHAEL G. ELLIS, CHAIR  
Committee on Senate Organization

**State of Wisconsin  
Office of Justice Assistance**

October 5, 1995

The Honorable, The Legislature:

As the Chair of the Governor’s Juvenile Justice Commission, I am pleased to submit the attached Progress Report for calendar year 1994, which describes the occurrences and activities that were associated with the Commission’s administration of Wisconsin’s 1994–1996 Juvenile Justice Plan. Highlights include the following:

\* Federal Juvenile Justice & Delinquency Prevention Act (JJDP) subgrants were awarded to 25 local and state projects in several program areas — including secure detention staffing and programs, non-secure alternatives to jail, early intervention, serious/violent offender services, and juvenile justice system improvements.

\* The number of secure detention beds statewide increased from 270 to 343 beds. This increase in bed space is due to several detention centers implementing “double-ceiling” to increase their capacities. In addition, one county began operating a new juvenile secure detention facility in 1994, while a second county replaced its “co-located” facility with a larger “stand-along” facility.

\* Despite the increase in the number of detention beds, counties throughout Wisconsin were periodically unable to procure bed space, particularly on Fridays and weekends, evidencing a continuing need for additional beds.

\* Revisions to Chapter DOC 346 of the Administrative Code setting juvenile secure detention program standards in the areas of education, recreation, structured out-of-cell activities, and living space needs were adopted in October 1994.

\* Wisconsin maintained and solidified its compliance with the juvenile jail removal provisions under the federal Juvenile Justice and Delinquency Prevention Act (JJDP), as the number of out-of-compliance jail detentions decreased from 437 in 1993 to 105 in 1994.

\* A recently completed study of secure detention facilities found no appreciable difference in the operational effectiveness of facilities that “share” staff with adult jails, as compared with facilities that employ “separate” detention staff.

\* Consistent with the requirements under the JJDP, the University of Wisconsin–Milwaukee was awarded a \$149,798 subgrant to perform a detailed analysis of disproportionate secure confinement of minorities within the juvenile justice system of five counties, including the factors contributing to and strategies for reducing such minority confinement. The Study is expected to be completed by the end of 1995.

\* Wisconsin was awarded \$252,000 in Title V Delinquency Prevention Incentive Grant funds from OJJDP in October 1994, to be awarded to counties and municipalities in 1995. In November 1994, a one-day Key Leaders Orientation on strategies for risk-focused analysis of delinquency conduct and prevention programs was attended by representatives from 18 communities.

The Commission is proud of the accomplishments of the numerous local and state juvenile justice and law enforcement agencies, and looks forward to continuing to provide funding for effective programs that encourage early intervention services for children committing minor offenses, address serious and violent offender needs, and meet the demand for secure and nonsecure detention services.

Sincerely,

KATHLEEN M. ARTHUR  
Chair of the Governor’s Juvenile Justice Commission

**State of Wisconsin  
Wisconsin Technical College System Board**

October 19, 1995

The Honorable, The Legislature:

Pursuant to Wis. Stats. ss 38.12 (11), this is to notify you that all sixteen districts of the Wisconsin Technical College System have provided the required materials, information and orientations on sexual assault and sexual harassment. Information and materials are provided in student handbooks, information flyers, resource guides, student newspapers, booklets, college policies, and verbal orientation sessions. Assurances from the districts and sample materials are on file in our office and are available upon request.

If you need additional information or have any questions on this matter, please contact Mr. Keith Krinke, Director, Human Resources at 266-1844.

Sincerely,

DWIGHT A. YORK  
State Director

**State of Wisconsin  
Department of Development**

October 18, 1995

To the Honorable, the Legislature:

Section 66.46 (13) of the Wisconsin Statutes requires the Department of Development to provide a report indicating the social, economic, and financial effects and impacts of Tax Incremental Financing projects in Wisconsin.

Pursuant to the process outlined in s. 13.172(3), stats., I am respectfully submitting the attached 1993-95 Biennial Report on Tax Incremental Financing (TIF). If you have any questions concerning the report please contact Ann Bourque at 266-2423, or to obtain copies, please contact Bev Haberman in our Division of Policy and Information at 608/266-5381.

Sincerely,

WILLIAM J. MCCOSHEN  
Secretary

**EXECUTIVE COMMUNICATIONS**

**State of Wisconsin  
Office of the Governor**

September 29, 1995

The Honorable, The Legislature:

Pursuant to Wisconsin Statutes 234.165(2)(b)(3), I am submitting to the presiding officer of each House the 1995-96 WHEDA plan, Dividends for Wisconsin. I have made no amendments to the Plan.

Sincerely,

TOMMY G. THOMPSON  
Governor

**State of Wisconsin  
Office of the Governor**

October 25, 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>
<b>Senate Bill 266</b>	<b>Wisconsin Act 60</b>	October 24, 1995

Sincerely,

TOMMY G. THOMPSON  
Governor

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

**Senate Clearinghouse Rule 95-054**

Relating to the ability of a dentist to delegate remediable portions of an oral prophylaxis to an unlicensed person.

Submitted by Department of Regulation and Licensing.

Report received from Agency, October 20, 1995.

Referred to committee on **Business, Economic Development and Urban Affairs**, October 25, 1995.

**Senate Clearinghouse Rule 95-060**

Relating to animal health and diseases of bovine animals, cervidae, goats, south American camelidae and swine.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, October 23, 1995.

Referred to committee on **Transportation, Agriculture and Local Affairs**, October 25, 1995.

**Senate Clearinghouse Rule 95-087**

Relating to the security requirements for motor vehicle dealers and other licensees and the conditions under which financial statements may be required.

Submitted by Department of Transportation.

Report received from Agency, October 18, 1995.

Referred to committee on **Transportation, Agriculture and Local Affairs**, October 25, 1995.

**Senate Clearinghouse Rule 95-137**

Relating to proposed legislation establishing vehicle weight limit exceptions.

Submitted by Department of Transportation.

Report received from Agency, October 20, 1995.

Referred to committee on **Transportation, Agriculture and Local Affairs**, October 25, 1995.

**Senate Clearinghouse Rule 95-144**

Relating to twin trifecta, superfecta and tri-superfecta pools, deduction approvals, animal drug testing and intertrack and simulcast wagering.

Submitted by Gaming Commission.

Report received from Agency, October 18, 1995.

Referred to committee on **Business, Economic Development and Urban Affairs**, October 25, 1995.

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

**Senate Clearinghouse Rule 95-098**

Relating to the 1995 migratory game bird season.

No action taken.

Robert Cowles  
Chairperson

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

**Senate Clearinghouse Rule 95-101**

Relating to layoff procedures for employes in the permanent classified civil service not covered by a collective bargaining agreement.

No action taken.

David Zien  
Chairperson

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

**Senate Clearinghouse Rule 95-017**

Relating to pesticide worker protection and pesticide application site posting.

No action taken.

Alan Lasee  
Chairperson

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**SENATE ENROLLED PROPOSALS**

The Chief Clerk records:

**Senate Bill 130**

**Senate Bill 148**

Report correctly enrolled on October 18, 1995.

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**SENATE ENROLLED PROPOSALS**

The Chief Clerk records:

**Senate Bill 266**

Report correctly enrolled on October 23, 1995.

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**CHIEF CLERK'S REPORT**

The Chief Clerk records:

**Senate Bill 266**

Presented to the Governor on October 23, 1995.

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**LEGISLATIVE REFERENCE BUREAU  
CORRECTIONS**

**Corrections In:**

**1995 Assembly Bill 546**

Prepared by the Legislative Reference Bureau  
(September 19, 1995)

1. Page 4, line 13: substitute "does" for "dues".