

STATE OF WISCONSIN
Senate Journal
Ninety–Third Regular Session

WEDNESDAY, April 2, 1997

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 143

Relating to: the sale of cigarettes and tobacco products and providing a penalty.

By Senators Adelman, Buettner, Clausing, Risser and Plache; cosponsored by Representatives Duff, Huber, J. Lehman, Lazich, La Fave, Bock, Urban, R. Young, Notestein, Staskunas, Turner, Baldwin, Morris–Tatum and Wasserman.

To committee on **Economic Development, Housing and Government Operations**.

Senate Bill 144

Relating to: the valuation of a state employe’s accumulated sick leave credits for the payment of health insurance premiums under a group health insurance program administered by the group insurance board.

By Senators C. Potter, Grobschmidt, Wirch and Risser; cosponsored by Representatives Boyle, Musser, Gronemus, La Fave and Plale.

To committee on **Economic Development, Housing and Government Operations**.

Senate Bill 145

Relating to: increasing the limits, and authorizing occurrence or claims–made coverage, for health care liability insurance and granting rule–making authority.

By Senators Breske, Wineke, Schultz, Jauch, Rosenzweig, C. Potter, Huelsman, Shibilski, Farrow, Wirch and Buettner; cosponsored by Representatives Green, Freese, Meyer, Vrakas, Rutkowski, Albers, Wasserman, Kreibich and Plale.

To committee on **Health, Human Services, Aging, Corrections, Veterans and Military Affairs**.

Senate Bill 146

Relating to: imposing liability upon the owner of a vehicle for the improper display or use of a license plate, registration sticker or other evidence of registration and providing a penalty.

By Senators C. Potter, Rosenzweig and Panzer; cosponsored by Representatives Otte, Krusick, Baumgart, Lorge, Notestein, Ladwig, Krug and Hahn.

To committee on **Labor, Transportation and Financial Institutions**.

Senate Bill 147

Relating to: regulating water or sewer service provided to occupants of mobile home parks, providing an exemption form

emergency rule procedures, granting rule–making authority and providing a penalty.

By Senators Weeden, Plache, Farrow and Wirch; cosponsored by Representatives Musser, Robson, Murat, Goetsch and Ryba.

To committee on **Utility Regulation**.

Senate Bill 148

Relating to: the dollar limits in wrongful death and medical malpractice actions.

By Senators Clausing and Plache; cosponsored by Representatives Plouff, Lorge, R. Young, Cullen, Wood, Riley, Baldwin and Reynolds.

To committee on **Judiciary, Campaign Finance Reform and Consumer Affairs**.

REPORT OF COMMITTEES

The joint committee for **review of Administrative Rules** reports and recommends:

Senate Bill 149

Relating to: promulgation of emergency rules and the extension of emergency rules by the joint committee for review of administrative rules.

Introduction.

Ayes, 10 – Senators Grobschmidt, C. Potter, Wirch, Welch and Schultz; Representatives Grothman, Seratti, Gunderson, R. Young and Kreuser.

Noes, 0 – None.

Richard Grobschmidt
Senate Chairperson

Read first time and referred to committee on **Economic Development, Housing and Government Operations**.

The committee on **Agriculture and Environmental Resources** reports and recommends:

Assembly Bill 1

Relating to: prohibiting the installation of certain devices in wells.

No recommendation pursuant to s. [227.26 \(2\)\(h\)](#), Wisconsin Statutes.

Assembly Bill 5

Relating to: the authority of the department of agriculture, trade and consumer protection to prohibit the use of atrazine in a specified area in the town of North Lancaster, Grant County.

No recommendation pursuant to s. [227.19 \(6\)\(b\)](#), Wisconsin Statutes.

Alice Clausing
Chairperson

The committee on **Labor, Transportation and Financial Institutions** reports and recommends:

DEHAVEN, NORMA, of Fitchburg, as a member of the State of Wisconsin Investment Board, to serve for the term ending May 1, 1999.

Confirmation.

Ayes, 7 – Senators Plache, C. Potter, Moore, Decker, Zien, Darling and Farrow.

Noes, 0 – None.

HAMMES, JON D., of Brookfield, as a member of the State of Wisconsin Investment Board, to serve for the interim term ending May 1, 1999.

Confirmation.

Ayes, 7 – Senators Plache, C. Potter, Moore, Decker, Zien, Darling and Farrow.

Noes, 0 – None.

Kimberly Plache
Chairperson

PETITIONS AND COMMUNICATIONS

State of Wisconsin

March 19, 1997

The Honorable, The Senate:

This is to request that Senator Grobschmidt be added as a coauthor of Senate Joint Resolution 17, relating to four year terms of office for district attorneys.

Senator Grobschmidt had called my office requesting to be made a coauthor of this Joint Resolution and a member of my staff inadvertently left his name off the bill jacket while filling it out.

I appreciate your attention to this matter and am hopeful the official record can reflect this change.

Sincerely,

BRIAN BURKE
State Senator

**State of Wisconsin
Department of Corrections**

March 17, 1997

The Honorable, The Legislature:

As required under Section 301.03 (6r) of the Wisconsin Statutes, I am submitting information relative to the number of prisoners the Department of Corrections considers violent and the total number of prisoners.

On December 31, 1996 the Department had 13,114 adult inmates assigned to Type "1" prisons. Out of the 13,114 inmates, 9,734 or 74.2% had assaultive offenses.

Sincerely,

MICHAEL J. SULLIVAN
Secretary

**State of Wisconsin
Southeast Wisconsin Professional Baseball Park District**

March 21, 1997

The Honorable, The Senate:

Enclosed is a copy of the February 1997 Monthly Progress Report on the Miller Park construction project for your information.

As a means of keeping State government informed on the status of the project, we will continue to send these reports as they become available every month until the project is completed for Opening Day in the year 2000.

If you have any questions or comments, please don't hesitate to call.

Sincerely,

MICHAEL R. DUCKETT
Executive Director

EXECUTIVE COMMUNICATIONS

**State of Wisconsin
Office of the Governor**

March 21, 1997

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HAHN, PAUL A., of Albany, as Commissioner of the Wisconsin Employment Relations Commission, to serve for the term ending May 1, 2003.

Sincerely,

TOMMY G. THOMPSON
Governor

Read and referred to committee on **Labor, Transportation and Financial Institutions.**

**State of Wisconsin
Office of the Governor**

March 21, 1997

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MUSOLF, MARK E., of Madison, as Commissioner of the Wisconsin Tax Appeals Commission, to serve for the term ending March 1, 2003.

Sincerely,

TOMMY G. THOMPSON
Governor

Read and referred to committee on **Economic Development, Housing and Government Operations.**

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

**State of Wisconsin
Revisor of Statutes Bureau**

April 1, 1997

To the Honorable, the Senate:

The following rules have been published:	
Clearinghouse Rules	Effective Date(s)
95– 69	April 1, 1997
96– 74	April 1, 1997
96– 77	April 1, 1997
96– 78	April 1, 1997
96– 86	April 1, 1997

96- 87

April 1, 1997

96-144

April 1, 1997

Sincerely,
GARY L. POULSON
Deputy Revisor

Senate Clearinghouse Rule 96-133

Relating to the definition of a muzzleloader for the muzzleloader gun deer season.

Submitted by Department of Natural Resources.

Report received from Agency, March 31, 1997.

Referred to committee on **Agriculture and Environmental Resources**, April 2, 1997.

Senate Clearinghouse Rule 96-190

Relating to sport and commercial fishing for yellow perch in Lake Michigan.

Submitted by Department of Natural Resources.

Report received from Agency, March 31, 1997.

Referred to committee on **Agriculture and Environmental Resources**, April 2, 1997.

The committee on **Judiciary, Campaign Finance Reform and Consumer Affairs** reports and recommends:

Senate Clearinghouse Rule 97-012

Relating to cost of retained counsel.

No action taken.

Lynn Adelman
Chairperson

The committee on **Labor, Transportation and Financial Institutions** reports and recommends:

Senate Clearinghouse Rule 96-044

Relating to motor vehicle trade practices.

No action taken.

Senate Clearinghouse Rule 96-168

Relating to occupational driver's license.

No action taken.

Senate Clearinghouse Rule 97-005

Relating to the creation of a catastrophic leave program that permits classified nonrepresented employes to donate certain types and amounts of leave credits to other classified nonrepresented employes who have been granted an unpaid leave of absence due to a catastrophic need and to removal of the reference to Good Friday as a legal holiday for state employes.

No action taken.

Kimberly Plache
Chairperson

AMENDMENTS OFFERED

Senate amendment 2 to **Senate Bill 78** offered by Senator C. Potter.

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

Senate Bill 68

Senate Bill 76

Senate Bill 113

Report correctly enrolled on March 26, 1997.

**Motions Under Senate Rule 98
for the Month of March 1997**

A certificate of condolence by Senator George for the family of August "Ace" Backus on the occasion of celebrating with them his life on earth.

A certificate of commendation by Senator Plache for Sara Banks on the occasion of earning and attaining the Girl Scout Silver Award and Gold Award.

A certificate of congratulations by Senator Wineke for William N. G. Barron IV on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate congratulations by Senator Breske for John R. Blayney on the occasion of being awarded the prestigious Silver Smokey Bear Award in recognition of his fire prevention efforts in Wisconsin and the Great Lakes Area.

A certificate of commendation by Senator Buettner for Audrey Cox on the occasion of being Awarded the Girl Scout Gold Award.

A certificate of congratulations by Senator Rude for Viroqua Mayor Chuck Dahl on the occasion of celebrating his 75th Birthday.

A certificate of congratulations by Senator Clausing for Jerrod Scott Faber on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Chvala for George and Pearl Fisher on the occasion of the celebration of their 55th Wedding Anniversary.

A certificate of congratulations by Senator Weeden for Frito Lay on the occasion of their acceptance into the Voluntary Protection Program at the Highest Level in Association with the Occupational Safety and Health Act.

A certificate of congratulations by Senator Fitzgerald for Nicholas J. Hayden on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Clausing for Nathan V. Hedlund on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Ellis for Robert S. Hixon on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Adelman for Andrew Horzewski on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Risser for Ephraim Jane on the occasion of his six week internship with the Wisconsin Legislature, sponsored by the National Democratic Institute for International Affairs, and wish him well on his return home to Namibia, Africa and hope the experience in Wisconsin will assist his work with the National Council of Namibia and service the people of Namibia.

A certificate of commendation by Senator Risser for Coach Cheryl Knox and the South Madison Track Club for their impressive performance at the United States Track and Field Indoor Nationals.

A certificate of commendation by Senator Lasee for Nicholas Stephen Keuler on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Rosenzweig for Astronaut Mark C. Lee on the occasion of excellence and service for the State of Wisconsin and the United States of America.

A certificate of congratulations by Senator Burke for Mordecai Lee on the occasion of his distinguished service to the Milwaukee Jewish Council for Community Relations and wish him well at the University of Wisconsin–Milwaukee campus Center for Continuing Education.

A certificate of congratulations by Senator Drzewiecki for Scott J. Lemerond on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Shibilski for Henry Liebrecht on the occasion of his induction to the Wisconsin Conservation Hall of Fame.

A certificate of commendation by Senator Risser for Miriam Nghitotovali on the occasion of her six week internship with the Wisconsin Legislature, sponsored by the National Democratic Institute for International Affairs, and wish her well on her return home to Namibia, Africa and hope the experience in Wisconsin will assist her work with the National Council of Namibia and service the people of Namibia.

A certificate of commendation by Senator Lasee for Andrea Olson on the occasion of attaining the Girl Scout Gold Award.

A certificate of commendation by Senator Shibilski for William Peterburs Jr. on the occasion of his induction to the Wisconsin Conservation Hall of Fame.

A certificate of congratulations by Senator Weeden for Donald Reichard on the occasion of his retirement after 11 years of distinguished service as Rock County Veterans Service Officer.

A certificate of congratulations by Senator Weeden for John Reiff on the occasion of his retirement after 31 years of service to the Walworth County Sheriff's Department.

A certificate of commendation by Senator Moen for Willis Rugotzke on the occasion of his retirement after 18 years of dedicated service to the people of the town of Lincoln.

A certificate of congratulations by Senator Ellis for Yvette Schulz on the occasion her earning the Academic and Swimming letters to reflect her dedication and hard work.

A certificate of congratulations by Senator Adelman for John Michael Shefchik on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Lasee for Leslie Stanford on the occasion of attaining the Girl Scout Gold Award.

A certificate of congratulations by Senator Rude for Dr. Robert Starr on the occasion of his retirement from Medicine and express appreciation for his years of dedicated service.

A certificate of congratulations by Senator Shibilski for the Stevens Point Brewery on the occasion of celebrating their 140th Anniversary.

A certificate of commendation by Senator Buettner for Jeremy Straus on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Fitzgerald for Ron Thompson on the occasion of being chosen as a Beaver Dam Chamber Member of the Year.

A certificate of congratulations by Senator Jauch for Dr. Fred Tidstrom on the occasion of being selected 1997 Person of the Year by the Ashland Area Chamber of Commerce.

A certificate of congratulations by Senator Huelsman for the Waukesha North Symphonic Winds & Percussion conducted by James Doepke and Stephen Fisher on the occasion of their outstanding performance in presenting a special concert in the Wisconsin State Capitol Rotunda on Wednesday March 12, 1997.

A certificate of congratulations by Senator Grobschmidt for the Honorable Ted E. Wedemeyer Jr. on the occasion of being chosen 1997 recipient of the "Pal Joey Award".

A certificate of commendation by Senator Rude for Mayor Patrick Zielke on the occasion of his retirement from the City of LaCrosse after 22 dedicated years of service to the residents and honor him as one of the longest serving Mayors.