



STATE OF WISCONSIN

Senate Journal

Ninety–Third Regular Session

10:00 A.M.

TUESDAY, September 30, 1997

The Senate met.

The Senate was called to order by Senator Fred Risser.

The Chair, with unanimous consent, asked that the proper entries be made in the journal.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 308

Relating to: revising the investment securities chapter of the uniform commercial code.

By Senators Huelsman and George; cosponsored by Representatives Green and Cullen.

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

Senate Bill 309

Relating to: burglary and providing a penalty.

By Senators Fitzgerald, Grobschmidt, Zien, Farrow, A. Lasee, Roessler, Huelsman and Schultz; cosponsored by Representatives Nass, Dobyms, Jeskewitz, Gard, Musser, Vrakas, F. Lasee, Ziegelbauer, Hoven, Staskunas, Lazich, Green, Seratti, Ladwig, Porter, Ainsworth, Zukowski, Skindrud, Hasenohrl, Brandemuehl and Powers.

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

REPORT OF COMMITTEES

The committee on **Education** reports and recommends:

Senate Bill 259

Relating to: library lending incentive aid and granting rule-making authority.

Introduction and adoption of Senate amendment 2.

Ayes, 7 – Senators C. Potter, Jauch, Shibilski, Grobschmidt, Darling, Huelsman and Roessler.

Noes, 0 – None.

Passage as amended.

Ayes, 6 – Senators C. Potter, Jauch, Shibilski, Grobschmidt, Darling and Roessler.

Noes, 1 – Senator Huelsman.

Senate Bill 269

Relating to: the number of members on the system board in certain federated library systems; nomination and approval of members of a library system board in a federated public library system; public library advisory committees; exemption from the county property tax levy for library services; the establishment by counties of standards for public libraries;

convening a public library and school library technology conference; public library system aids; reports on the effectiveness of public library systems; withdrawal from and participation in public library systems; appeals to the state superintendent of public instruction of a county library board or county board of supervisors' disapproval of a town's request to establish a public library; authorizing private colleges and universities to participate in telecommunications networks; and requiring counties to pay public libraries for services provided to residents of the county that reside in municipalities that do not maintain public libraries.

Introduction and adoption of Senate amendment 1.

Ayes, 7 – Senators C. Potter, Jauch, Shibilski, Grobschmidt, Darling, Huelsman and Roessler.

Noes, 0 – None.

Introduction and adoption of Senate amendment 2.

Ayes, 7 – Senators C. Potter, Jauch, Shibilski, Grobschmidt, Darling, Huelsman and Roessler.

Noes, 0 – None.

Passage as amended.

Ayes, 7 – Senators C. Potter, Jauch, Shibilski, Grobschmidt, Darling, Huelsman and Roessler.

Noes, 0 – None.

Senate Bill 271

Relating to: exempting certain resident students from tuition at the University of Wisconsin System and at the technical college system.

Passage.

Ayes, 7 – Senators C. Potter, Jauch, Shibilski, Grobschmidt, Darling, Huelsman and Roessler.

Noes, 0 – None.

Senate Bill 273

Relating to: truancy planning committees and school district truancy plans.

Passage.

Ayes, 6 – Senators C. Potter, Jauch, Shibilski, Grobschmidt, Darling and Roessler.

Noes, 1 – Senator Huelsman.

Senate Bill 310

Relating to: eliminating the Wisconsin School for the Visually Handicapped and making an appropriation.

Introduction.

Ayes, 6 – Senators C. Potter, Jauch, Shibilski, Darling, Huelsman and Roessler.

Noes, 1 – Senator Grobschmidt.

To committee on **Education.**

Calvin Potter
Chairperson

PETITIONS AND COMMUNICATIONS

Senate Petition 10

A petition by 54 residents of the State of Wisconsin urging the Wisconsin Legislature to support Wisconsin's Grocers and retailers who sell lottery games by reimbursing them a fair and equitable amount for their costs to provide these products.

By Senator Rude.

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

State of Wisconsin

September 25, 1997

The Honorable, The Senate:

I am writing to request that my name be removed as a coauthor of **Senate Bill 187.**

Thank you

Sincerely,

MARC DUFF
State Representative

State of Wisconsin

Department of Health and Family Services

September 19, 1997

The Honorable, The Senate:

In accordance with sec. 1.11(2)(j) Wis. Stats., the Department of Health and Family Services reports that it has not conducted any Environmental Impact Statements during the reporting period of July 1, 1996, through June 30, 1997. During this time period the Department did conduct one Environmental Assessment associated with a facilities project at one of our institutions, but it did not require continuation into a full Environmental Impact Statement process.

An Environmental Assessment was conducted for the following project.

Wisconsin Resource Center. this is a 300-bed expansion for treatment of mentally ill correctional inmates, as authorized by the 1995-97 biennial budget.

Sincerely,

JOE LEEAN
Secretary

State of Wisconsin
Department of Commerce

September 23, 1997

The Honorable, The Senate:

The enclosed report has been sent to you pursuant to sec. 1.11, Stats. This section requires agencies to submit a report to the chief clerk of each house of the legislature, including the number of proposed actions for which the agency conducted an assessment of whether an impact statement was required and the number of impact statements prepared.

This report encompasses the activities of the Department of Commerce for the period from July 1, 1996, to July 1, 1997.

Any questions concerning this report may be directed to Richard Meyer, WEPA Coordinator, at 608-266-3080.

Sincerely,

WILLIAM J. MCCOSHEN
Secretary

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

September 25, 1997

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint CASPER, PHILIP E., of Mequon, as a member of the Board of Trustees of the Medical College of Wisconsin, to serve for the interim term ending May 1, 2001.

Sincerely,

TOMMY G. THOMPSON
Governor

Read and referred to committee on **Health, Human Services, Aging, Corrections, Veterans and Military Affairs.**

State of Wisconsin
Office of the Governor

September 25, 1997

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KAPUSTA, JOSEPH, of Antigo, as a member of the Snowmobile Recreation Council, to serve for the term ending July 1, 2000.

Sincerely,

TOMMY G. THOMPSON
Governor

Read and referred to committee on **Agriculture and Environmental Resources.**

State of Wisconsin
Office of the Governor

September 25, 1997

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SORENSEN, DENNIS L., of St. Germain, as a member of the Snowmobile Recreation Council, to serve for the interim term ending July 1, 1998 and for the full term ending July 1, 2001.

Sincerely,

TOMMY G. THOMPSON
Governor

Read and referred to committee on **Agriculture and Environmental Resources.**

State of Wisconsin
Office of the Governor

September 25, 1997

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint STEIMEL, RICHARD J., of Dane, as a member of the Snowmobile Recreation Council, to serve for the term ending July 1, 2000.

Sincerely,

TOMMY G. THOMPSON
Governor

Read and referred to committee on **Agriculture and Environmental Resources.**

State of Wisconsin
Office of the Governor

September 25, 1997

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint WHITE, DONNA JEAN, of Cambria,

as a member of the Snowmobile Recreation Council, to serve for the term ending July 1, 2000.

Sincerely,

TOMMY G. THOMPSON
Governor

Read and referred to committee on **Agriculture and Environmental Resources.**

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

Senate Clearinghouse Rule 97-108

Relating to allowing the operation of double bottoms and certain other vehicles on certain specified highways.

Submitted by Department of Transportation.

Report received from Agency, September 26, 1997.

Referred to committee on **Labor, Transportation and Financial Institutions**, September 30, 1997.

Senate Clearinghouse Rule 97-112

Relating to reports from insured employers, self-insured employers and insurance carriers.

Submitted by Department of Workforce Development .

Report received from Agency, September 29, 1997.

Referred to committee on **Labor, Transportation and Financial Institutions**, September 30, 1997.

**State of Wisconsin
Revisor of Statutes Bureau**

October 1, 1997

To the Honorable, the Senate:

The following rules have been published:

Clearinghouse Rules	Effective Date(s)
96- 79	October 1, 1997
96- 92	October 1, 1997
96-163	October 1, 1997
96-176	October 1, 1997
96-181	October 1, 1997
96-188	October 1, 1997
97- 3	October 1, 1997
97- 9	January 1, 1998
97- 10	October 1, 1997
97- 22	October 1, 1997
97- 23	October 1, 1997
97- 25	October 1, 1997
97- 33	October 1, 1997
97- 42	October 1, 1997
97- 46	October 1, 1997
97- 53	October 1, 1997
97- 63	October 1, 1997

Sincerely,
GARY L. POULSON
Deputy Revisor

MESSAGES FROM THE ASSEMBLY

By Charles Sanders, chief clerk.

Mr. President:

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

Assembly Joint Resolution 52

Concurred in:

Senate amendment 1 to **Assembly Bill 100**

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Joint Resolution 52

Relating to: memorializing Congress to begin the process of amending the constitution to enable Congress and the states to enact legislation prohibiting the desecration of the American flag.

By Representatives Zukowski, Handrick, Huebsch, Hoven, Porter, Otte, Gard, Hahn, Grothman, Ladwig, Musser, Brandemuehl, Dobyns, Freese, Goetsch, Owens, Vrakas, Kreuser, Gunderson, Green, Lorge, Ainsworth, Lazich and Ryba; cosponsored by Senators Zien, Welch, Drzewiecki, Fitzgerald and Buettner.

Read and referred to committee on **Judiciary, Campaign Finance Reform and Consumer Affairs.**

Assembly Bill 283

Relating to: the regulation of the sale of merchandise below cost and providing a penalty.

Assembly Bill 283 was withdrawn from the committee on **Judiciary, Campaign Finance Reform and Consumer Affairs** and referred to the committee on **Economic Development, Housing and Government Operations** pursuant to Senate Rule 41 (2) (c).

ADJOURNMENT

Senator Risser, with unanimous consent, asked that the Senate adjourn pursuant to **Senate Joint Resolution 1.**

Adjourned.

10:01 A.M.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Joint Resolution 18** offered by Senator Drzewiecki.

**MOTIONS UNDER SENATE RULE 98
for the Month of September 1997**

A certificate of commendation by Senator Drzewiecki for Elena Albertz on the occasion of being named the 1997 Northeastern Wisconsin Special Olympics Volunteer of the Year.

A certificate of congratulations by Senator Plache for Andrew Barnes on the occasion of his many successful accomplishments and wish him continued success.

A certificate of congratulations by Senator Chvala for Mark Bennett on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Rosenzweig for Maria Blaine on the occasion of her success in this years Pre-Teen Wisconsin and Pre-Teen America Programs.

A certificate of congratulations by Senator Plache for Boy Scout Troop 400 on the occasion of their exemplary job and with the involvement and volunteering within the community of Racine.

A certificate of congratulations by Senator Chvala for Andrew Ernest Branch on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Wineke for Jeff Bunge and Donna Small on the occasion they are celebrating the 150th Anniversary of the Stamm House Restaurant in Middleton.

A certificate of congratulations by Senator Chvala for Scott Robert Burmeister on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Farrow for Jim Casper on the occasion of receiving the Dedicated Service Award and wish him continued success.

A certificate of congratulations by Senator Weeden for the Congregation B'nai Abraham on the occasion they are celebrating their 90th Anniversary.

A certificate of congratulations by Senator Wirch for Susan Crane on the occasion of her contributions to the Dairy Industry.

A certificate of condolences by Senator George for the family of Mr. Robert Dicks on the occasion of celebrating with the family and friends his life on earth.

A certificate of congratulations by Senator Wineke for Andy Doll on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Breske for Evron and Frances Davison on the occasion they were recently selected as the 1997 Outstanding Tree Farmer of the Year.

A certificate of commendation by Senator Huelsman for Dousman Elementary School on the occasion of the achievement of the Blue Ribbon School Award.

A certificate of commendation by Senator Ellis for Tony P. Ebben on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Plache for the William F. Ehrlich Post 1391 Veterans of Foreign Wars and the United States and its Ladies Auxiliary of Racine for doing a outstanding job in the area of Youth Activities and Programs since its inception in October of 1925.

A certificate of congratulations by Senator Farrow for the Elmbrook Memorial Hospital on the occasion of the announcement of the naming of the new Women's Health Center the Dr. and Mrs Pavlic Women's Health Center.

A certificate of congratulations by Senator Ellis for Justin W. Hoest on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Rosenzweig for Erik Christian Jensen on the occasion of his Eagle Court of Honor.

A certificate of congratulations by Senator Rosenzweig for Kirk Evan Jensen on the occasion of his Eagle Court of Honor.

A certificate of congratulations by Senator Farrow for Don Kastenzholz on the occasion of earning the Affiliate of the Year and wish him continued success.

A certificate of congratulations by Senator Chvala for Jeremy Edward Kaukl on occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Farrow for the Kiwanis Club of Pewaukee on the occasion they are celebrating their 60th Anniversary.

A certificate of congratulations by Senator Grobschmidt for the Krakow Polish Dancers of Milwaukee on the occasion of celebrating their 30th Anniversary.

A certificate of commendation by Senator Risser for Joseph Kraemer on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Grobschmidt for the Lakeside Centerless Grinding Company on the occasion of being named the "1997 Business of the Year" by the City of St. Francis Economic Development Committee.

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

A certificate of congratulations by Senator Grobschmidt for the Lucas-Milhaupt Incorporation on the occasion it is celebrating 55 years of business.

A certificate of commendation by Senator Plache for Charles Manning on the occasion of his outstanding accomplishments and wish him continued luck in Europe.

A certificate of commendation by Senator Drzewiecki for James C. McDonald on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator George for Mrs. Venora McKinney on the occasion of her retirement after years of contributions to the City of Milwaukee.

A certificate of congratulations by Senator Huelsman for the Village of Merton Post Office on the occasion they are celebrating their 150th Anniversary.

A certificate of congratulations by Senator Moen for Michael Miller on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Drzewiecki for Stuart Millikin on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Darling for Karen Nelson on the occasion of receiving the 1997 Menomonee Falls Citizen of the Year Award.

A certificate of commendation by Senator Decker for Nathaniel Nernberger on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Farrow for Dr. and Mrs. Pavlic on the occasion that on September 24, 1997 they will be naming the Women's Health Center as the Dr. and Mrs. Robert S. Pavlic Women's Health Center in their honor.

A certificate of commendation by Senator Plache for the City of Racine on the occasion of recognizing October 25, 1997 as "Make a Difference Day" and the community joins together to participate in improving the City.

A certificate of commendation by Senator Drzewiecki for Amy Refsguard on the occasion of being named the 1997 Northeastern Wisconsin Special Olympics Volunteer of the Year.

A certificate of congratulations by Senator Decker for Sharon Ryan on the occasion of being nominated for the Presidential Award for Excellence in Science Teaching.

A certificate of commendation by Senator Moen for Chancellor Larry Schnack on the occasion of his retirement from the University of Wisconsin Eau Claire after 32 years of service.

A certificate of congratulations by Senator Breske for Bernd A. Schneider on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Farrow for Roy Scholtka on the occasion of earning the Realtor of the Year Award and wish him continued success.

A certificate of commendation by Senator Ellis for Michael J. Schroeder on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Ellis for William G. Schultz on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Ellis for Daren Scott on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Moen for the St. Michael's Lutheran Home on the occasion of celebrating 50 years of dedication to the residents with past and present Board Members, Administrators, Pastors and Chaplins for providing spiritual and physical needs for the residents over the years.

A certificate of congratulations by Senator Grobschmidt for Florian Tomkowiak on the occasion of being honored as "Veteran of the Year" by the Cudahy Allied Veteran's Council.

A certificate of congratulations by Senator Wirch for Mario Ventura Sr. on the occasion of his years of hard work and in

April of 1957 founding the Mars Cheese Castle and becoming the successful and popular landmark it is today.

A certificate of commendation by Senator Plache for David Vetrovec on the occasion of his outstanding accomplishments and wish him luck in future endeavors.

A certificate of commendation by Senator Roessler for Colin John Walsh on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Weeden for Leo and Geneva Weeden on the occasion of celebrating their Golden Anniversary shared with family and friends.

A certificate of congratulations by Senator Farrow for the West Suburban Branch YMCA on the occasion they are celebrating their 25th Anniversary.

A certificate of commendation by Senator Risser for Rebecca Wood on the occasion of thanking her for the impact on many lives she has touched and wish her continued success.

A certificate of commendation by Senator Lasee for Brandon Young on the occasion of earning and attaining the rank of the Eagle Scout Award.