



STATE OF WISCONSIN

Senate Journal

Ninety–Fourth Regular Session

10:00 A.M.

THURSDAY, March 4, 1999

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 69

Relating to: requiring cemetery authorities to provide for burials during each season.

By Senators Moen and Rude; cosponsored by Representatives Montgomery, Musser, Albers, Gronemus and Sykora.

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

Senate Bill 70

Relating to: contributions for a World War II memorial in Washington, D.C. and making appropriations.

By Senators Moen, Wirsch, Erpenbach, Burke, Breske, Drzewiecki, Clausing, Baumgart, Fitzgerald, Grobschmidt, Welch, Schultz, Roessler and Darling; cosponsored by Representatives Musser, Albers, Hahn, Ryba, Huber, Brandemuehl, Turner, Handrick, Plouff, Hasenohrl, Ladwig, Kreuser, Plale, Miller, Freese, Riley, Seratti, Gunderson, Montgomery and Berceau.

To committee on **Health, Utilities, Veterans and Military Affairs**.

Senate Bill 71

Relating to: allowing a “Class A” licensee to provide wine free of charge for consumption on the licensee’s premises.

By Senators Breske, Shibilski, Moen, Grobschmidt, Burke, George, Zien, Erpenbach, Darling and Rude; cosponsored by Representatives Pettis, Handrick, Kaufert, Staskunas, Carpenter, Albers, Freese, Grothman, Hoven, Hundertmark, Kestell, Ladwig, Powers, Sykora, Walker, Nass, Seratti, Underheim, Vrakas, Huebsch and Gunderson.

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

Senate Bill 72

Relating to: creating an office of public intervenor in the department of justice and making an appropriation.

By Senators George, Erpenbach, Moen, Baumgart, Jauch, Grobschmidt, Moore, Risser, Plache, Shibilski, Decker, Robson, Wirsch, Burke and Clausing; cosponsored by Representatives Black, Bock, Sherman, Berceau, Balow, Young, Richards, Miller, Krug, Coggs, Carpenter, Pocan, Huber, Cullen, Plale, Schooff, Ryba, Wood, La Fave, J.

Lehman, Travis, Kreuser, Meyer, Plouff, Turner, Reynolds, Lassa, Hasenohrl, Morris–Tatum, Boyle and Meyerhofer.

To committee on **Judiciary and Consumer Affairs**.

Senate Bill 73

Relating to: the Milwaukee parental choice program, charter schools and state aid to the Milwaukee Public Schools.

By Senators George and Moore; cosponsored by Representatives Sinicki, Young, Bock, Morris–Tatum, Turner and Coggs.

To committee on **Education**.

Senate Bill 74

Relating to: creating a nonrefundable individual income tax credit for certain expenses related to child or dependent care.

By Senators Robson, Baumgart, Plache, Risser, Erpenbach and Clausing; cosponsored by Representatives Black, Powers, Carpenter, Sinicki, J. Lehman, Ryba, Bock, Hasenohrl, Pocan, Lassa, Meyer, Schooff, Cullen and Plouff.

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

Senate Bill 75

Relating to: establishing a service award program for volunteer fire fighters and emergency medical technicians, creating a volunteer fire fighter and emergency medical technician service award board, requiring the exercise of rule–making authority and making appropriations.

By Senators Zien, Shibilski, Welch, Breske, Fitzgerald, Schultz, Drzewiecki, Rude, Moen, Darling, A. Lasee, Wirsch, Roessler, Panzer, Baumgart, Lazich and Farrow; cosponsored by Representatives Powers, Pettis, Musser, Klusman, Gunderson, Gronemus, Kreibich, Duff, Huebsch, Handrick, Sykora, Porter, Schneider, Freese, Sherman, Miller, Hasenohrl, Ainsworth, Brandemuehl, Suder, Spillner, Owens, Ryba, Lassa, Johnsrud, Seratti, Boyle, Kestell, Hoven, Hebl, Nass, Albers, Petrowski, Ott, Olsen, Reynolds, Skindrud, Hutchison, Hahn, Rhoades and Hundertmark.

To committee on **Labor**.

Senate Bill 76

Relating to: school uniforms.

By Senator George; cosponsored by Representatives Young, Colon and Riley.

To committee on **Education**.

REPORT OF COMMITTEES

The committee on **Insurance, Tourism, Transportation and Corrections** reports and recommends:

SPEROS, RICHARD "MOOSE", of Madison, as Secretary of the Department of Tourism, to serve for the term ending at the pleasure of the Governor.

Confirmation.

Ayes, 7 – Senators Breske, Grobschmidt, Baumgart, Shibilski, Schultz, A. Lasee and Zien.

Noes, 0 – None.

Roger Breske
Chairperson

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Department of Workforce Development**

February 26, 1999

The Honorable, The Senate:

Pursuant to Chapter 109 of Wisconsin Statutes, I have attached the department's 1998 annual report on business closings and/or mass layoffs. The report lists all businesses which notified the department in 1998 of planned closings/mass layoffs. The report also lists the complaints filed in 1998 and in January and February 1999. It includes the name of the business, location, date the complaint was received, date of determination and the disposition of each complaint. In addition, the report updates the disposition of those cases that were still pending at the end of 1997.

Five 1997 plant closing complaints remained under investigation at the beginning of 1998. The department since has completed four of the investigations finding no violation. The fifth case (Menasha Corporation) remains under investigation and will be completed in the next two months. At the beginning of 1998, four cases had been referred to the Department of Justice for potential litigation. The Department of Justice determined litigation in two of those cases would be futile given the financial status of the employer. In a third case, the Department of Justice has filed a claim with the bankruptcy court for increased wages for affected employees. The Department of Justice currently is working with the bankruptcy court to resolve that claim. The final case is scheduled for trial in July.

In 1998 the department received 17 complaints alleging violations of the notification law. Thus far in 1999, an additional two complaints have been received. Eight of the completed complaint investigations of 1998 cases concluded no violation occurred. Two completed investigations documented violations and actions are currently pending to collect the increased wages found due in those cases. The other seven complaints remain under investigation at this time.

If you have any questions regarding the information in this report, please contact the Equal Rights Division Administrator Sheehan Donoghue at 266-0946.

Sincerely,

LINDA STEWART, Ph.D.
Secretary

**State of Wisconsin
Council on Workforce Excellence**

February 24, 1999

The Honorable, The Legislature:

I am pleased to present you with the 1998 Annual Report of the Council on Workforce Excellence. The report identifies our activities and accomplishments that will help to strengthen Wisconsin's workforce development system.

For the future, Council members are enthusiastic about continuing to meet their statutory responsibilities. In particular, we look forward to the challenges of the new Workforce Investment Act, and are poised to serve as the "Board of Directors" on labor shortage issues. I am confident that we can provide solutions with our partners across the state to ensure a healthy workforce and infrastructure.

If you have questions or would like to discuss any issues, feel free to contact me at (608) 756-1241, or Ron Hunt, DWD-DWE, at (608) 266-2687.

Sincerely,

J. MICHAEL BORDEN, CWE Chair
President, Hufcor, Inc.

**State of Wisconsin
Department of Public Instruction**

February 1999

The Honorable, The Legislature:

The department is submitting the 1998 Annual Report on the Status of Bilingual-Bicultural Education programs, as required under s. 115.96, Wisconsin Statutes. An abbreviated report was submitted to each chief clerk on December 31, 1998; a more complete report was promised at that time.

The enclosed report provides data available by February 24, 1999, from the 38 state-aided bilingual-bicultural/ESL education programs during the 1998 fiscal year (July 1, 1997, through June 30, 1998). Because this was the first year in which the department collected most of the required data electronically, many challenges were faced. It has been a learning process for both the department and the districts, and we will utilize what we have learned to improve the next report.

This annual report includes details on: the state's administration and funding of bilingual education in Wisconsin and factors contributing to program expansion; the continuously lower annual reimbursement rates for school districts; the number of pupils served from minority languages, the locations of the state-aided programs during the 1999 fiscal year (July 1, 1997, through June 30, 1998), and the staff-related data.

If you have any questions on any aspect of this report, please contact Barbara A. Bitters, director, equity mission team at e-mail bitteba@mail.state.wi.us, or 266-9609. She will be happy to discuss the report with you.

Sincerely,

JUANITA S. PAWLISCH, Ph.D., Administrator
Division of Learning Support: Equity and Advocacy

**State of Wisconsin
Department of Public Instruction**

March 1, 1999

The Honorable, The Senate:

Wisconsin school laws include the following provision in s.115.45 (6)(b) and (c), Wis. Stats.:

SECTION 115.45 Grants for preschool to grade 5 programs.

(6) The state superintendent shall:

(b) By March 1, 1986, and annually thereafter, submit to the joint committee on finance and the chief clerk of each house

of the legislature for distribution to the appropriate standing committee under s. 13.172(3), a budget report detailing the grants he or she intends to award under this section in the next fiscal year. The report shall provide summary data on the results of the annual testing required under sub. (4)(b) and include a description of the guidelines used to determine the individual schools and private service providers that will receive funds under this section and the types of expenditures eligible for such funds.

(c) annually submit to the legislature under s. 13.172 (2) a report on the academic progress made by pupils enrolled in preschool to grade five programs under this section.

All Preschool-to-Grade-5 (P-5) Evaluation Reports for 1997-98 are contained herein as well as a report on the academic progress for all schools funded by the P-5 program. If you have questions, please contact my office or Sandra Dercole in the DPI Office of Urban Education (414-227-4942).

Sincerely,

JOHN T. BENSON
State Superintendent

Referred to committee on **Education**.

**State of Wisconsin
Ethics Board**

March 2, 1999

To the Honorable the Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

For more detailed information about these lobbyists and organizations and a complete list of organizations a people authorized to lobby the 1999 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us>

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|--------------------|----------------------------------------------------------------------------------------------|
| Becker, Dismas | WI Coalition of Marriage & Family Therapists, Prof. Counselors & Soc. Workers |
| Boxer, Barbara K | Milwaukee Metropolitan Sewerage District |
| Broydrick, William | Wisconsin Broadcasters Association |
| Froehlke, Scott | Wisconsin Utility Tax Association |
| Harnisch, Thomas | Wisconsin Utility Tax Association |
| Kistler, Brenda | Farmers Group Inc |
| Kuehn, Ronald W | Health Alliance |
| Liebe, Thomas | Wisconsin Broadcasters Association |
| May, William Kip | American Medical Security |
| Morgan, Lynn | Covenant Healthcare System, Inc |
| Oakley, Kara | Wisconsin Broadcasters Association |
| Petak, George | Covenant Healthcare System, Inc |
| Peterson, Craig | Covenant Healthcare System, Inc |
| Polasky, Amy McGee | American Medical Security |
| Roth, Erin | American Petroleum Institute |
| Ulijasz, Pamela | Covenant Healthcare System, Inc |
| Weyenberg, Greg | Wisconsin Federation of Teachers |

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,

ROTH JUDD
Director

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

The committee on **Judiciary and Consumer Affairs** reports and recommends:

Senate Clearinghouse Rule 98-097

Relating to motor fuel pricing.

No action taken.

Gary George
Chairperson

MESSAGES FROM THE ASSEMBLY

By Charles Sanders, chief clerk.

Mr. President:

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

Assembly Bill 45

Assembly Bill 65

Concurred in:

Senate Joint Resolution 9

Senate Joint Resolution 10

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Bill 45

Relating to: a hotline in the department of justice for the reporting of information regarding dangerous weapons in public schools.

By Representatives Kelso, Colon, Gunderson, Hahn, Hutchison, Jensen, Kedzie, Lassa, F. Lasee, Ladwig, M. Lehman, Musser, Owens, Ryba, Seratti, Spillner, Sinicki, Suder, Sykora, Urban, Vrakas, Powers and Huebsch; cosponsored by Senators Darling, Risser and Roessler.

Read first time and referred to committee on **Judiciary and Consumer Affairs**.

Assembly Bill 65

Relating to: contributions for a World War II memorial in Washington, D.C. and making appropriations.

By Representatives Musser, Schneider, Boyle, Pettis, Plouff, Brandemuehl, Kreuser, Ryba, Owens, Ward, Freese, Vrakas, Hahn, Riley, Turner, F. Lasee, Kaufert, J. Lehman, Hasenohrl, Gunderson, Seratti, Powers and Albers; cosponsored by Senators Wirch, George, Clausing, Drzewiecki, Welch, Fitzgerald and Panzer.

Read first time and referred to committee on **Health, Utilities, Veterans and Military Affairs**.

ADJOURNMENT

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

Adjourned.

10:01 A.M.