



STATE OF WISCONSIN

Senate Journal

Ninety–Fourth Regular Session

10:00 A.M.

TUESDAY, March 23, 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 92

Relating to: proceeds from the sale of forest products at Fort McCoy and making an appropriation.

By Senators Moen and Rude; cosponsored by Representatives Musser and Huebsch.

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

Senate Bill 93

Relating to: disclosure of certain activity for the purpose of influencing elections and providing penalties.

By Senators Plache, Clausing, Wirch, Baumgart and Moen; cosponsored by Representatives Travis, Miller, Bock, J. Lehman, Pocan and Wasserman.

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

Senate Bill 94

Relating to: causing injury, death or property damage while under the influence of alcohol and providing a penalty.

By Senators Drzewiecki, Darling, Huelsman, Rude, Roessler and Farrow; cosponsored by Representatives Johnsrud, Huebsch, M. Lehman, Black, Klusman, Staskunas, Ladwig, Petrowski, Ryba, Brandemuehl and Hutchison.

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

Senate Bill 95

Relating to: driving a motor vehicle while under the influence of an intoxicant and providing penalties.

By Senators Drzewiecki, Rosenzweig, Roessler, Schultz, Farrow, Darling, Clausing, Huelsman, Zien, Grobschmidt and Panzer; cosponsored by Representatives Ladwig, Staskunas, Albers, Hutchison, Ainsworth, Bock, La Fave, Pettis, Gundrum, Hundertmark and Montgomery.

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

Senate Bill 96

Relating to: maximum interest rates.

By Senators Robson, Burke, Welch, Drzewiecki, Decker, Moore, Rosenzweig, Grobschmidt, Wirch and Baumgart; cosponsored by Representatives Grothman, Ladwig, Musser, Seratti, Schooff, Pocan, Bock, Coggs, Riley, Cullen, Colon,

Travis, Young, La Fave, Sinicki, Wasserman, Black, J. Lehman, Berceau, Miller, Lassa, Williams, Gronemus and Boyle.

To committee on **Privacy, Electronic Commerce and Financial Institutions**.

Senate Bill 97

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

By Senators Wirch and Erpenbach; cosponsored by Representatives Musser, Ryba, Meyer, Schneider, Boyle and Pocan.

To committee on **Privacy, Electronic Commerce and Financial Institutions**.

Senate Bill 98

Relating to: promoting a pupil from the 4th grade to the 5th grade and from the 8th grade to the 9th grade and to granting a high school diploma.

By Senators Grobschmidt, Darling, Shibilski, Jauch, Farrow, Baumgart, Lazich, Robson, Huelsman, Erpenbach, Roessler, Chvala, Risser, Rude, Burke, Panzer, Decker, Rosenzweig, George, Plache, Breske, Clausing, Moore, Moen and Wirch; cosponsored by Representatives Sinicki, Wasserman, Hahn, J. Lehman, Urban, Schooff, La Fave, Musser, Pocan, Miller, Plale, Bock, Staskunas, Plouff and Boyle.

To committee on **Education**.

PETITIONS AND COMMUNICATIONS

State of Wisconsin

Wisconsin Legislative Council Staff

March 19, 1999

The Honorable, The Senate:

Enclosed is a copy of the *1998 Annual Report on the Legislative Council Rules Clearinghouse*, submitted to the Legislature pursuant to s. 227.15 (5), Stats. Copies have been distributed to the offices of each member of the Legislature.

The report covers the 19th full calendar year of operation of the Rules Clearinghouse. I trust that it will be found to be informative.

Sincerely,

DAVID J. STUTE

Director

State of Wisconsin

Department of Health and Family Services

March 18, 1999

The Honorable, The Senate:

[1995 Wisconsin Act 27](#) created s. [46.27 \(11g\)](#) of the statutes, which requires the Department of Health and Family Services to submit an annual report on its Community Options Program.

The attached report describes the persons served, program expenditures and services delivered through the Community Options Program in calendar year 1997.

Community Options is designed to relocate or divert people who need long term care from nursing homes. This is accomplished by offering an alternative package of community services to elderly and disabled persons who are otherwise eligible for Medicaid-funded nursing home care.

The Department allocates funds to county human service agencies to deliver these community services. In providing services, the county agency may not expend more, on average, than the state portion (about 40%) of the Medicaid cost for nursing home care. The county agency must also maximize funds by accessing any federal funds (Waiver and other Medicaid) available for an individual before using Regular Community Options funds. These are two of the mechanisms that the counties, with Department oversight, utilize to ensure the prudent, cost effective use of the Community Options funds while maintaining program flexibility and integrity.

The annual report examines program activity for the Community Options Program and the Community Options Program-Waiver in calendar year 1997.

Sincerely,
JOE LEEAN
Secretary

**State of Wisconsin
Department of Revenue**

March 18, 1999

The Honorable, The Legislature:

As you know, 1997 Act 27 created a Shared Revenue Task Force. As chairman of the Shared Revenue Task Force, I am hereby submitting the report of the Task Force to you.

The Shared Revenue Task Force was charged with recommending legislation that would replace the formulas for the Shared Revenue program, the Expenditure Restraint program, and the Small Municipalities Shared Revenue program. After study and discussion, we are recommending changes to the existing formulae, and to request increased funding for shared revenue programs. We took this path for several reasons.

The Task Force found that the basic formulae of the shared revenue program work largely as intended, and are reasonably well-matched to the goals of the program. The Task Force also discovered that the amount of time and resources dedicated to its work, was not truly sufficient to accomplish a comprehensive study of new formulae and new programs. Given these findings, the Task Force felt it best to recommend only modest changes. The report also calls for additional study of some proposals for the shared revenue program. Finally, the report does call for additional funding for the shared revenue programs, should funding become available.

Thank you for the opportunity to present this report.

Sincerely,
JOHN W. RADER, Chairman
Shared Revenue Task Force

**State of Wisconsin
Ethics Board**

March 23, 1999

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 and people

authorized to lobby the 1999 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us>

- Bartolomei, Michelle L **Wisconsin Tourism Federation**
- Braun, Robert C. **Jury Peers**
- Broydrick, William **ARDA – WI**
- Broydrick, William **Goodwill Industries of Southeastern Wisconsin, Inc**
- Broydrick, William **Irgens Development Partners, LLC**
- Christian, Robert **Wisconsin School Bus Association**
- Cook, Sharon **Wisconsin Wholesale Beer Distributors Association Inc**
- Croysdale, Donald **American Subcontractors Association of Greater Milwaukee, Inc**
- Currier, Whistle B. **Jury Peers**
- Dodge, Larry **Jury Peers**
- Fitzgerald, Moira E **Waste Management Inc.**
- Gross, Dianne **Wisconsin Education Association Council**
- Knoll, Doris **Madison Abortion Clinic**
- Kruger, Dennis **Wisconsin Troopers' Association, Inc.**
- Mitchell, Brian **Wisconsin Wholesale Beer Distributors Association Inc**
- Oakley, Kara **ARDA – WI**
- Olson, Richard L **Wisconsin Industrial Energy Group**
- Perry, Casey **Wisconsin Troopers' Association, Inc.**
- Ramirez, Nicola **Madison Abortion Clinic**
- Rettke, Brandon **Wisconsin Education Association Council**
- Steinbergs, Jan **Wisconsin Troopers' Association, Inc.**
- Swandby, Janet R **Wisconsin Association of Home Inspectors**
- Williams, Steven **Wisconsin Troopers' Association, Inc.**

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**

Senate Clearinghouse Rule 98–144

Relating to printed material exemptions and the sales and use tax treatment of advertising agencies.

Submitted by Department of Revenue.

Report received from Agency, March 18, 1999.

Referred to committee on **Economic Development, Housing and Government Operations**, March 23, 1999.

Senate Clearinghouse Rule 98–194

Relating to requirements for joint local water authorities.

Submitted by Public Service Commission.

Report received from Agency, March 22, 1999.

Referred to committee on **Health, Utilities, Veterans and Military Affairs**, March 23, 1999.

Senate Clearinghouse Rule 99–014

Relating to valuation of life insurance policies model regulation.

Submitted by Office of the Commissioner of Insurance.

Report received from Agency, March 22, 1999.

Referred to committee on **Insurance, Tourism, Transportation and Corrections**, March 23, 1999.

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 Bill 35

Assembly Bill 58

Assembly Bill 59

Assembly Bill 105

Assembly Bill 108

Assembly Bill 109

Assembly Bill 190

Adopted and asks concurrence in:

Assembly Joint Resolution 29

Concurred in:

Senate Joint Resolution 8

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Bill 35

Relating to: following snowplows.

By Representatives Ainsworth, Hasenohrl, Boyle, Freese, Gard, Gunderson, Hutchison, Kreibich, Kreuser, Lassa, J. Lehman, M. Lehman, Musser, Nass, Ourada, Owens, Plouff, Ryba, Spillner, Stone, Turner and Ziegelbauer; cosponsored by Senators Plache, Breske, Clausing, Drzewiecki, Moen, Roessler, Schultz and Wirch.

Read first time and referred to committee on **Insurance, Tourism, Transportation and Corrections**.

Assembly Bill 58

Relating to: administrative action against motor vehicle auction dealer's licenses.

By Representatives Brandemuehl, Freese, Grothman, Goetsch, Sykora, Gronemus, Turner, Stone, Olsen, Owens, Albers, Lassa and Ryba; cosponsored by Senators Breske, Farrow and Schultz.

Read first time and referred to committee on **Insurance, Tourism, Transportation and Corrections**.

Assembly Bill 59

Relating to: motor vehicle registration expiration dates.

By Representatives Brandemuehl, Freese, Grothman, M. Lehman, Ott, Spillner, Goetsch, Riley, Sykora, Turner, F. Lasee, Ladwig, Skindrud, Stone, La Fave, Musser, Olsen, Steinbrink, Lassa, Ryba and Albers; cosponsored by Senators Breske, Darling and Farrow.

Read first time and referred to committee on **Insurance, Tourism, Transportation and Corrections**.

Assembly Bill 105

Relating to: scheduling of referenda by local governments.

By Representatives Skindrud, Jensen, Gard, Ainsworth, Duff, Freese, Grothman, Hahn, Handrick, Hoven, Kelso, Ladwig, F. Lasee, Nass, Pettis, Porter, Rhoades, Seratti, Sinicki, Sykora, Vrakas, Walker and Ward; cosponsored by Senators Drzewiecki, Ellis, Huelsman, Welch and Lazich.

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

Assembly Bill 108

Relating to: prohibiting the granting of visitation or physical placement with a child to a parent or other person who intentionally kills a parent of the child.

By Representatives Montgomery, Ladwig, Ainsworth, Albers, Goetsch, Gunderson, Handrick, Lassa, Musser, Owens, Seratti, Skindrud, Sykora, Wasserman and Gundrum; cosponsored by Senators Darling, Drzewiecki and Huelsman.

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

Assembly Bill 109

Relating to: release of persons arrested for certain crimes against children.

By Representatives Ladwig, Kestell, Ainsworth, Albers, Brandemuehl, Freese, Goetsch, Huebsch, Kaufert, Kreibich, J. Lehman, Montgomery, Musser, Owens, Plale, Porter, Ryba, Sinicki, Skindrud, Stone, Sykora and Ziegelbauer; cosponsored by Senators Plache, Darling, Huelsman, Lazich, Panzer and Roessler.

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

Assembly Bill 190

Relating to: limitations on state appropriations from general purpose revenue.

By Representatives Wieckert, Kestell, Hundertmark, Pettis, Suder, Montgomery, F. Lasee, Kelso, Musser, Grothman, Porter, Nass, Skindrud, Owens, Townsend, Wasserman and Jensen; cosponsored by Senators Darling and Welch.

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

Assembly Joint Resolution 29

Relating to: proclaiming May 3rd of every year, Trzeciego Maja Day.

By Representatives Ryba, Bock, Gronemus, Hahn, Kreuser, Krug, Miller, Montgomery, Plale, Rhoades, Seratti, Suder, Sykora, Urban and Owens; cosponsored by Senators Drzewiecki, Darling, Erpenbach, Grobschmidt, Moen, Schultz, Shibilski and Zien.

Read and referred to committee on **Senate Organization**.

ADJOURNMENT

Senator Risser, with unanimous consent, asked that the Senate adjourn until Thursday, March 25 at 10:00 A.M..

Adjourned.

10:01 A.M.

**LEGISLATIVE REFERENCE BUREAU
CORRECTIONS**

CORRECTIONS IN:

1999 SENATE BILL 82

Prepared by the Legislative Reference Bureau
(March 22, 1999)

1. Page 2, line 10: substitute "939.62" for "939.626".