

STATE OF WISCONSIN
Senate Journal
Ninety–Fourth Regular Session

WEDNESDAY, April 21, 1999

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 119

Relating to: the payment of death benefits for participating employes in the Wisconsin retirement system.

By Senators Wirch, Risser, Schultz, Roessler, Erpenbach, Plache and Robson; cosponsored by Representatives Jensen, Bock, Musser, Black, Brandemuehl, Young, J. Lehman, Turner, Pocan, Plouff and Reynolds.

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

Senate Bill 120

Relating to: prison impact assessments.

By Senators Risser, Decker, Moore, Roessler, Robson, Plache and Cowles; cosponsored by Representatives Pocan, Berceau, Black, Johnsrud, Boyle, Travis, Miller, Colon, Gronemus, Bock, Huber, Richards, Musser, Carpenter, Riley, Coggs, Lassa and Grothman.

To committee on **Insurance, Tourism, Transportation and Corrections**.

Senate Bill 121

Relating to: exempting wine and liquor dealerships from the Wisconsin Fair Dealership Law.

By Senators Wirch, Panzer and Moen; cosponsored by Representatives Porter, Kreuser, Kreibich and Gronemus.

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

Senate Bill 122

Relating to: an agreement between the state and tobacco product manufacturers.

By Senators Rosenzweig, Robson, Wirch, Panzer, Roessler, Risser, Cowles, Darling, Schultz and Clausing; cosponsored by Representatives Bock, Urban, Huber, Kelso, Goetsch, Walker, Olsen, Stone, Miller, La Fave and Berceau.

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

Senate Bill 123

Relating to: the fair hearing process under Wisconsin works.

By Senators Moore, Robson, George, Rosenzweig, Plache, Darling and Risser; cosponsored by Representatives Jeskewitz, Plale, Turner, Seratti, Schooff, Owens, Plouff, Coggs, Spillner, Miller, Olsen, Young, Richards, Gunderson, Morris–Tatum,

Riley, Black, Pocan, Bock, Ryba, La Fave, J. Lehman and Hasenohrl.

To committee on **Labor**.

Senate Bill 124

Relating to: permitting certain individuals to make written requests for medication for the purpose of ending their lives, and providing penalties.

By Senators Risser and Jauch; cosponsored by Representatives Boyle, Carpenter, Pocan and Travis.

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

Senate Bill 125

Relating to: operating a motor vehicle while under the influence of an intoxicant or drugs, or both; installation of an ignition interlock device in cases involving intoxicated operation of a motor vehicle; seizure of motor vehicles for offenses related to driving while under the influence of an intoxicant; the prohibited alcohol concentration related to operating a motor vehicle while under the influence of an intoxicant; creating a safe–ride grant program; certain alcohol beverage offenses committed by persons under the legal drinking age; making an appropriation; and providing penalties.

By Senators George, Drzewiecki, Huelsman, Roessler and Jauch; cosponsored by Representatives Plale, Staskunas, Urban, Ziegelbauer and Ladwig.

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

Senate Bill 126

Relating to: duplicating a motor vehicle operating license.

By Senators Roessler, Breske, Cowles, Huelsman and Schultz; cosponsored by Representatives Townsend, Ainsworth, Albers, Goetsch, Kelso, Kestell, Klusman, F. Lasee, M. Lehman, Meyer, Musser, Olsen, Owens, Powers, Reynolds, Spillner and Sykora.

To committee on **Insurance, Tourism, Transportation and Corrections**.

Senate Bill 127

Relating to: death benefits provided under the Wisconsin retirement system and making an appropriation.

By Senators Risser and Burke; cosponsored by Representatives Black, Turner, Pocan and Young.

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

Senate Bill 128

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

By Senators Welch, Darling and Roessler; cosponsored by Representatives Suder, Jensen, Wieckert, Musser, Goetsch, Urban, F. Lasee, Porter, Owens, Ainsworth, Hundertmark and Nass.

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

Senate Bill 129

Relating to: adopting the nurse licensure compact and granting rule-making authority.

By Senators Robson, Clausung, Cowles, Darling, Huelsman, Lazich, Moore, Panzer, Rosenzweig, Rude and Schultz; cosponsored by Representatives Johnsrud, Ainsworth, Albers, Bock, Brandemuehl, Carpenter, Cullen, Grothman, Gunderson, Hahn, Huber, Huebsch, Hutchison, Jensen, Klusman, Ladwig, La Fave, J. Lehman, Miller, Musser, Olsen, Petrowski, Pettis, Seratti, Stone, Townsend, Turner, Underheim, Walker and Wasserman.

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

Senate Bill 130

Relating to: transferring responsibility for maintenance of town line highway to an adjoining town.

By Senators A. Lasee and Rude; cosponsored by Representatives F. Lasee, Goetsch, Hutchison, Hahn, Hasenohrl and Brandemuehl.

To committee on **Insurance, Tourism, Transportation and Corrections**.

Senate Bill 131

Relating to: making an accelerated distribution from the transaction amortization account of the fixed retirement investment trust of the employe trust fund and increasing the retirement formula multiplier for participating employes in the Wisconsin retirement system.

By Senators Wirch, Shibilski, Schultz, Risser, Moen, Decker, Robson, Plache and Erpenbach; cosponsored by Representatives Travis, Freese, Schneider, Wood, Handrick, Black, Boyle, Musser, Turner, Pohan, J. Lehman, Gronemus, Kreuser, Schooff, Plouff, Hahn, Ryba and Meyer.

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

REPORT OF COMMITTEES

The committee on **Economic Development, Housing and Government Operations** reports and recommends:

Senate Bill 114

Relating to: the property tax lottery credit and making an appropriation.

Introduction and adoption of Senate substitute amendment 1.

Ayes, 4 – Senators Wirch, Moore, Grobschmidt and Drzewiecki.

Noes, 0 – None.

Passage as amended.

Ayes, 4 – Senators Wirch, Moore, Grobschmidt and Drzewiecki.

Noes, 0 – None.

Robert Wirch
Chairperson

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

MAROTTA, MARC, of Mequon, as a member of the Wisconsin Technical College System Board, to serve for the interim term ending May 1, 1999.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

MAROTTA, MARC, of Mequon, as a member of the Wisconsin Technical College System Board, to serve for the term ending May 1, 2005.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

BEHAR, STEVE, of Delavan, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 2000.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

CALDWELL, JOANNE, of Milwaukee, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 2001.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

CASHMAN, MARY, of River Falls, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 2001.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

CATTAU, ANN, of Neenah, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 2001.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

COPELAND, PAULETTE, of Milwaukee, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 1999..

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

FULLER, CURTIS, of Oshkosh, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 2000.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

GOSS, GLORIA, of Brookfield, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 1999..

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

HARTJE, BILL, of Evansville, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 2001.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

HARVEY, BILL, of Milwaukee, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 2001.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

HELFF, LINDA, of Manitowoc, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 1999..

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

JERABEK, LEAH, of Milwaukee, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 1999.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

KAHLSCHUEUR, LAWRENCE, of Washington Island, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 2000.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

KAUFFMAN, NANCY, of Green Bay, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 1999.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

LE CLAIR, DICK, of Wausau, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 2000.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

PAZ, GERALDO, of Madison, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 1999.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

PHILLIPS, CAROL, of Marshfield, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 2001.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

STEINHILBER, KEVIN, of Appleton, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 2000.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

VAIL, REBECCA, of Twin Lakes, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 2000.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

WEBER–PAGEL, VIVIAN, of Stevens Point, as a member of the Professional Standards Council for Teachers, to serve for the term ending July 1, 2000.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman, Lazich and Farrow.

Noes, 0 – None.

Richard Grobschmidt
Chairperson

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

Assembly Bill 54

Relating to: issuing dealer registration plates to motor vehicle salvage pools.

Concurrence.

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

Noes, 0 – None.

Assembly Bill 55

Relating to: misuse of a distinctive dealer registration plate by a motor vehicle dealer, distributor, transporter or manufacturer.

Concurrence.

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

Noes, 0 – None.

Assembly Bill 56

Relating to: motor carriers and the single–state insurance registration system and providing a penalty.

Concurrence.

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

Noes, 0 – None.

Assembly Bill 58

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

Concurrence.

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

Noes, 0 – None.

Assembly Bill 59

Relating to: motor vehicle registration expiration dates.

Concurrence.

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

Noes, 0 – None.

Senate Bill 13

Relating to: commencement of the fall semester at public schools.

Passage.

Ayes, 5 – Senators Breske, Shibilski, Schultz, A. Lasee and Zien.

Noes, 2 – Senators Grobschmidt and Baumgart.

Roger Breske
Chairperson

PETITIONS AND COMMUNICATIONS

State of Wisconsin

April 20, 1999

The Honorable, The Senate:

Due to an illness in my family, I hereby resign from the Joint Committee on Finance.

Sincerely,

KEVIN W. SHIBILSKI
State Senator
24th District

State of Wisconsin

April 20, 1999

The Honorable, The Senate:

Pursuant to Senate Rule 20 (2)(a), I have appointed Senator Robert Wirch to the Joint Committee on Finance.

Sincerely,

CHUCK CHVALA
Chair, Committee on Senate Organization

State of Wisconsin

April 16, 1999

The Honorable, The Senate:

This is to request that I be withdrawn as a coauthor of Senate Bill 107.

Sincerely,

ALBERTA DARLING
State Senator

State of Wisconsin

Southeast Wisconsin Professional Baseball Park District

April 22, 1999

The Honorable, The Legislature:

Attached please find the Miller Park monthly progress report for the month of March 1999 for your review and consideration.

Please feel free to contact me if you have any questions or comments regarding the enclosed report.

Sincerely,

MICHAEL R. DUCKETT, P.E., R.L.S.
Executive Director

**State of Wisconsin
Ethics Board**

April 13, 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>

- | | |
|---------------------|---|
| Blume, Ed | Wisconsin Motorcycle Dealers Association |
| Boyce, Lisa | American Massage Therapy Assn, Wis Chapter, by MultiState Assoc. |
| Boyce, Lisa | Wisconsin Amusement and Music Operators |
| Brozek, Michael | National Safety Council |
| Carey, Ray | Superior Services Inc |
| Carey, Ray | Coalition for Affordable Housing, Inc. |
| Collins, John | Wisconsin Counties Association |
| Dickert, John T | Superior Services Inc |
| Dickert, John T | Green Bay Packers, Inc. |
| Dickert, John T | Coalition for Affordable Housing, Inc. |
| Dumke, Dave | Wisconsin Counties Association |
| Eleby, Jr., Calvin | National Safety Council |
| Linton, Barbara | National Safety Council |
| Matthews, John | Coalition for Affordable Housing, Inc. |
| Matthews, John | Superior Services Inc |
| McCoshen, William J | Milwaukee Area Technical College |
| Potter, Rosemary | Coalition for Affordable Housing, Inc. |
| Potter, Rosemary | Green Bay Packers, Inc. |
| Rogowski, Michael | Mid America Management |
| Uekert, Phillip W. | AT&T Corporation |
| Watson, Charles E. | AT&T Corporation |
| Wilson, Wayne | Wisconsin Counties Association |

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

**State of Wisconsin
The University of Wisconsin System**

April 12, 1999

The Honorable, The Legislature:

At its meeting April 9, 1999, the Board of Regents accepted the attached report for submission to the chief clerk of each house of the Legislature for distribution to the appropriate standing committees under s.13.172(3).

Section [36.25\(14m\)\(c\)](#), Wis. Stats., requires the Board of Regents to submit a report to the governor and to the chief clerk of each house of the Legislature annually by April 15 on its precollege recruitment, and retention plan for minority and disadvantaged students. The report must also include information on financial aid programs serving those students. the report for 1996-97 is attached.

If you need additional information regarding this report, please contact Andrea-Teresa Arenas at 262-8636.

Sincerely,
KATHARINE C. LYALL
President

Referred to committee on **Education**.

**State of Wisconsin
The University of Wisconsin System**

April 12, 1999

The Honorable, The Legislature:

At its meeting April 9, 1999, the Board of Regents accepted the attached report for submission to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. [13.172\(3\)](#).

Section [36.11\(22\)\(b\)](#), Wis. Stats., requires the Board of Regents to submit a report to the chief clerk of each house of the Legislature annually on the methods each UW System Institution used to disseminate information to students on sexual assault and sexual harassment.

The law requires UW System institutions to incorporate into their orientation programs for newly entering students oral and written information on sexual assault and sexual harassment, including information on: (1) sexual assault by acquaintances of the victims; (2) the legal definitions and penalties for sexual assault; (3) generally available national, state, and campus statistics on sexual assault; (4) the rights of victims; and (5) protective behaviors including methods of recognizing and avoiding sexual assault and sexual harassment. In addition, each institution must annually supply to all students enrolled in the institution printed material that includes information on all of these topics.

This law was enacted in April 1990 and this is the eighth report to be compiled for the legislature since its enactment.

If you need additional information regarding this report, please contact Betsy West at 608-265-3188.

Sincerely,
KATHARINE C. LYALL
President

Referred to committee on **Education**.

**State of Wisconsin
Medical College of Wisconsin**

April 14, 1999

The Honorable, The Senate:

Enclosed is the biennial report of the Medical College of Wisconsin, prepared according to the statutory requirement under section 13.106. This report covers the period ending June 30, 1997, and contains information in the following areas:

- the financial status of the family practice residency sites.
- the number of family practice residents choosing to practice in medically underserved areas of the state upon graduation.
- the number of graduates entering family practice as a career.

Please feel free to contact me at (414) 456-8217 if you have any questions or would like additional information.

Sincerely,
DONNA K. GISSEN
Assistant Vice President
Planning and Government Affairs

**State of Wisconsin
Department of Revenue**

April 9, 1999

The Honorable, The Legislature:

I am submitting the quarterly report of the Wisconsin Lottery for the quarter ending March 31, 1999. As required by s. [565.37\(3\)](#), Wis. Stats., the attached materials contain Wisconsin Lottery year to date sales and financial information.

If you have any questions or comments regarding this report, please feel free to contact me at (608) 266-6466.

Sincerely,
CATE ZEUSKE
Secretary of Revenue

State of Wisconsin

April 21, 1999

The Honorable, The Senate:

I hereby resign from the Joint Committee on Finance.

Sincerely,
ROBERT WIRCH
State Senator
22nd District

State of Wisconsin

April 21, 1999

The Honorable, The Senate:

Pursuant to Senate Rule [20\(2\)\(a\)](#), I have appointed Senator Kevin Shibilski to the Joint Committee on Finance.

Sincerely,
CHUCK CHVALA
Chair, Committee on Senate Organization

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

Senate Clearinghouse Rule 99-034

Relating to annual billings for the examination of domestic insurers.

Submitted by Office of the Commissioner of Insurance.

Report received from Agency, April 16, 1999.

Referred to committee on **Insurance, Tourism, Transportation and Corrections**, April 21, 1999.

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

Senate Clearinghouse Rule 98-208

Relating to the search and seizure of probation or parole offenders.

No action taken.

Senate Clearinghouse Rule 99-014

Relating to valuation of life insurance policies model regulation.

No action taken.

Roger Breske
Chairperson

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

Senate Clearinghouse Rule 99-006

Relating to the annual adjustment of the minimum estimated project costs for the application of the requirement to obtain a determination of prevailing wage rates for workers employed on state or local public works projects.

No action taken.

Jim Baumgart
Chairperson

The committee on **Privacy, Electronic Commerce and Financial Institutions** reports and recommends:

Senate Clearinghouse Rule 99-012

Relating to the registration and renewal of registration fees for mortgage bankers, loan originators and mortgage brokers; the transfer fee for loan originators; and the registration periods for all registrations and renewals of registrations.

No action taken.

Jon Erpenbach
Chairperson

Senate Bill 114

Relating to: the property tax lottery credit and making an appropriation.

Referred to joint committee on **Finance** pursuant to Senate Rule 41 (1)(e).

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 131** offered by Senator Wirch.