

STATE OF WISCONSIN
Senate Journal
Ninety–Fourth Regular Session

WEDNESDAY, February 16, 2000

The Chief Clerk makes the following entries under the above date.

INTRODUCTION AND REFERENCE OF RESOLUTIONS AND JOINT RESOLUTIONS

Read and referred:

Senate Joint Resolution 34

Relating to: urging a study of whether electronic commerce should be taxed and the extension of the federal moratorium on the taxation.

By Senators Roessler, Welch, Darling, Farrow and Schultz; cosponsored by Representatives Stone, Suder, Walker, Spillner, Jeskewitz, Urban, Albers, Pettis, Sykora, Hundertmark, Gunderson, Owens, F. Lasee, Kreibich, Petrowski and Klusman.

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

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 385

Relating to: prohibiting cities, villages, towns, counties, school districts, technical college districts and cooperative educational service agencies from providing certain telecommunications services and Internet access services and from making certain transfers of telecommunications transmission facilities.

By Senators Shibilski, Breske and Moen; cosponsored by Representatives Huebsch, Musser, Freese, Walker, Goetsch, Handrick, Kelso, Powers, Stone, Suder and Plouff.

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

Senate Bill 386

Relating to: regulation of athletic agents, granting rule–making authority and providing a penalty.

By Senators Grobschmidt, Roessler, Welch and Rosenzweig; cosponsored by Representatives Wieckert, Kreuser, Underheim, Kreibich, Suder, Ott, Hahn, Meyerhofer, Albers, Goetsch, Sykora, Musser, Olsen, Huebsch, Kelso, Pettis, Plouff, Seratti, Miller, Vrakas, Ainsworth and Kaufert.

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

Senate Bill 387

Relating to: the sales tax on sales of lists.

By Senator Erpenbach; cosponsored by Representatives Miller, Staskunas, J. Lehman and Boyle.

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

Senate Bill 388

Relating to: sexually violent person commitment proceedings.

By Senators Drzewiecki, Huelsman, Fitzgerald, Darling, Cowles and Rosenzweig; cosponsored by Representatives Huebsch, Kaufert, Musser, Kelso, Owens, Sykora, Ladwig, Stone, Gunderson and Olsen.

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

Senate Bill 389

Relating to: eliminating outdated references to certificates of registration to practice audiology and speech–language pathology, and replacing the term “hearing aid” with “hearing instrument”; eliminating outdated references to transitional appraiser licenses; exempting certain persons who assist occupational therapists from licensure and certification requirements; continuing education requirements for physicians and podiatrists; continuing education requirements for optometrists certified to use therapeutic pharmaceutical agents or to remove foreign bodies from an eye; public accountants practicing under a certificate of authority and qualifications for applicants for a certificate as a certified public accountant; private detective and private detective agency licenses and private security permits; disciplinary action taken and rosters prepared by the examining board of architects, landscape architects, professional engineers, designers and land surveyors (suggested as remedial legislation by the department of regulation and licensing).

By Law Revision Committee.

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

Senate Bill 390

Relating to: creating a classroom book collections grant program and reading specialists grant program, granting rule–making authority and making appropriations.

By Senators Shibilski, Grobschmidt, Erpenbach, Plache and Schultz; cosponsored by Representatives Olsen, Ott, Hebl, Hasenohrl, Richards, Kreuser, Young, Ryba, Miller, Berceau and Lassa.

To committee on **Education**.

Senate Bill 391

Relating to: a sales tax and use tax exemption on tangible personal property used in the business of farming.

By Senators Breske, Drzewiecki, Roessler, Schultz, Zien, A. Lasee, Welch, Rude, Fitzgerald, Panzer, Lazich, Baumgart and Shibilski; cosponsored by Representatives Seratti, Rhoades, Gronemus, Petrowski, Schneider, Ott, Suder, Freese, Ainsworth, Hundertmark, Schooff, Gard, Grothman, Hahn, Lassa, Albers, Gundrum, Pettis, Olsen, Hasenohrl, F. Lasee, Reynolds, Skindrud, Musser, Plouff, Jensen, Spillner, Wasserman, Kestell, Leibham, Gunderson, Sykora, Kreibich, Ward, Hutchison, Stone, Powers, Klusman, Johnsrud, Handrick, Brandemuehl, Kedzie, Townsend, Huebsch and Goetsch.

To joint survey committee on **Tax Exemptions**.

Senate Bill 392

Relating to: state fleet management and consideration of vehicle's fuel economy and safety ratings.

By Senators Risser, Burke, Roessler, Clausing and Erpenbach; cosponsored by Representatives Black, Albers, Pocan, Turner, Sinicki, Williams, J. Lehman, Berceau, Meyerhofer, Young and Boyle.

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

Senate Bill 393

Relating to: establishing state economic development goals, directing the department of commerce to establish a state economic development policy, consolidating and revising various economic development financial assistance programs administered by the department of commerce, modifying the department of commerce's export plan, creating a sister state program, granting rule-making authority and making an appropriation.

By Joint Legislative Council.

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

Senate Bill 394

Relating to: job retention programs; productivity enhancement training tax credit; applied technology centers; the certified capital company program; promoting the development of multistate venture capital development conferences; amending the brownfield and the environmental remediation tax incremental financing district laws; creating a foreign language immersion grant program and Wisconsin world geography fund; low-income transportation assistance; establishing an advanced journeyworker pilot program; granting rule-making authority; and making an appropriation.

By Joint Legislative Council.

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

Senate Bill 395

Relating to: policies concerning treatment and conduct of persons detained during a sexually violent person commitment proceeding and person committed for treatment after being found to be a sexually violent person.

By Senator George; cosponsored by Representative Huebsch.

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

Senate Bill 396

Relating to: venue for a delinquency proceeding involving an American Indian juvenile who is alleged to have committed a delinquent act while under the supervision of the department

of corrections under an order of a tribal court and an agreement between the department of corrections and the governing body of an American Indian tribe or band.

By Senator Breske; cosponsored by Representative Seratti.

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

REPORT OF COMMITTEES

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

Assembly Bill 394

Relating to: the eligible ages for special education.

Concurrence.

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

Noes, 0 – None.

Assembly Bill 654

Relating to: the college tuition prepayment program, creating a college savings program board and college savings program, granting rule-making authority and making an appropriation.

Concurrence.

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

Noes, 0 – None.

Senate Bill 306

Relating to: establishing a geographical education fund and making an appropriation.

Introduction and adoption of Senate amendment 1.

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

Noes, 0 – None.

Passage as amended.

Ayes, 10 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Darling, Roessler, Huelsman and Farrow.

Noes, 1 – Senator Lazich.

Senate Bill 327

Relating to: grants to certain students enrolled in technical colleges.

Passage.

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

Noes, 0 – None.

Senate Bill 332

Relating to: the college tuition prepayment program, creating a college savings program board and college savings program, granting rule-making authority and making an appropriation.

Introduction and adoption of Senate amendment 1.

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

Noes, 0 – None.

Introduction and adoption of Senate amendment 2.

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

Noes, 0 – None.

Passage as amended.

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

Noes, 0 – None.

Senate Bill 342

Relating to: state aid for special education and school age parents programs.

Passage.

Ayes, 7 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach and Roessler.

Noes, 4 – Senators Darling, Huelsman, Lazich and Farrow.

Richard Grobschmidt
Chairperson

The committee on **Health, Utilities, Veterans and Military Affairs** reports and recommends:

Senate Bill 397

Relating to: designating personal care shortage areas, reimbursement for losses in the provision of personal care services, providing a supplement for hourly medical assistance reimbursement rates for in-home personal care services workers, providing an exemption from emergency rule procedures, requiring the exercise of rule-making authority and making appropriations.

Introduction.

Ayes, 6 – Senators Moen, Breske, Robson, Erpenbach, Rude and Drzewiecki.

Noes, 1 – Senator Welch.

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

Rodney Moen
Chairperson

PETITIONS AND COMMUNICATIONS

State of Wisconsin

February 11, 2000

The Honorable, The Senate:

Please add Senator Fred Risser and Representative Richard Skindrud as cosponsors of Senate Bill 358, relating to animal health testing and diagnosis, creating a veterinary diagnostic laboratory board and making an appropriation.

Sincerely,

ALICE CLAUSING
State Senator

**State of Wisconsin
Office of the Secretary of State**

To the Honorable, the Senate:

<u>Bill, Joint Resolu- tion or Resolution Number</u>	<u>Act Number or Enrolled Number</u>	<u>Publication Date</u>
1999 Senate Joint Resolution 32	Enrolled Joint Resolution, 7	N/A

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

**State of Wisconsin
Joint Legislative Council**

February 15, 2000

The Honorable, The Senate:

I am please to transmit to you the following report to the 1999 Legislature on legislation introduced by the Joint Legislative Council.

RL-15 Legislation on Historic Buildings and the Historic Building Code (1999 Senate Bill 371)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available at the Legislative Council Staff Offices, One East Main, Suite 401, or from our web page at www.legis.state.wi.us/lc/jlc99recs.htm.

Sincerely,

LAURA D. ROSE
Interim Director

**State of Wisconsin
Investment Board**

February 11, 2000

The Honorable, The Legislature:

Attached is the Investment Board's annual report to the Legislature regarding goals, long-term strategies and performance, as provided under ss. 25.17(14g) and (14m). This year we have combined two separate reports to make it easier to understand the relationship between our strategies and performance.

The 1999 gain for the Fixed (balanced) retirement Fund was 15.7% compared to 14.2% for the benchmark used to measure investment performance. The Fund is also ahead of its five-year and ten-year benchmarks. At year-end, accumulated gains in the transaction amortization account (TAA) reached \$17.4 billion, a record in terms of dollar amount and as a percentage of Fixed Fund assets.

The Variable Retirement Fund had its best return since 1985, gaining 27.8% compared to 23.3% for its benchmark. The Variable Fund is also ahead of its five-year benchmark.

The 4.9% return for State Investment Fund surpassed a 4.8% for its benchmark and placed the fund fifth out of 214 government funds in the IBC/Donoghue Government Index.

As part of an extensive annual review of our strategy, we gave particular attention to the Legislative Audit Bureau's October 1999 management review of SWIB. We also considered the potential effects of 1999 Wisconsin Act 11, which could make significant changes to pension benefits and financing, depending upon future action by the courts. Our review indicated that the trust funds are generally well positioned. However, we are implementing several strategy improvements that are discussed in the report.

Please contact me if you have any questions about this report or other matters.

Sincerely,

PATRICIA LIPTON
Executive Director

**State of Wisconsin
Ethics Board**

February 15, 2000

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>

Bergersen, Gunnar	Railway Progress Institute
Boyce, Catherine	Milwaukee Area Technical College
Bradfield, Mary Anne	National Rifle Association Institute for Legislative Action
Broydrick, William	Milwaukee Area Technical College
Czech-Mrochinski, Mary	Marquette University
De Santis, Peter	Marathon County
Elverman, Timothy J	Milwaukee Area Technical College
Essie, Patrick	Burlington Northern Santa Fe Railway Company
McClenahan, William	American Express Company
McIntosh, Forbes	Milwaukee Area Technical College
Osborne, Patrick	BP Amoco (formerly Amoco)
Strohl, Joseph	Blue Cross/Blue Shield United of Wisconsin

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 99-055

Relating to reporting of blood lead test results.
Submitted by Department of Health and Family Services.
Report received from Agency, February 10, 2000.

Referred to committee on **Health, Utilities, Veterans and Military Affairs**, February 16, 2000.

Senate Clearinghouse Rule 99-145

Relating to credit union examinations.
Submitted by Department of Financial Institutions.
Report received from Agency, February 15, 2000.

Referred to committee on **Privacy, Electronic Commerce and Financial Institutions**, February 16, 2000.

Senate Clearinghouse Rule 99-146

Relating to the public inspection and copying of records of the office of credit unions.

Submitted by Department of Financial Institutions.

Report received from Agency, February 15, 2000.

Referred to committee on **Privacy, Electronic Commerce and Financial Institutions**, February 16, 2000.

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

Senate Clearinghouse Rule 99-144

Relating to wood harvesting slasher.

No action taken.

Roger Breske
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 41

Assembly Bill 246

Concurred in:

Senate amendment 1 to **Assembly Bill 315**

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Bill 41

Relating to: the filing of personal property reports.

By Representatives Ziegelbauer, Plale, Ainsworth, Albers, Huber, Lassa, Meyer, Musser, Reynolds, Ryba, Staskunas and Stone; cosponsored by Senators Wirch, Plache and Roessler.

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

Assembly Bill 246

Relating to: actions against manufacturers, importers, trade associations or dealers of firearms or firearm ammunition.

By Representatives Pettis, Suder, Gundrum, Gunderson, Huebsch, Spillner, Ladwig, Musser, Ainsworth, Hundertmark, Sykora, Grothman, Handrick, Albers, Porter, Kreibich, Kedzie, Seratti, F. Lasee, Leibham, Hutchison, Gronemus, Hahn, Owens, Vrakas, Johnsrud and Nass; cosponsored by Senators Breske, Zien, Welch, Baumgart, Schultz and Fitzgerald.

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

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 181** offered by Senator Darling.

CHIEF CLERK'S REPORT

The Chief Clerk records:

Senate Joint Resolution 32

Deposited in the office of the Secretary of State on February 11, 2000.

**LEGISLATIVE REFERENCE BUREAU
CORRECTIONS**

CORRECTIONS IN:

1999 SENATE BILL 358

Prepared by the Legislative Reference Bureau
(February 10, 2000)

1. Page 3, line 11: delete "(j)" and substitute "(je)".
2. Page 3, line 12: delete "(j)" and substitute "(je)".
3. Page 9, line 20: delete "(j)" and substitute "(je)".

4. Page 10, line 3: delete "(j)" and substitute "(je)".

5. Page 10, line 6: delete "(j)" and substitute "(je)".

CORRECTIONS IN:

**ASSEMBLY AMENDMENT 17,
TO 1999 ASSEMBLY BILL 465**

Prepared by the Legislative Reference Bureau
(February 14, 2000)

1. Page 2, line 21: delete "\$2,500"
and substitute "\$2,500."