



# STATE OF WISCONSIN

# Senate Journal

## Ninety–Fourth Regular Session

10:00 A.M.

WEDNESDAY, March 8, 2000

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.

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### INTRODUCTION AND REFERENCE OF RESOLUTIONS AND JOINT RESOLUTIONS

Read first time and referred:

#### Senate Joint Resolution 38

Relating to: 4–year terms of office for, appointment of, and the restriction on holding any other office by, certain county officers (first consideration).

By Senators Huelsman, Drzewiecki, Fitzgerald, Breske, A. Lasee, Roessler, Farrow and Darling; cosponsored by Representatives Duff, Musser, Porter, Pettis, Hutchison, Ladwig, Handrick, M. Lehman, Walker, Urban, Ryba, Albers, Owens, Sykora, Vrakas, Goetsch, F. Lasee, Jeskewitz, Olsen and Seratti.

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

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### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

#### Senate Bill 451

Relating to: references to the Internal Revenue Code for income tax and franchise tax purposes, withholding income taxes from the amount paid to purchase the assignment of a lottery prize and requiring the lottery administrator to report to the department of revenue the federal income tax number of an assignee.

By Senator Burke; cosponsored by Representative Gard, by request of the Department of Revenue.

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

#### Senate Bill 452

Relating to: the contents of a school district referendum notice.

By Senators Lazich, Farrow and Huelsman; cosponsored by Representatives Ainsworth, Skindrud and Suder.

To committee on **Education.**

#### Senate Bill 453

Relating to: fishing licenses issued to disabled residents.

By Senators Lazich, Drzewiecki and Darling; cosponsored by Representatives Handrick, Kelso, Reynolds, Ryba, Berceau and Gronemus.

To committee on **Agriculture, Environmental Resources and Campaign Finance Reform.**

#### Senate Bill 454

Relating to: requiring itemization of calls charged by commercial mobile radio service providers and notice of charges for certain intralata telephone calls.

By Senators Lazich, A. Lasee and Roessler; cosponsored by Representatives Albers, Stone, Hasenohrl, Meyerhofer and Ryba.

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

#### Senate Bill 455

Relating to: notice to tenants of mobile home park's closing.

By Senators Lazich, Clausung, Plache, Wirch, Darling and Rosenzweig; cosponsored by Representatives Albers, Musser, Olsen, Stone, Hasenohrl, Hebl and Miller.

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

#### Senate Bill 456

Relating to: the specialized transportation assistance program, minimum qualifications for the operator of a human service vehicle, inspection and registration of human service vehicles, granting rule–making authority and providing a penalty.

By Senators Lazich and Huelsman; cosponsored by Representatives Musser and Urban, by request of Beverly Kraemer in memory of her father, Elmer Blundell.

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

#### Senate Bill 457

Relating to: excluding areas outside of this state in determining a service area for assessing the need for a proposed solid waste disposal facility or hazardous waste facility and the design capacity of such a facility.

By Senators Lazich and Schultz; cosponsored by Representatives Gundrum, Musser and Black.

To committee on **Agriculture, Environmental Resources and Campaign Finance Reform.**

#### Senate Bill 458

Relating to: creating an individual income tax subtract modification for amounts spent on medical insurance premiums by certain individuals.

By Senators Lazich, Darling, Drzewiecki, Huelsman, A. Lasee and Roessler; cosponsored by Representatives

Gronemus, Gunderson, Stone, Nass, Musser, Huebsch, Albers, Berceau, Colon, Hasenohrl, Miller, Pocan, Reynolds, Ryba and Waukau.

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

**Senate Bill 459**

Relating to: restoring the school property tax rent credit and authorizing claims under the school property tax rent credit for property taxes paid in the year before the year in which they are due.

By Senators Lazich, Decker, Darling, Huelsman and Roessler; cosponsored by Representatives Bock, Gundrum, Hahn, Musser, Petrowski, Pettis, Black and Porter.

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

**Senate Bill 460**

Relating to: the sales tax and use tax exemptions for motor vehicles used for recycling activities and for equipment used to collect and transport waste for recycling activities.

By Senators Lazich, Farrow and Huelsman; cosponsored by Representatives Jensen and Duff.

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

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**REPORT OF COMMITTEES**

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

**Senate Bill 254**

Relating to: the procedure for changing the number of school board members in a common or unified school district.

Introduction and adoption of Senate substitute amendment 1.

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.

Richard Grobschmidt  
Chairperson

The joint committee on **Finance** reports and recommends:

**Senate Bill 432**

Relating to: creating a grant program to improve local roads for job preservation, granting bonding authority and making appropriations.

Passage.

Ayes, 14 – Senators Burke, Decker, Jauch, Moore, Shibilski, Plache and Darling. Representatives Gard, Porter, Foti, Albers, Duff, Huber and Riley.

Noes, 2 – Senator Cowles. Representative Ward.

Brian Burke  
Senate Chairperson

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

**Senate Bill 320**

Relating to: the priority of a wage claim lien.

Passage.

Ayes, 4 – Senators Baumgart, Decker, Breske and Zien.  
Noes, 1 – Senator Farrow.

**Senate Bill 400**

Relating to: providing health insurance coverage for certain local government employes and officers who have terminated local government employment.

Passage.

Ayes, 4 – Senators Baumgart, Decker, Breske and Zien.  
Noes, 1 – Senator Farrow.

Jim Baumgart  
Chairperson

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**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin**

March 6, 2000

The Honorable, The Senate:

Pursuant to s. 15.225 (3) 6m, Wisconsin Statutes, I have appointed Michael Ryan of Waunakee as a representative of organized labor, and Louis Fortis, of Madison, as a representative of business and industry, to the Governor's Work-Based Learning Board.

Sincerely,

CHUCK CHVALA  
Senate Majority Leader

**State of Wisconsin**

**Department of Public Instruction**

March 2000

The Honorable, The Legislature:

The Department of Public Instruction is submitting the 1999 Annual Report on the Status of Bilingual-Bicultural Education programs, as required under s. 115.96, Wisconsin Statutes. The enclosed report provides data from the 37 state-aided bilingual-bicultural/ESL education programs for the 1998 fiscal year (July 1, 1998, through June 30, 1999).

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, 1998, through June 30, 1999); and staff-related data.

If you have questions on any aspect of this report, please contract Barbara A. Bitters, director, equity mission team, at [barbara.bitters@dpi.state.wi.us](mailto:barbara.bitters@dpi.state.wi.us) or 266-9609.

Sincerely,

JOHN T. BENSON  
State Superintendent

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

The joint committee for **review of Administrative Rules** reports and recommends:

**Senate Clearinghouse Rule 99-139**

Relating to public employe safety and health.

Report nonconcurrency in objection, Ayes 10, Noes 0.

Ayes, 10 – Senators Robson, Grobschmidt, Shibilski, Welch and Darling. Representatives Grothman, Gunderson, Seratti, Kreuser and Black.

Noes, 0 – None.

Judy Robson  
Senate Chairperson

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**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 379**

**Assembly Bill 483**

**Assembly Bill 538**

**Assembly Bill 566**

**Assembly Bill 603**

**Assembly Bill 619**

**Assembly Bill 620**

**Assembly Bill 640**

**Assembly Bill 649**

**Assembly Bill 658**

**Assembly Bill 684**

**Assembly Bill 736**

**Assembly Bill 770**

**Assembly Bill 815**

Concurred in:

**Senate Joint Resolution 25**

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**MESSAGES FROM THE ASSEMBLY  
CONSIDERED**

**Assembly Bill 379**

Relating to: discharge or other retaliation or discrimination against an employe of a health care facility or a health care provider who reports a violation of the law or a violation of a clinical or ethical standard by the health care facility or health care provider or by an employe of the health care facility or health care provider and providing a penalty.

By Representatives Underheim, Carpenter, Albers, Black, Bock, Boyle, Coggs, Colon, Cullen, Goetsch, Hahn, Hebl, Kaufert, Kelso, Kreuser, Krusick, La Fave, Ladwig, Lassa, J. Lehman, M. Lehman, Miller, Musser, Olsen, Pettis, Plale, Plouff, Pocan, Richards, Sinicki, Staskunas, Walker, Wasserman, Waukau and Ziegelbauer; cosponsored by Senators George, Robson, Baumgart, Burke, Cowles, Darling, Grobschmidt, Moen, Plache, Roessler and Rosenzweig.

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

**Assembly Bill 483**

Relating to: authorizing the payment of different prices to producers for milk based on volume.

By Representatives Ward, Ainsworth, Gard, Goetsch, Hahn, Kedzie, Klusman, Kreibich, Ladwig, Musser, Ott, Seratti, Skindrud, Spillner and Suder; cosponsored by Senators Shibilski, Darling and Fitzgerald.

Read first time and referred to committee on **Agriculture, Environmental Resources and Campaign Finance Reform**.

**Assembly Bill 538**

Relating to: minimum standards for life insurance policies in which the proceeds are assigned to funeral directors or funeral establishment operators.

By Representatives F. Lasee, La Fave, Musser, Ryba, Pettis, Wasserman, Hoven, Underheim, Albers and Grothman; cosponsored by Senators Breske, Shibilski and Rude.

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

**Assembly Bill 566**

Relating to: employe supervision by real estate brokers and requiring the exercise of rule-making authority.

By Representatives Wieckert, Spillner, Sykora, Porter, Hahn, Schooff, Vrakas, Kestell, F. Lasee, Pocan and Meyer; cosponsored by Senators Clausing, Fitzgerald, Roessler and Rude.

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

**Assembly Bill 603**

Relating to: prisoner reimbursement to county for booking costs.

By Representatives Montgomery, Ryba, Goetsch, Gunderson, Hahn, Ladwig, M. Lehman, Musser, Ott, Pettis, Porter, Seratti, Stone, Suder and Vrakas; cosponsored by Senators Breske, Cowles, Darling, Drzewiecki, Farrow, A. Lasee, Roessler and Schultz.

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

**Assembly Bill 619**

Relating to: the sales tax and the use tax on purchases made with a manufacturer's rebate.

By Representatives M. Lehman, Wood, Sykora and Ziegelbauer.

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

**Assembly Bill 620**

Relating to: parental liability for acts of their minor child, recovery of damages for certain criminal actions, increasing the jurisdictional amount in small claims court, powers of court commissioners, garnishment, attorney fees, exemption from execution of accounts, assignment of debt, earnings garnishment retail theft and recovery in actions involving worthless checks.

By Representatives Montgomery, Huebsch, Albers, Gard, Goetsch, Gunderson, Hasenohrl, Ladwig, Olsen, Owens, Rhoades, Seratti, Spillner, Suder, Sykora, Vrakas, Walker and Ziegelbauer; cosponsored by Senators Shibilski, Huelsman, Breske, Darling, Erpenbach, Fitzgerald, Lazich, Plache, Rude and Welch, by request of Midwest Equipment Dealers Association, Midwest Hardware Association, National Federation of Independent Business, Tavern League of Wisconsin, Wisconsin Alliance of Hearing Professionals, Wisconsin Association of Convenience Stores, Wisconsin Automobile and Truck Dealers Association, Wisconsin Automotive Parts Association, Wisconsin Automotive Trade Association, Wisconsin Civil Recovery Council, Wisconsin Collectors Association, Wisconsin Grocers Association, Wisconsin Fitness and Health Alliance, Wisconsin Independent Businesses, Inc., Wisconsin Jewelers Association, Wisconsin Merchants Federation, Wisconsin Motorcycle Dealers Association, Wisconsin Restaurant Association and Wisconsin Retail Lumber Association.

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

**Assembly Bill 640**

Relating to: the location in the statutes of the equal rights programs administered by the department of workforce development and reorganizing certain statutes concerning vocational rehabilitation (suggested as remedial legislation by the department of workforce development).

By Law Revision Committee.

Read first time and referred to committee on **Labor**.

**Assembly Bill 649**

Relating to: the registration of electors on election day and the determination of eligible electors in certain municipalities on election day.

By Representatives Ladwig, Goetsch, Hundertmark, Musser, Nass, Owens, Stone, Suder, Sykora and Urban; cosponsored by Senators Huelsman, Darling, Farrow, Roessler, Schultz and Welch.

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

**Assembly Bill 658**

Relating to: the low-income energy assistance and weatherization assistance programs (suggested as remedial legislation by the department of administration).

By Law Revision Committee.

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

**Assembly Bill 684**

Relating to: the possession of wild animals, enforcement of certain laws relating to mistreatment of wild animals, hunting of farm-raised deer, granting rule-making authority, making appropriations and providing penalties.

By Representatives Johnsrud, Ott, Hahn, Albers and Kedzie; cosponsored by Senator Baumgart.

Read first time and referred to committee on **Agriculture, Environmental Resources and Campaign Finance Reform**.

**Assembly Bill 736**

Relating to: grants for study abroad.

By Representatives Krug and Kreibich; cosponsored by Senators Darling and Grobschmidt.

Read first time and referred to committee on **Education**.

**Assembly Bill 770**

Relating to: rentals of mobile homes and termination of tenancies in mobile home parks.

By Representatives Sykora and F. Lasee.

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

**Assembly Bill 815**

Relating to: requiring pharmacies and pharmacists, as a condition of medical assistance participation, to charge low-income persons eligible for medicare for certain prescription drugs no more than specific amounts, authorizing the department of health and family services to enter into rebate agreements with drug manufacturers and making appropriations.

By Representatives Wieckert, Pettis, Petrowski, Underheim, Kestell, Gronemus, Montgomery, Skindrud, Hundertmark, Kelso, Hahn, Sykora, Rhoades, Townsend, Seratti, Ladwig, Stone, M. Lehman, Urban, Musser, Vrakas, Goetsch, Hoven, Jensen, Kreibich, Owens, F. Lasee, Ott, Hutchison, Johnsrud and Duff; cosponsored by Senators Rosenzweig, Darling, Roessler and Welch.

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

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**ADJOURNMENT**

Senator Risser, with unanimous consent, asked that the Senate adjourn until Thursday, March 9 at 10:00 A.M..

Adjourned.

10:01 A.M.

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**AMENDMENTS OFFERED**

Senate amendment 1 to **Senate Bill 346** offered by Senator Wirch.

Senate amendment 2 to **Senate Bill 346** offered by Senator Wirch.

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**LEGISLATIVE REFERENCE BUREAU  
CORRECTIONS**

**CORRECTIONS IN:**

**SENATE SUBSTITUTE AMENDMENT 1,  
TO 1999 SENATE BILL 232**

Prepared by the Legislative Reference Bureau  
(March 7, 2000)

1. Page 4, line 25: delete "city of the" and substitute "1st class city".
2. Page 5, line 1: delete "first class".
3. Page 18, line 7: delete "and the creation of" and substitute "; the creation of section".
4. Page 18, line 12: after "606.15" insert "of the statutes".