



STATE OF WISCONSIN

Senate Journal

Ninety–Fourth Regular Session

10:00 A.M.

TUESDAY, March 21, 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.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 483

Relating to: permits for certain funeral services held in certain establishments.

By Senators Shibilski, Schultz and Rude; cosponsored by Representatives Musser, Kedzie, Olsen, Ryba and Gunderson.

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

Senate Bill 484

Relating to: expenditure of \$49,776.35 from the general fund in payment of a claim made by Rosendale Farm Equipment, Inc.

By Senator Roessler.

To joint committee on **Finance**.

Senate Bill 485

Relating to: revocation of the privilege to operate snowmobiles for violations of the intoxicated snowmobiling law; speed restrictions on the operation of snowmobiles; confiscation of snowmobiles after conviction under the intoxicated snowmobiling law or for failure to stop a snowmobile in response to a law enforcement officer; increasing the public–use snowmobile registration fee; snowmobile trail aids to counties; making appropriations; and providing penalties.

By Senators Decker, Burke, Moen, Plache, Roessler and Huelsman; cosponsored by Representatives Johnsrud, Hutchison, J. Lehman, Kelso, Vrakas and F. Lasee.

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

Senate Bill 486

Relating to: an income tax and franchise tax credit for employing an undergraduate student.

By Senator Shibilski.

To committee on **Education**.

Senate Bill 487

Relating to: participation of certain Wisconsin works participants in a technical college education program.

By Senators Moore and Grobschmidt; cosponsored by Representatives Plouff and Schooff.

To committee on **Education**.

Senate Bill 488

Relating to: creating a donor registry board, creating a Wisconsin donor registry, the definition of “document of gift”, modifying the form for the power of attorney for health care, requiring a study, providing an exemption from emergency rule procedures, granting rule–making authority and making an appropriation.

By Senators Rosenzweig, Robson, Roessler, Grobschmidt, Risser, Plache and Farrow; cosponsored by Representatives Wasserman, Kaufert, Jeskewitz, Bock, Vrakas, Ladwig, Riley, Ryba, Albers, Steinbrink, Huebsch, Walker, Plale, Balow, Musser, La Fave, Ainsworth, Schooff, Kreuser, Plouff, Gronemus, J. Lehman, Hahn and Turner.

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

Senate Bill 489

Relating to: increasing funding for retired senior volunteer programs and making an appropriation.

By Senators Shibilski, Robson, Risser, Plache, Moen, Erpenbach and Roessler; cosponsored by Representatives Lassa, Waukau, Hasenohrl, Musser, Wood, Gronemus, Black, Staskunas, Kreibich, Montgomery, Pohan, Ott and Young.

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

Senate Bill 490

Relating to: education vouchers issued to enrollees of the Wisconsin conservation corps and composition of the Wisconsin conservation corps board.

By Senator Clausung.

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

Senate Bill 491

Relating to: grants for innovative police technology and making an appropriation.

By Senators George, Fitzgerald, Huelsman, Rosenzweig, Drzewiecki and Plache; cosponsored by Representatives Goetsch, Schooff, Ryba and Bock.

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

Senate Bill 492

Relating to: federal funding for railroad crossing protection improvements.

By Senators Cowles, Roessler, Huelsman and Fitzgerald; cosponsored by Representatives Hahn, Black and Ott.

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

REPORT OF COMMITTEES

The committee on **Lambeau Field** reports and recommends:

Senate Bill 493

Relating to: the authority of certain counties to issue bonds or promissory notes for the construction or renovation of football stadium facilities; application of the prevailing wage law and the open records law to contracts for the construction or renovation of football stadium facilities entered into by a professional football team or a related party; and creating goals for the participation of minority and women's businesses in contracts related to the construction or renovation of football stadium facilities.

Introduction.

Ayes, 3 – Senators Decker, Erpenbach and Chvala.

Noes, 2 – Senators Rude and Huelsman.

To committee on **Lambeau Field.**

Senate Bill 494

Relating to: special distinguishing registration plates associated with certain professional football teams; payments to qualified counties for construction or renovation of a home stadium to be used by a professional football team, granting income and franchise tax exemptions for certain interest income on bonds issued by counties; the sale of engraved tiles or bricks sold by a professional football team; and making appropriations.

Introduction.

Ayes, 3 – Senators Decker, Erpenbach and Chvala.

Noes, 2 – Senators Rude and Huelsman.

To joint committee on **Finance.**

Pursuant to Senate Rule 36(2)(c) and section 13.52(6), Wisconsin Statutes, the Co-Chairs of the Joint Survey committee on Tax Exemptions shall prepare and submit a report in writing setting forth an opinion on the desirability of **Senate Bill 494** as a matter of public policy.

Russell Decker
Chairperson

The joint committee on **Employment Relations** reports and recommends:

Senate Bill 495

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the District 1199W/United Professionals for Quality Health Care, SEIU, AFL–CIO, for the 1999–2001 biennium, covering employes in the professional patient care collective bargaining unit, and authorizing an expenditure of funds.

Introduction.

Ayes, 6 – Senators Risser, Chvala and Panzer. Representatives Jensen, Gard and Krug.

Noes, 0 – None.

To committee on **Senate Organization.**

Senate Bill 496

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Professional Employees in Research, Statistics and Analysis, WFT/AFT, AFL–CIO, for the 1999–2001 biennium, covering employes in the professional research, statistics and analysis collective bargaining unit, and authorizing an expenditure of funds.

Introduction.

Ayes, 6 – Senators Risser, Chvala and Panzer. Representatives Jensen, Gard and Krug.

Noes, 0 – None.

To committee on **Senate Organization.**

Senate Bill 497

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Teaching Assistants' Association, AFT, Local 3220, AFL–CIO, for the 1999–2001 biennium, covering employes in the program, project and teaching assistants of the University of Wisconsin–Madison and University of Wisconsin–Extension collective bargaining unit, and authorizing an expenditure of funds.

Introduction.

Ayes, 6 – Senators Risser, Chvala and Panzer. Representatives Jensen, Gard and Krug.

Noes, 0 – None.

To committee on **Senate Organization.**

Senate Bill 498

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin State Public Defenders Association, WFT/AFT, Local 4822, AFL–CIO, for the 1999–2001 biennium, covering employes in the public defenders collective bargaining unit, and authorizing an expenditure of funds.

Introduction.

Ayes, 6 – Senators Risser, Chvala and Panzer. Representatives Jensen, Gard and Krug.

Noes, 0 – None.

To committee on **Senate Organization.**

Senate Bill 499

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Science Professionals, AFT, Local 3732, for the 1999–2001 biennium, covering employes in the professional science collective bargaining unit, and authorizing an expenditure of funds.

Introduction.

Ayes, 6 – Senators Risser, Chvala and Panzer. Representatives Jensen, Gard and Krug.

Noes, 0 – None.

To committee on **Senate Organization.**

Senate Bill 500

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Physicians and Dentists Association, for the 1999–2001 biennium, covering employes in the professional patient treatment collective bargaining unit, and authorizing an expenditure of funds.

Introduction.

Ayes, 6 – Senators Risser, Chvala and Panzer. Representatives Jensen, Gard and Krug.

Noes, 0 – None.

To committee on **Senate Organization.**

Senate Bill 501

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Education Association Council, for the 1999–2001 biennium, covering employes in the professional education collective bargaining unit, and authorizing an expenditure of funds.

Introduction.

Ayes, 6 – Senators Risser, Chvala and Panzer. Representatives Jensen, Gard and Krug.

Noes, 0 – None.

To committee on **Senate Organization**.

Senate Bill 502

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Association of State Prosecutors for the 1999–2001 biennium, covering employes in the assistant district attorneys collective bargaining unit, and authorizing an expenditure of funds.

Introduction.

Ayes, 6 – Senators Risser, Chvala and Panzer. Representatives Jensen, Gard and Krug.

Noes, 0 – None.

To committee on **Senate Organization**.

Senate Bill 503

Relating to: the University of Wisconsin System senior executive compensation plan.

Introduction.

Ayes, 6 – Senators Risser, Chvala and Panzer. Representatives Jensen, Gard and Krug.

Noes, 0 – None.

To committee on **Senate Organization**.

Fred Risser
Senate Chairperson

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

Assembly Bill 402

Relating to: authorizing payment schedules for delinquent taxpayers who enter into a compromise with the department of revenue.

Concurrence.

Ayes, 5 – Senators Wirch, Moore, Grobschmidt, Drzewiecki and Zien.

Noes, 0 – None.

Robert Wirch
Chairperson

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

Assembly Bill 203

Relating to: automatic fire sprinkler systems in University of Wisconsin System residence halls.

Concurrence.

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

Noes, 0 – None.

Assembly Bill 714

Relating to: use of epinephrine auto-injectors on pupils by certain school employes and volunteers.

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.

Concurrence as amended.

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

Noes, 0 – None.

Assembly Bill 736

Relating to: grants for study abroad.

Concurrence.

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

Noes, 0 – None.

Richard Grobschmidt
Chairperson

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

Assembly Bill 414

Relating to: medical assistance certification of providers under the mandatory health insurance risk-sharing plan.

Concurrence.

Ayes, 7 – Senators Moen, Breske, Robson, Erpenbach, Welch, Rude and Rosenzweig.

Noes, 0 – None.

Assembly Bill 694

Relating to: bonding authority of the Wisconsin health and educational facilities authority.

Concurrence.

Ayes, 7 – Senators Moen, Breske, Robson, Erpenbach, Welch, Rude and Rosenzweig.

Noes, 0 – None.

BARTLETT, DR. WILLIAM H., of Madison, as a member of the Athletic Trainers Affiliated Credentialing Board, to serve for an initial term ending July 1, 2000 and for a full term ending July 1, 2004.

Confirmation.

Ayes, 7 – Senators Moen, Breske, Robson, Erpenbach, Welch, Rude and Rosenzweig.

Noes, 0 – None.

CAMPBELL, DANIEL L., of La Crosse, as a member of the Athletic Trainers Affiliated Credentialing Board, to serve for an initial term ending July 1, 2000 and for a full term ending July 1, 2004.

Confirmation.

Ayes, 7 – Senators Moen, Breske, Robson, Erpenbach, Welch, Rude and Rosenzweig.

Noes, 0 – None.

DELAP, RUSSELL D., of Brookfield, as a member of the Athletic Trainers Affiliated Credentialing Board, to serve for the term ending July 1, 2002.

Confirmation.

Ayes, 7 – Senators Moen, Breske, Robson, Erpenbach, Welch, Rude and Rosenzweig.

Noes, 0 – None.

O CONNELL, KATHLEEN A., of Stevens Point, as a member of the Athletic Trainers Affiliated Credentialing Board, to serve for the term ending July 1, 2003.

Confirmation.

Ayes, 7 – Senators Moen, Breske, Robson, Erpenbach, Welch, Rude and Rosenzweig.

Noes, 0 – None.

SHERMAN, BRADLEY J., of Madison, as a member of the Athletic Trainers Affiliated Credentialing Board, to serve for the term ending July 1, 2001.

Confirmation.

Ayes, 7 – Senators Moen, Breske, Robson, Erpenbach, Welch, Rude and Rosenzweig.

Noes, 0 – None.

SYBELDON, JOHN, of Wausau, as a member of the Athletic Trainers Affiliated Credentialing Board, to serve for the term ending July 1, 2002.

Confirmation.

Ayes, 7 – Senators Moen, Breske, Robson, Erpenbach, Welch, Rude and Rosenzweig.

Noes, 0 – None.

Senate Bill 305

Relating to: the governor's power to activate the national guard.

Passage.

Ayes, 7 – Senators Moen, Breske, Robson, Erpenbach, Welch, Rude and Rosenzweig.

Noes, 0 – None.

Senate Bill 308

Relating to: health insurance coverage of nervous and mental disorders, alcoholism and other drug abuse problems.

Passage.

Ayes, 5 – Senators Moen, Robson, Erpenbach, Rude and Rosenzweig.

Noes, 2 – Senators Breske and Welch.

Senate Bill 363

Relating to: the biennial fee for certification of an adult day care center as a provider of medical assistance.

Passage.

Ayes, 7 – Senators Moen, Breske, Robson, Erpenbach, Welch, Rude and Rosenzweig.

Noes, 0 – None.

Senate Bill 364

Relating to: bonding authority of the Wisconsin health and educational facilities authority.

Passage.

Ayes, 7 – Senators Moen, Breske, Robson, Erpenbach, Welch, Rude and Rosenzweig.

Noes, 0 – None.

Senate Bill 382

Relating to: including dentists and dental hygienists as health care professionals for the purpose of forming service corporations.

Passage.

Ayes, 7 – Senators Moen, Breske, Robson, Erpenbach, Welch, Rude and Rosenzweig.

Noes, 0 – None.

Senate Bill 424

Relating to: schools eligible for veteran retraining grants, application of the state resource allocation program and making appropriations.

Passage.

Ayes, 7 – Senators Moen, Breske, Robson, Erpenbach, Welch, Rude and Rosenzweig.

Noes, 0 – None.

Senate Bill 433

Relating to: the right to discovery in class 3 administrative proceedings regarding recoupment of medical assistance payments.

Passage.

Ayes, 7 – Senators Moen, Breske, Robson, Erpenbach, Welch, Rude and Rosenzweig.

Noes, 0 – None.

Senate Bill 446

Relating to: medical assistance wage or salary supplements for nursing home housekeeping, laundry and food workers and making an appropriation.

Passage.

Ayes, 7 – Senators Moen, Breske, Robson, Erpenbach, Welch, Rude and Rosenzweig.

Noes, 0 – None.

Rodney Moen
Chairperson

The joint survey committee on **Tax Exemptions** reports and recommends:

Senate Bill 442

Relating to: authorizing the creation of a local cultural arts district; granting a property tax exemption for the district's property; granting a sales tax and use tax exemption for tangible personal property and services purchased by the district; giving a local cultural arts district the authority to issue bonds and granting income tax exemptions for interest income on bonds issued by the district; authorizing certain local cultural arts districts to acquire property by condemnation; and authorizing the Wisconsin Health and Educational Facilities Authority to issue bonds to finance certain cultural arts facilities.

This bill is good public policy.

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.

This bill is good public policy.

Referred to the committee on **Economic Development, Housing and Government Operations.**

Russell Decker
Senate Chairperson

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Department of Administration**

March 15, 2000

The Honorable, The Legislature:

Chapter 34, Laws of 1979, requires that when the Department of Administration maintains an office in Washington, DC, for the purpose of promoting federal/state cooperation, it should submit a report detailing the activities of the office and reporting the status of federal legislation of concern to the Legislature and other state agencies (Wis. Stats. 16.548(2)).

The report for the period October, 1999, through December, 1999, is attached.

Sincerely,

GEORGE LIGHTBOURN
Secretary

**State of Wisconsin
Ethics Board**

March 21, 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 **Timber Producers Association of Michigan & Wisconsin, Inc**

Bergersen, Gunnar **Lake States Lumber Association**

Boyce, Lisa **Planned Parenthood of Wisconsin, Inc**

Boyce, Lisa **Planned Parenthood Advocates of Wisconsin**

Cohn, Andrew **Wisconsin Alumni Research Foundation**

Driessen, Anthony **Wisconsin Council for Independent Education**

Hamer, Michael **Wisconsin Trust for Historic Preservation**

Hanna, Jodi **Wisconsin Coalition for Advocacy**

Payne, Jr., Ulice **Green Bay Packers, Inc.**

Payne, Jr., Ulice **Green Bay Packers, Inc.**

Peshek, Peter **Perrier Group of America**

Petak, George **Perrier Group of America**

Taylor, Chad **Thomas More High School**

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

specifically by Section 14.019 of the Wisconsin Statutes, do hereby:

1. Create the Task Force on Growing Wisconsin Agriculture (hereinafter, "Task Force"); and
2. Provide that the Task Force shall be composed of thirteen (13) members, appointed by the Governor to serve at the pleasure of the Governor; and
3. Provide that the Governor shall designate one (1) member of the Task Force as its chair to serve in that capacity at the pleasure of the Governor; and
4. Provide that the Task Force shall have the following purpose and mission:
 - a. Assess market conditions and opportunities for Wisconsin producers and processors; and
 - b. Develop recommendations to streamline state and local regulatory processes; and
 - c. Research opportunities for value-added agriculture; and
 - d. Identify research needs and projects to ensure the continued health and vitality of Wisconsin Agriculture; and
5. Require the Council to submit to the Governor a final report on its findings and recommendations by August 2001; and
6. Direct the Secretary of the Department of Agriculture, Trade and Consumer Protection to provide the Task Force with administrative and support services and with such sums of money as are necessary for travel and operating expenses in accordance with section 20.505(3)(a) of the Wisconsin Statutes; and
7. Require the Task Force to disband once the governor has accepted its final report.

IN TESTIMONY WHERE OF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the city of Madison this fifteenth day of March in the year two thousand.

TOMMY G. THOMPSON
Governor

BY THE GOVERNOR:

DOUGLAS LA FOLLETTE
Secretary of State

EXECUTIVE COMMUNICATIONS

**THE STATE OF WISCONSIN
OFFICE OF THE GOVERNOR**

EXECUTIVE ORDER #388

Relating to the Creation of the Task Force on Growing Wisconsin Agriculture

WHEREAS, Agriculture is the most important industry in the State of Wisconsin; and

WHEREAS, the continued health of the economy of Wisconsin depends greatly upon the future of agriculture; and

WHEREAS, Wisconsin agriculture currently faces many difficult obstacles outside of its direct control, including but not limited to discriminatory federal policies and depressed markets; and

WHEREAS, producers and processors in the ever-changing national and international agricultural markets must be able to innovate and take on new challenges; and

WHEREAS, critical decisions must be made for Wisconsin to continue to be a national leader;

NOW, THEREFORE, I, TOMMY G. THOMPSON, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and the laws of this State, and

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

Senate Clearinghouse Rule 00-011

Relating to distribution to annuitants of the total amount distributed from the transaction amortization account to the annuity reserve under the nonstatutory provisions of 1999 Wisconsin Act 11.

Submitted by Department of Employee Trust Funds.
Report received from Agency, March 16, 2000.
Referred to committee on **Labor**, March 21, 2000.

Senate Clearinghouse Rule 00-017

Relating to investment adviser representative competency examination grandfather provisions.

Submitted by Department of Financial Institutions.
Report received from Agency, March 15, 2000.

Referred to committee on **Privacy, Electronic Commerce and Financial Institutions**, March 21, 2000.

Senate Clearinghouse Rule 00-021

Relating to participation in the variable trust fund.
Submitted by Department of Employee Trust Funds.
Report received from Agency, March 15, 2000.
Referred to committee on **Labor**, March 21, 2000.

Senate Clearinghouse Rule 00-022

Relating to the department's interpretation of what Wisconsin Retirement System creditable service is considered to be performed before January 1, 2000 versus considered to be performed on or after that date under **1999 Wisconsin Act 11**.
Submitted by Department of Employee Trust Funds.
Report received from Agency, March 15, 2000. Report received from Agency, March 15, 2000.
Referred to committee on **Labor**, March 21, 2000.

The Chair, with unanimous consent, asked that **Senate Bill 482** be withdrawn from the committee on **Economic Development, Housing and Government Operations** and referred to the committee on **Education**.

ADJOURNMENT

Senator Risser, with unanimous consent, asked that the Senate adjourn until Thursday, March 23 at 10:00 A.M..

Adjourned.

10:01 A.M.

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

- Senate Bill 99**
- Senate Bill 155**
- Senate Bill 172**
- Senate Bill 241**
- Senate Bill 268**

Report correctly enrolled on March 16, 2000.

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

- Senate Bill 287**
- Senate Bill 358**

Report correctly enrolled on Maarch 17, 2000.

AMENDMENTS OFFERED

Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 63** offered by Senator Farrow.