



STATE OF WISCONSIN

Assembly Journal

Ninety–Third Regular Session

THURSDAY, October 30, 1997

AMENDMENTS OFFERED

Assembly substitute amendment 2 to **Assembly Bill 273** offered by committee on **Health**.

Assembly amendment 5 to **Assembly Bill 342** offered by committee on **Judiciary**.

Assembly amendment 1 to **Senate Bill 156** offered by committee on **Health**.

Assembly amendment 2 to **Senate Bill 156** offered by committee on **Health**.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 97–078

Relating to the wastewater fee program.
Submitted by Department of Natural Resources.
Report received from Agency, October 28, 1997.
To committee on **Environment**.
Referred on October 30, 1997.

Assembly Clearinghouse Rule 97–087

Relating to solid and hazardous waste management.
Submitted by Department of Natural Resources.
Report received from Agency, October 28, 1997.
To committee on **Environment**.
Referred on October 30, 1997.

Assembly Clearinghouse Rule 97–124

Relating to the calculation of indigency.
Submitted by State Public Defender.
Report received from Agency, October 28, 1997.
To committee on **Judiciary**.
Referred on October 30, 1997.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 77

Relating to: Chinese human rights.

By Representatives Travis and Schneider; cosponsored by Senator Wineke.

To committee on **Rules**.

COMMITTEE REPORTS

The committee on **Consumer Affairs** reports and recommends:

Assembly Bill 157

Relating to: prohibiting insurers from requesting genetic test information from health care providers.

Assembly amendment 1 adoption:

Ayes: 7 – Representatives Otte, Johnsrud, Ott, M. Lehman, Urban, Williams and Black.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Otte, Johnsrud, Ott, M. Lehman, Urban, Williams and Black.

Noes: 0.

To committee on **Rules**.

Assembly Bill 169

Relating to: the prohibition of certain billing practices for goods and certain services and providing a penalty.

Assembly substitute amendment 1 adoption:

Ayes: 7 – Representatives Otte, Johnsrud, Ott, M. Lehman, Urban, Williams and Black.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Otte, Johnsrud, Ott, M. Lehman, Urban, Williams and Black.

Noes: 0.

To committee on **Rules**.

Assembly Bill 367

Relating to: prohibiting certain billing practices by cable television companies.

Assembly substitute amendment 1 adoption:

Ayes: 6 – Representatives Otte, Johnsrud, Ott, Urban, Williams and Black.

Noes: 1 – Representative M. Lehman.

Passage as amended:

Ayes: 6 – Representatives Otte, Johnsrud, Ott, Urban, Williams and Black.

Noes: 1 – Representative M. Lehman.

To committee on **Rules**.

CLIFFORD OTTE
Chairperson
Committee on Consumer Affairs

The committee on **Criminal Justice and Corrections** reports and recommends:

Assembly Bill 90

Relating to: time limits for prosecution of crimes against children.

Assembly substitute amendment 1 adoption:

Ayes: 13 – Representatives Goetsch, Dobyns, Nass, Owens, Walker, F. Lasee, Jeskewitz, Wood, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 0.

Passage as amended:

Ayes: 12 – Representatives Goetsch, Dobyns, Nass, Owens, Walker, F. Lasee, Jeskewitz, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 1 – Representative Wood.

To committee on **Rules**.

Assembly Bill 93

Relating to: abuse of vulnerable adults and providing penalties.

Passage:

Ayes: 13 – Representatives Goetsch, Dobyns, Nass, Owens, Walker, F. Lasee, Jeskewitz, Wood, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 0.

To committee on **Rules**.

Assembly Bill 333

Relating to: requiring the department of corrections to reimburse a county for the transfer of certain inmates and making an appropriation.

Passage:

Ayes: 13 – Representatives Goetsch, Dobyns, Nass, Owens, Walker, F. Lasee, Jeskewitz, Wood, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 0.

To joint committee on **Finance**.

Assembly Bill 386

Relating to: law enforcement agency access to photographs of applicants for operators' licenses and identification cards and providing a penalty.

Assembly substitute amendment 1 adoption:

Ayes: 13 – Representatives Goetsch, Dobyns, Nass, Owens, Walker, F. Lasee, Jeskewitz, Wood, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 0.

Passage as amended:

Ayes: 13 – Representatives Goetsch, Dobyns, Nass, Owens, Walker, F. Lasee, Jeskewitz, Wood, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 0.

To committee on **Rules**.

Assembly Bill 419

Relating to: motor vehicle pursuit by law enforcement officers, training of law enforcement officers, requiring the exercise of rule-making authority and providing a penalty.

Passage:

Ayes: 13 – Representatives Goetsch, Dobyns, Nass, Owens, Walker, F. Lasee, Jeskewitz, Wood, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 0.

To committee on **Rules**.

Assembly Bill 455

Relating to: the making of restitution by a juvenile.

Assembly amendment 1 adoption:

Ayes: 13 – Representatives Goetsch, Dobyns, Nass, Owens, Walker, F. Lasee, Jeskewitz, Wood, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 0.

Passage as amended:

Ayes: 13 – Representatives Goetsch, Dobyns, Nass, Owens, Walker, F. Lasee, Jeskewitz, Wood, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 0.

To committee on **Rules**.

ROBERT GOETSCH
Chairperson
Committee on Criminal Justice and Corrections

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

Assembly Bill 235

Relating to: creating a privilege for environmental audits, providing immunity for disclosures related to environmental audits and providing a penalty.

Assembly substitute amendment 1 adoption:

Ayes: 9 – Representatives Duff, Hoven, Johnsrud, Hahn, Seratti, Bock, Robson, Black and La Fave.

Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Duff, Hoven, Johnsrud, Hahn and Seratti.

Noes: 4 – Representatives Bock, Robson, Black and La Fave.

To committee on **Rules**.

Assembly Bill 548

Relating to: notices concerning proposals by American Indian tribal governing bodies to redesignate areas for air quality purposes.

Passage:

Ayes: 9 – Representatives Duff, Hoven, Johnsrud, Hahn, Seratti, Bock, Robson, Black and La Fave.

Noes: 0.

To committee on **Rules**.

MARC DUFF
Chairperson
Committee on Environment

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

Assembly Bill 551

Relating to: the definition of the internal revenue code for the income tax and the franchise tax.

Assembly amendment 1 adoption:

Ayes: 14 – Representatives Jensen, Ourada, Harsdorf, Albers, Porter, Kaufert, Coggs, Burke, Decker, George, Jauch, Wineke, Shibilski and Cowles.

Noes: 0.

Assembly amendment 2 adoption:

Ayes: 14 – Representatives Jensen, Ourada, Harsdorf, Albers, Porter, Kaufert, Coggs, Burke, Decker, George, Jauch, Wineke, Shibilski and Cowles.

Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Jensen, Ourada, Harsdorf, Albers, Porter, Kaufert, Coggs, Burke, Decker, George, Jauch, Wineke, Shibilski and Cowles.

Noes: 0.

To committee on **Rules**.

Assembly Bill 565

Relating to: various changes to the worker's compensation law.

Passage:

Ayes: 13 – Representatives Jensen, Ourada, Harsdorf, Albers, Porter, Kaufert, Coggs, Burke, Decker, Jauch, Wineke, Shibilski and Cowles.

Noes: 0.

To committee on **Rules**.

Assembly Bill 571

Relating to: various changes in the unemployment compensation law and related provisions, granting rule-making authority and making appropriations.

Passage:

Ayes: 13 – Representatives Jensen, Ourada, Harsdorf, Albers, Porter, Kaufert, Coggs, Burke, Decker, Jauch, Wineke, Shibilski and Cowles.

Noes: 0.

To committee on **Rules**.

Assembly Bill 583

Relating to: evaluating proposed major highway projects; adjustments to appropriations of the department of transportation to reflect federal highway aid changes; joint committee on finance approval of any plan for the expenditure of income augmentation funds for any purpose other than augmenting federal revenues; agreement between the department of natural resources and Indian tribes or bands concerning the issuing of fishing or hunting approvals or the registration of all-terrain vehicles, boats or snowmobiles; a study on paving state bicycle trails; adjustment of agricultural chemical cleanup surcharges; and requiring the exercise of rule-making authority.

Passage:

Ayes: 14 – Representatives Jensen, Ourada, Harsdorf, Albers, Porter, Kaufert, Coggs, Burke, Decker, George, Jauch, Wineke, Shibilski and Cowles.

Noes: 0.

To committee on **Rules**.

SCOTT JENSEN
Assembly Chairperson
Joint committee on Finance

The committee on **Financial Institutions** reports and recommends:

Assembly Bill 329

Relating to: excluding agricultural transactions from the Wisconsin Consumer Act.

Assembly amendment 2 adoption:

Ayes: 15 – Representatives Ward, Hoven, Green, Lazich, Foti, Kedzie, Schafer, Sykora, R. Potter, Travis, La Fave, Meyer, Morris-Tatum, Murat and Plale.

Noes: 0.

Passage as amended:

Ayes: 13 – Representatives Ward, Hoven, Green, Lazich, Foti, Kedzie, Schafer, Sykora, Travis, La Fave, Meyer, Murat and Plale.

Noes: 2 – Representatives R. Potter and Morris-Tatum.

To committee on **Rules**.

Assembly Bill 458

Relating to: regulating the investments of trustees.

Assembly substitute amendment 1 adoption:

Ayes: 15 – Representatives Ward, Hoven, Green, Lazich, Foti, Kedzie, Schafer, Sykora, R. Potter, Travis, La Fave, Meyer, Morris–Tatum, Murat and Plale.

Noes: 0.

Passage as amended:

Ayes: 15 – Representatives Ward, Hoven, Green, Lazich, Foti, Kedzie, Schafer, Sykora, R. Potter, Travis, La Fave, Meyer, Morris–Tatum, Murat and Plale.

Noes: 0.

To committee on **Rules**.

DAVID WARD
Chairperson
Committee on Financial Institutions

The committee on **Highways and Transportation** reports and recommends:

Assembly Bill 467

Relating to: information provided to a person accused of operating a motor vehicle while under the influence of an intoxicant, controlled substance or other drug.

Passage:

Ayes: 13 – Representatives Brandemuehl, Otte, Musser, Lorge, Hahn, Zukowski, Huebsch, Sykora, Gronemus, Turner, L. Young, Riley and Steinbrink.

Noes: 0.

To committee on **Rules**.

Assembly Bill 483

Relating to: allowing the department of transportation to contract with public utilities and rural electric cooperative associations for cooperative acquisition, development or maintenance of jointly used rights-of-way.

Passage:

Ayes: 13 – Representatives Brandemuehl, Otte, Musser, Lorge, Hahn, Zukowski, Huebsch, Sykora, Gronemus, Turner, L. Young, Riley and Steinbrink.

Noes: 0.

To committee on **Rules**.

Assembly Bill 513

Relating to: the licensing of motor vehicle dealers and salespersons, sales finance companies and motor vehicle salvage dealers and providing a penalty.

Assembly amendment 1 adoption:

Ayes: 13 – Representatives Brandemuehl, Otte, Musser, Lorge, Hahn, Zukowski, Huebsch, Sykora, Gronemus, Turner, L. Young, Riley and Steinbrink.

Noes: 0.

Passage as amended:

Ayes: 12 – Representatives Brandemuehl, Otte, Musser, Lorge, Hahn, Huebsch, Sykora, Gronemus, Turner, L. Young, Riley and Steinbrink.

Noes: 1 – Representative Zukowski.

To committee on **Rules**.

Assembly Bill 518

Relating to: the operating privilege of an underage person convicted of certain alcohol-related offenses.

Assembly amendment 1 adoption:

Ayes: 13 – Representatives Brandemuehl, Otte, Musser, Lorge, Hahn, Zukowski, Huebsch, Sykora, Gronemus, Turner, L. Young, Riley and Steinbrink.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Brandemuehl, Otte, Huebsch, Sykora, Turner, Riley and Steinbrink.

Noes: 6 – Representatives Musser, Lorge, Hahn, Zukowski, Gronemus and L. Young.

To committee on **Rules**.

DAVID BRANDEMUEHL
Chairperson
Committee on Highways and
Transportation

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

Assembly Bill 328

Relating to: libelous electronic material and radio or television defamation.

Assembly substitute amendment 1 adoption:

Ayes: 8 – Representatives Green, Grothman, Freese, Vrakas, Kelso, Rutkowski, Notestein and Cullen.

Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Green, Grothman, Freese, Vrakas and Kelso.

Noes: 3 – Representatives Rutkowski, Notestein and Cullen.

To committee on **Rules**.

Assembly Bill 342

Relating to: rights of victims of crime, granting rule-making authority and providing a penalty.

Assembly amendment 1 to Assembly amendment 1 adoption:

Ayes: 8 – Representatives Green, Grothman, Freese, Vrakas, Kelso, Rutkowski, Notestein and Cullen.

Noes: 0.

Assembly amendment 1 adoption:

Ayes: 8 – Representatives Green, Grothman, Freese, Vrakas, Kelso, Rutkowski, Notestein and Cullen.

Noes: 0.

Assembly amendment 2 adoption:

Ayes: 7 – Representatives Green, Grothman, Freese, Vrakas, Kelso, Rutkowski and Notestein.

Noes: 1 – Representative Cullen.

Assembly amendment 3 adoption:

Ayes: 8 – Representatives Green, Grothman, Freese, Vrakas, Kelso, Rutkowski, Notestein and Cullen.

Noes: 0.

Assembly amendment 4 adoption:

Ayes: 8 – Representatives Green, Grothman, Freese, Vrakas, Kelso, Rutkowski, Notestein and Cullen.

Noes: 0.

Assembly amendment 5 adoption:

Ayes: 8 – Representatives Green, Grothman, Freese, Vrakas, Kelso, Rutkowski, Notestein and Cullen.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Green, Freese, Vrakas, Kelso, Rutkowski, Notestein and Cullen.

Noes: 1 – Representative Grothman.

To committee on **Rules**.

Assembly Bill 459

Relating to: making life members of the national conference of commissioners on uniform state laws Wisconsin commissioners on uniform state laws.

Passage:

Ayes: 8 – Representatives Green, Grothman, Freese, Vrakas, Kelso, Rutkowski, Notestein and Cullen.

Noes: 0.

To joint committee on **Finance**.

Assembly Bill 487

Relating to: the sale of a motor vehicle subject to a seizure for a crime related to driving while under the influence of an intoxicant or other drug and providing a penalty.

Assembly amendment 1 adoption:

Ayes: 8 – Representatives Green, Grothman, Freese, Vrakas, Kelso, Rutkowski, Notestein and Cullen.

Noes: 0.

Assembly amendment 2 adoption:

Ayes: 8 – Representatives Green, Grothman, Freese, Vrakas, Kelso, Rutkowski, Notestein and Cullen.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Green, Grothman, Freese, Vrakas, Kelso, Rutkowski, Notestein and Cullen.

Noes: 0.

To committee on **Rules**.

Assembly Bill 505

Relating to: persistent child sex offenders and providing penalties.

Assembly amendment 1 adoption:

Ayes: 6 – Representatives Green, Grothman, Freese, Kelso, Notestein and Cullen.

Noes: 2 – Representatives Vrakas and Rutkowski.

Passage as amended:

Ayes: 8 – Representatives Green, Grothman, Freese, Vrakas, Kelso, Rutkowski, Notestein and Cullen.

Noes: 0.

To committee on **Rules**.

MARK GREEN

Chairperson

Committee on Judiciary

The joint survey committee on **Retirement Systems** reports and recommends:

Assembly Bill 118

Relating to: qualified domestic relations orders under the Wisconsin retirement system.

Adoption of Report:

Ayes: 9 – Representatives Klusman, Jeskewitz and Schneider; Senators Grobschmidt, Wirsch and Rude; and Ms. Hamblen, Mr. Heineck and Mr. Stella.

Noes: 0.

To committee on **Rules**.

JUDITH KLUSMAN

Assembly Chairperson

Joint survey committee on Retirement Systems

The committee on **Ways and Means** reports and recommends:

Assembly Bill 292

Relating to: personal liability for razing costs.

Assembly amendment 1 adoption:

Ayes: 16 – Representatives M. Lehman, Jeskewitz, Goetsch, Gard, Owens, Seratti, Huebsch, F. Lasee, Powers, Wood, Black, Krug, R. Young, Turner, Ziegelbauer and Morris–Tatum.

Noes: 0.

Assembly amendment 2 adoption:

Ayes: 16 – Representatives M. Lehman, Jeskewitz, Goetsch, Gard, Owens, Seratti, Huebsch, F. Lasee, Powers, Wood, Black, Krug, R. Young, Turner, Ziegelbauer and Morris–Tatum.

Noes: 0.

Passage as amended:

Ayes: 16 – Representatives M. Lehman, Jeskewitz, Goetsch, Gard, Owens, Seratti, Huebsch, F. Lasee, Powers, Wood, Black, Krug, R. Young, Turner, Ziegelbauer and Morris–Tatum.

Noes: 0.

To committee on **Rules**.

Assembly Bill 355

Relating to: notices of higher assessments and board of review training and procedures.

Assembly substitute amendment 1 adoption:

Ayes: 15 – Representatives M. Lehman, Jeskewitz, Gard, Owens, Seratti, Huebsch, F. Lasee, Powers, Wood, Black, Krug, R. Young, Turner, Ziegelbauer and Morris–Tatum.

Noes: 1 – Representative Goetsch.

Passage as amended:

Ayes: 9 – Representatives M. Lehman, Jeskewitz, Gard, Owens, Seratti, Huebsch, F. Lasee, Powers and Ziegelbauer.

Noes: 7 – Representatives Goetsch, Wood, Black, Krug, R. Young, Turner and Morris–Tatum.

To joint committee on **Finance**.

Assembly Bill 533

Relating to: shared revenue payments for former utility property.

Assembly amendment 1 adoption:

Ayes: 16 – Representatives M. Lehman, Jeskewitz, Goetsch, Gard, Owens, Seratti, Huebsch, F. Lasee, Powers, Wood, Black, Krug, R. Young, Turner, Ziegelbauer and Morris–Tatum.

Noes: 0.

Assembly amendment 2 adoption:

Ayes: 16 – Representatives M. Lehman, Jeskewitz, Goetsch, Gard, Owens, Seratti, Huebsch, F. Lasee, Powers, Wood, Black, Krug, R. Young, Turner, Ziegelbauer and Morris–Tatum.

Noes: 0.

Passage as amended:

Ayes: 13 – Representatives M. Lehman, Jeskewitz, Goetsch, Gard, Owens, Seratti, Huebsch, F. Lasee, Powers, Wood, Black, Turner and Ziegelbauer.

Noes: 3 – Representatives Krug, R. Young and Morris–Tatum.

To committee on **Rules**.

MICHAEL LEHMAN

Chairperson

Committee on Ways and Means