



STATE OF WISCONSIN

Assembly Journal

Ninety–Third Regular Session

THURSDAY, November 13, 1997

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Joint Resolution 80** offered by committee on **Elections and Constitutional Law**.

Assembly substitute amendment 1 to **Assembly Bill 57** offered by committee on **State Affairs**.

Assembly amendment 1 to Assembly substitute amendment 2 to **Assembly Bill 215** offered by Representative Underheim.

Assembly amendment 3 to **Assembly Bill 329** offered by Representative Hoven.

Assembly substitute amendment 1 to **Assembly Bill 431** offered by committee on **Judiciary**.

Assembly amendment 1 to **Assembly Bill 445** offered by committee on **State Affairs**.

Assembly amendment 6 to Assembly substitute amendment 1 to **Assembly Bill 463** offered by committee on **Children and Families**.

Assembly amendment 1 to Assembly amendment 1 to **Assembly Bill 541** offered by committee on **Criminal Justice and Corrections**.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 96–113

Relating to water quality standards for wetlands, water quality certification and landfill location, performance and design criteria.

Submitted by Department of Natural Resources.

Report received from Agency, November 4, 1997.

To committee on **Agriculture**.

Referred on November 13, 1997.

Assembly Clearinghouse Rule 97–086

Relating to commercial feed.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, November 4, 1997.

To committee on **Agriculture**.

Referred on November 13, 1997.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 9

Relating to: memorializing Congress to enact legislation to provide for a reduced rate of postage for certain mailings that are required to be made by local governments under state or federal law.

By Representatives Brandemuehl, Musser, Ryba, Staskunas, Albers, Sykora, Urban and Owens.

To committee on **State–Federal Relations**.

Assembly Joint Resolution 81

Relating to: urging the U.S. secretary of agriculture to immediately change the federal milk pricing system.

By Representatives Sykora, Ott, Zukowski, Skindrud, Harsdorf, Gronemus, Otte, Hahn, Ward, Goetsch, Owens, Albers, Brandemuehl, Grothman, Jensen, Gunderson, Johnsrud, Kreibich, Huebsch, Black, R. Young, Green, Freese, Gard, Walker, Hebl, Dobyns, Turner, Vrakas, Hoven, Plouff, Ladwig, Urban, Hasenohrl, F. Lasee and Lorge; cosponsored by Senators Zien, Clausing, Schultz, Welch, Rude, Jauch, Wineke, A. Lasee, Drzewiecki, Decker, Fitzgerald, Grobschmidt, Farrow and Cowles.

To committee on **Rules**.

Assembly Bill 606

Relating to: the application of the business combination and the control share voting restriction provisions of the business corporation law; dry cleaning fees; the regulation of providers of domestic public commercial mobile radio service; nontarget population members; pregnancy as a preexisting condition; the date by which certain school board resolutions pertaining to the open enrollment programs must be adopted; loans made to school districts by the technology for educational achievement in Wisconsin board; the method for calculating contributions to the universal service fund; use of the universal service fund to make grants to certain school districts for telecommunications access; financial assistance for local recycling programs; funding for a boat landing located on the Wisconsin River in the town of Buena Vista; grants awarded by the environmental education board that are related to forestry; the transportation and sale of fish; reports

concerning the environmental cooperation pilot program; funding for air and solid and hazardous waste programs; studies of fish in the Great Lakes; restrictions on the placement of sexually violent persons who are granted supervised release; provision of information necessary for the administration of child support and economic support programs; copayments under the medical assistance program for specialized medical vehicle services; eligibility for child care subsidies under the Wisconsin works program; increased funding for the benefit specialist program for older individuals; the amount that a county having a population of 500,000 or more must contribute for the provision of child welfare services in that county by the department of health and family services; the photographing of a person applying for or receiving kinship care payments, of employes and prospective employes of a person applying for or receiving kinship care payments and of adult residents and prospective adult residents of the home of a person applying for or receiving kinship care payments; criminal history and abuse record searches of persons applying to the department of health and family services for a license, certification or registration to operate certain entities that care for children or adults and of employes, prospective employes, adult residents and prospective adult residents of those entities; eliminating cross-references to the Wisconsin works health plan; the indexing of the mining tax; computing the aviation fuel tax; a sales tax and use tax exemption for samples of medicine and registration for use tax purposes; tax increment sharing for tax incremental financing districts in Oshkosh that contain polluted soil; changing conflict of interest provisions and lottery participation restrictions that affect certain employes of the department of revenue; the department of revenue's expenses to administer the fee on vehicle rentals; the international fuel tax agreement; directing the department of revenue to not adjust individual income tax withholding tables and making a technical adjustment in the calculation of income tax liability by individual nonresidents and part-year residents of this state; weight limitations for vehicles and combinations of vehicles transporting bulk potatoes; specific information signs along STH 172; salary-setting authority of certain state bodies; reserve "Class B" intoxicating liquor licenses; the abolishment of the emergency response board; revocation of probation for failure to pay supervision fees owed to the department of corrections; and making an appropriation.

By committee on Rules.

To committee on **Rules**.

Assembly Bill 607

Relating to: narrowing the property tax exemption for nonprofit medical research foundations.

By Representatives Springer, Albers, F. Lasee, R. Young, Bock and J. Lehman; cosponsored by Senators Decker and Wineke.

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

Assembly Bill 608

Relating to: the payment of principal and interest for veterans cemeteries and making an appropriation.

By Representatives Musser, Plouff, Owens, Ryba, Plale, Kreuser, Zukowski, Goetsch, Skindrud, Dobyms, Travis, Hasenohrl, Turner, Brandemuehl, Gronemus, Seratti and Boyle; cosponsored by Senators Moen, Breske, Welch and Zien.

To committee on **Veterans and Military Affairs**.

Assembly Bill 609

Relating to: eliminating some of the school district and cooperative educational service agency reporting requirements and granting rule-making authority.

By Representatives Nass, Olsen, Brandemuehl, Ainsworth, J. Lehman, Harsdorf, Hasenohrl, Goetsch, Otte, Plouff, Springer, Grothman, Ryba, Urban, Bock, M. Lehman, Staskunas, Gronemus, Porter, Handrick, Meyer, Underheim, Kelso, Dobyms, Kreibich, F. Lasee, Jensen, Ladwig, Vrakas, Huber, Ward, Skindrud, Gunderson and Powers; cosponsored by Senators C. Potter, Rude, Roessler, Weeden, Rosenzweig, Breske, A. Lasee, Huelsman, Schultz, Darling, Drzewiecki and Zien.

To committee on **Mandates**.

Assembly Bill 610

Relating to: the storage and disposition of a tenant's property upon eviction.

By Representatives Robson, F. Lasee, M. Lehman, La Fave, Lorge, Ainsworth, Hebl, Turner, Goetsch, Ziegelbauer, Grothman, Musser, Green, Ladwig, Wasserman, Gunderson, Albers, Hasenohrl, Staskunas, Ott and Nass; cosponsored by Senators Weeden, Roessler, Farrow and Darling.

To committee on **Housing**.

Assembly Bill 611

Relating to: liability for damages caused by dogs used to perform law enforcement functions.

By Representatives Staskunas, Goetsch, Kreuser, Ladwig, Musser, Dobyms, Gronemus, Ainsworth, Hasenohrl, Duff, Ott, Kaufert, Plouff and Seratti; cosponsored by Senators Fitzgerald and Roessler.

To committee on **Criminal Justice and Corrections**.

Assembly Bill 612

Relating to: driver's licenses and identification cards issued by the department of transportation and anatomical donations.

By Representatives Baumgart and Ainsworth, by request of Thomas Roenitz.

To committee on **Highways and Transportation**.

COMMITTEE REPORTS

The committee on **Children and Families** reports and recommends:

Assembly Bill 463

Relating to: unborn children who are at substantial risk of serious physical injury due to the habitual lack of self-control of their expectant mothers in the use of alcohol beverages, controlled substances or controlled substance analogs, exhibited to a severe degree.

Assembly amendment 2 to Assembly substitute amendment 1 adoption:

Ayes: 4 – Representatives Huebsch, Dobyms, Ainsworth and Ladwig.

Noes: 3 – Representatives Notestein, Krug and Hebl.

Assembly amendment 4 to Assembly substitute amendment 1 adoption:

Ayes: 7 – Representatives Huebsch, Dobyms, Ainsworth, Ladwig, Notestein, Krug and Hebl.

Noes: 0.

Assembly amendment 6 to Assembly substitute amendment 1 adoption:

Ayes: 4 – Representatives Huebsch, Dobyms, Ainsworth and Ladwig.

Noes: 3 – Representatives Notestein, Krug and Hebl.

Assembly substitute amendment 1 adoption:

Ayes: 4 – Representatives Huebsch, Dobyms, Ainsworth and Ladwig.

Noes: 3 – Representatives Notestein, Krug and Hebl.

Passage as amended:

Ayes: 4 – Representatives Huebsch, Dobyms, Ainsworth and Ladwig.

Noes: 3 – Representatives Notestein, Krug and Hebl.

To committee on **Rules**.

MICHAEL HUEBSCH
Chairperson
Committee on Children and Families

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

Assembly Bill 215

Relating to: nitrous oxide and providing a penalty.

Assembly amendment 1 to Assembly substitute amendment 2 adoption:

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

Noes: 0.

Assembly substitute amendment 2 adoption:

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

Noes: 0.

Passage as amended:

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

Noes: 0.

To committee on **Rules**.

Assembly Bill 411

Relating to: burglary and providing a penalty.

Passage:

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

Noes: 0.

To committee on **Rules**.

Assembly Bill 564

Relating to: sexual assault, the controlled substance flunitrazepam and providing penalties.

Assembly amendment 2 adoption:

Ayes: 10 – Representatives Goetsch, Dobyms, Nass, Owens, Walker, F. Lasee, Jeskewitz, Huber, Baldwin and Murat.

Noes: 3 – Representatives Gunderson, Wood and Rutkowski.

Passage as amended:

Ayes: 12 – Representatives Goetsch, Dobyms, Nass, Owens, Walker, Gunderson, F. Lasee, Jeskewitz, Wood, Rutkowski, Huber and Baldwin.

Noes: 1 – Representative Murat.

To committee on **Rules**.

ROBERT GOETSCH
Chairperson
Committee on Criminal Justice and Corrections

The committee on **Elections and Constitutional Law** reports and recommends:

Assembly Joint Resolution 80

Relating to: the distribution of the net proceeds of the state lottery and certain moneys received by the state that are attributable to pari-mutuel on-track betting and bingo (first consideration).

Assembly substitute amendment 1 adoption:

Ayes: 8 – Representatives Walker, Handrick, Duff, Klusman, Freese, Baldwin, Huber and Kreuser.

Noes: 0.

Adoption as amended:

Ayes: 7 – Representatives Walker, Duff, Klusman, Freese, Baldwin, Huber and Kreuser.

Noes: 1 – Representative Handrick.

To committee on **Rules**.

SCOTT WALKER
Chairperson
Committee on Elections and Constitutional Law

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

Assembly Bill 575

Relating to: allowing audiologists to engage in the practice of fitting and selling hearing aids without obtaining a hearing instrument specialist license, continuing education for hearing instrument specialists, audiologists and speech-language pathologists and granting rule-making authority.

Passage:

Ayes: 15 – Representatives Underheim, Urban, Johnsrud, Walker, Lazich, F. Lasee, Olsen, Wieckert, Robson, Carpenter, Bock, Springer, Meyer, La Fave and Wasserman.
Noes: 0.

To committee on **Rules**.

GREGG UNDERHEIM
Chairperson
Committee on Health

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

Assembly Bill 64

Relating to: evictions of tenants in buildings used for prostitution.

Passage:

Ayes: 8 – Representatives Owens, Kedzie, Foti, Vrakas, Wieckert, La Fave, L. Young and Baldwin.
Noes: 0.

To committee on **Rules**.

CAROL OWENS
Chairperson
Committee on Housing

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

Assembly Bill 497

Relating to: seizure of motor vehicles for offenses related to driving while under the influence of an intoxicant.

Passage:

Ayes: 7 – Representatives Grothman, Freese, Vrakas, Kelso, Notestein, Hubler and Cullen.
Noes: 2 – Representatives Green and Rutkowski.

To committee on **Rules**.

MARK GREEN
Chairperson
Committee on Judiciary

The committee on **Natural Resources** reports and recommends:

Assembly Joint Resolution 48

Relating to: recognizing the importance of the Kettle Moraine.

Adoption:

Ayes: 9 – Representatives Johnsrud, Powers, Brandemuehl, Ott, Gunderson, Black, Bock, Huber and Baumgart.
Noes: 0.

To committee on **Rules**.

DUWAYNE JOHNSRUD
Chairperson
Committee on Natural Resources

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

Assembly Bill 57

Relating to: reporting by principals with respect to certain lobbying activities, voluntary registration by certain persons with the ethics board, compilation and use of certain information provided to the ethics board, making an appropriation and providing a penalty.

Assembly substitute amendment 1 adoption:

Ayes: 8 – Representatives Skindrud, Ward, Underheim, M. Lehman, Owens, L. Young, Wood and Murat.
Noes: 1 – Representative Boyle.

Passage as amended:

Ayes: 8 – Representatives Skindrud, Ward, Underheim, M. Lehman, Owens, L. Young, Wood and Murat.
Noes: 1 – Representative Boyle.

To committee on **Rules**.

RICK SKINDRUD
Chairperson
Committee on State Affairs