



# STATE OF WISCONSIN

# Assembly Journal

## Ninety–Third Regular Session

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TUESDAY, December 23, 1997

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

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### AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 436** offered by Representative Handrick.

Assembly substitute amendment 1 to **Assembly Bill 437** offered by Representative Handrick.

Assembly substitute amendment 1 to **Assembly Bill 493** offered by Representatives Goetsch and Steinbrink.

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### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 97–082**

Relating to parking.  
Submitted by Department of Administration.  
Report received from Agency, December 9, 1997.  
To committee on **Government Operations**.  
Referred on December 23, 1997.

#### **Assembly Clearinghouse Rule 97–113**

Relating to atrazine use restrictions.  
Submitted by Department of Agriculture, Trade and Consumer Protection.  
Report received from Agency, December 9, 1997.  
To committee on **Agriculture**.  
Referred on December 23, 1997.

#### **Assembly Clearinghouse Rule 97–116**

Relating to multiple trip mobile home permits.  
Submitted by Department of Transportation.  
Report received from Agency, December 9, 1997.  
To committee on **Highways and Transportation**.  
Referred on December 23, 1997.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Bill 668**

Relating to: changing rental unit energy efficiency requirements and creating a procedure for issuing citations for failure to comply with existing stipulations Relating to rental unit energy efficiency requirements.

By Representatives Olsen, Vrakas, Dobyms, Sykora, Boyle, Grothman, Hasenohrl, Huebsch, Meyer, Springer, Underheim, Kaufert, Walker, Ward, L. Young and Turner; cosponsored by Senators Shibilski, Fitzgerald, C. Potter and Zien.

To committee on **Housing**.

#### **Assembly Bill 669**

Relating to: repealing the rejection of federal preemption over state interest rate provisions.

By Representatives Kedzie, Ward, Hoven, Jensen, Ladwig, Gunderson, Lorge, Hahn, Olsen, Springer and Seratti; cosponsored by Senators Welch and Weeden.

To committee on **Financial Institutions**.

#### **Assembly Bill 670**

Relating to: dispensing or giving cigarettes or tobacco products to, or procuring cigarettes or tobacco products for, persons under the age of 18 and providing a penalty.

By Representatives F. Lasee, Musser, Kreibich, Staskunas, Ladwig, Ott, Wasserman, Ryba, Robson and Powers; cosponsored by Senators Drzewiecki, Darling, Clausing and Roessler.

To committee on **Small Business and Economic Development**.

#### **Assembly Bill 671**

Relating to: increasing the time period to serve a responsive pleading.

By Representatives Green, Albers, Musser and Hasenohrl; cosponsored by Senators Huelsman, Rosenzweig and Darling.

To committee on **Judiciary**.

#### **Assembly Bill 672**

Relating to: transportation project plats.

By Representatives Grothman, Albers, Brandemuehl, Dobyms, Gard, Goetsch, Green, Gunderson, Hahn, Hebl,

Klusman, Lorge, Musser, Ott and R. Young; cosponsored by Senators Welch and Schultz.

To committee on **Urban and Local Affairs**.

**Assembly Bill 673**

Relating to: requirements for managed care plans and granting rule-making authority.

By Representatives Wasserman, R. Potter, Ladwig, Urban, Johnsrud, Bock, Gunderson, Black, Brandemuehl, Robson, Ward, Linton, Kaufert, Travis, Seratti, Baldwin, Lorge, Baumgart, Dobyns, Hebl, Hahn, J. Lehman, Musser, Notestein, Ourada, Ryba, Owens, Vander Loop, Hasenohrl, Cullen, R. Young, Porter and Turner; cosponsored by Senators Roessler, Wirsch, Rosenzweig, C. Potter, Schultz, Wineke, Welch, Clausing, Drzewiecki, Darling and Panzer.

To committee on **Health**.

**Assembly Bill 674**

Relating to: special education programs for children with disabilities and granting rule-making authority.

By committee on Education, by request of State Superintendent of Public Instruction John Benson.

To committee on **Education**.

**Assembly Bill 675**

Relating to: coverage of, and prohibiting requiring prior authorization for, treatment of an emergency medical condition.

By Representatives Johnsrud, Robson, Bock, Wasserman, Brandemuehl, Notestein, R. Young, Musser and Turner; cosponsored by Senators Wineke, Clausing and Panzer.

To committee on **Health**.

**Assembly Bill 676**

Relating to: special event campground permits issued by the department of health and family services.

By Representatives Johnsrud, Ward, Ainsworth, Goetsch, Owens, Brandemuehl, Dobyns, Musser, Zukowski, Seratti, Ladwig and Powers; cosponsored by Senators Rude, Schultz, Moen, Zien, Roessler and A. Lasee.

To committee on **Urban and Local Affairs**.

**Assembly Bill 677**

Relating to: requiring headlights and other required lamps on vehicles to be lighted during periods of rain, snow, sleet, hail or impaired visibility.

By Representatives Reynolds, Ladwig, Baumgart, F. Lasee, Ainsworth, Bock, J. Lehman, Gronemus, Hasenohrl, R. Young, Kreuser, Ryba, Boyle, Harsdorf and Powers; cosponsored by Senators Roessler and A. Lasee.

To committee on **Highways and Transportation**.

**Assembly Bill 678**

Relating to: testing of blood for alcohol content in motor vehicle accidents involving a fatality or great bodily harm and providing a penalty.

By Representatives Reynolds, Black, Ladwig, Staskunas, Bock and Olsen.

To committee on **Highways and Transportation**.

**Assembly Bill 679**

Relating to: the fair hearing process under Wisconsin works.

By Representatives Notestein, R. Young, Plale, Hanson, Riley, Robson, Black, La Fave, Boyle, Staskunas and R. Potter; cosponsored by Senators Moore, Plache and Wineke.

To committee on **Wisconsin Works Oversight**.

**Assembly Bill 680**

Relating to: operating a motor vehicle while operating a mobile telecommunications device and providing a penalty.

By Representatives Otte, Baumgart, Musser, Hasenohrl, Skindrud, Ainsworth, R. Young, Bock and La Fave; cosponsored by Senator C. Potter.

To committee on **Highways and Transportation**.

**Assembly Bill 681**

Relating to: dispute settlement procedures in local government employment other than law enforcement and fire fighting employment.

By Representatives Baldwin, Wood, Linton, Ryba, Plouff, J. Lehman, Boyle, Riley, Bock, Hanson, R. Young, Black and Reynolds; cosponsored by Senators Shibilski, Wineke, Burke, George, Breske, Risser and Clausing.

To committee on **Ways and Means**.

**Assembly Bill 682**

Relating to: providing information about policy cancellation.

By Representatives Schneider, Owens, Ziegelbauer, Ainsworth, L. Young, Otte, Hasenohrl, Gronemus, Musser, R. Young, Boyle and Coggs; cosponsored by Senator Roessler.

To committee on **Insurance, Securities and Corporate Policy**.

**Assembly Bill 683**

Relating to: seating for employes

By Representatives Schneider, J. Lehman, Musser, R. Young, Ryba and Coggs.

To committee on **Small Business and Economic Development**.

**Assembly Bill 684**

Relating to: increasing a school district's revenue limit for debt service incurred to comply with an order issued by a court or by a state or federal agency.

By Representatives Schneider, J. Lehman, Gronemus, Robson, Ryba and Plouff; cosponsored by Senators Shibilski and Breske.

To committee on **Ways and Means**.

**Assembly Bill 685**

Relating to: prohibiting school boards from selling advertising space.

By Representatives Schneider and J. Lehman.

To committee on **Education**.

**COMMITTEE REPORTS**

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

**Assembly Bill 139**

Relating to: veterans benefits for veterans who are delinquent in child or spousal support, maintenance, medical expenses or birth expenses.

Assembly amendment 1 to Assembly substitute amendment 1 adoption:

Ayes: 9 – Representatives Huebsch, Dobyns, Goetsch, Ainsworth, Ladwig, R. Young, Notestein, Krug and Hebl.  
Noes: 0.

Assembly amendment 2 to Assembly substitute amendment 1 adoption:

Ayes: 9 – Representatives Huebsch, Dobyns, Goetsch, Ainsworth, Ladwig, R. Young, Notestein, Krug and Hebl.  
Noes: 0.

Assembly substitute amendment 1 adoption:

Ayes: 9 – Representatives Huebsch, Dobyns, Goetsch, Ainsworth, Ladwig, R. Young, Notestein, Krug and Hebl.  
Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Huebsch, Dobyns, Goetsch, Ainsworth, Ladwig, R. Young, Notestein, Krug and Hebl.  
Noes: 0.

To committee on **Rules**.

**Assembly Bill 191**

Relating to: granting credit against child or family support.

Passage:

Ayes: 6 – Representatives Huebsch, Dobyns, Goetsch, Ainsworth, Ladwig and Hebl.  
Noes: 3 – Representatives R. Young, Notestein and Krug.

To committee on **Rules**.

**Assembly Bill 510**

Relating to: filing a certified copy of a petition and order for hearing for guardianship with the register of deeds, requiring a historical society to pay a register of deeds to record the society's articles of incorporation and requiring certain documents that are recorded with a register of deeds to be legible.

Passage:

Ayes: 9 – Representatives Huebsch, Dobyns, Goetsch, Ainsworth, Ladwig, R. Young, Notestein, Krug and Hebl.  
Noes: 0.

To committee on **Rules**.

*MICHAEL HUEBSCH*  
Chairperson  
Committee on Children and Families

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

**Assembly Bill 588**

Relating to: defining the practice of nursing to include acting under the direction of optometrists.

Assembly substitute amendment 1 adoption:

Ayes: 14 – Representatives Underheim, Johnsrud, Walker, Lazich, Handrick, F. Lasee, Olsen, Wieckert, Robson, Bock, Springer, Meyer, La Fave and Wasserman.  
Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Underheim, Johnsrud, Walker, Lazich, Handrick, F. Lasee, Olsen, Wieckert, Robson, Bock, Springer, Meyer, La Fave and Wasserman.  
Noes: 0.

To committee on **Rules**.

*GREGG UNDERHEIM*  
Chairperson  
Committee on Health

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

**Assembly Bill 496**

Relating to: the counting of convictions, suspensions and revocations related to driving while under the influence of an intoxicant.

Assembly amendment 1 adoption:

Ayes: 12 – Representatives Brandemuehl, Otte, Musser, Lorge, Hahn, Zukowski, Huebsch, Sykora, Hasenohrl, Turner, Ryba and Steinbrink.  
Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Brandemuehl, Otte, Hahn, Huebsch, Turner, Ryba and Steinbrink.  
Noes: 5 – Representatives Musser, Lorge, Zukowski, Sykora and Hasenohrl.

To joint committee on **Finance**.

**Assembly Bill 554**

Relating to: transporting children in open cargo areas of certain motor trucks.

Assembly substitute amendment 1 adoption:

Ayes: 12 – Representatives Brandemuehl, Otte, Musser, Lorge, Hahn, Zukowski, Huebsch, Sykora, Hasenohrl, Turner, Ryba and Steinbrink.  
Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Brandemuehl, Otte, Musser, Hahn, Zukowski, Huebsch, Sykora, Hasenohrl, Turner, Ryba and Steinbrink.  
Noes: 1 – Representative Lorge.

To committee on **Rules**.

**Assembly Bill 592**

Relating to: exempting vehicles that are used to deliver household goods or pump septic or holding tanks from special or seasonal weight limitations.

Assembly substitute amendment 1 adoption:

Ayes: 12 – Representatives Brandemuehl, Otte, Musser, Lorge, Hahn, Zukowski, Huebsch, Sykora, Hasenohrl, Turner, Ryba and Steinbrink.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Brandemuehl, Otte, Musser, Lorge, Hahn, Zukowski, Sykora, Hasenohrl, Turner, Ryba and Steinbrink.

Noes: 1 – Representative Huebsch.

To committee on **Rules**.

*DAVID BRANDEMUEHL*  
Chairperson  
Committee on Highways and  
Transportation

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

**Assembly Bill 163**

Relating to: release of a person convicted of a misdemeanor pending appeal.

Passage:

Ayes: 6 – Representatives Green, Grothman, Freese, Vrakas, Kelso and Huber.

Noes: 3 – Representatives Notestein, Hubler and Cullen.

To joint committee on **Finance**.

**Assembly Bill 289**

Relating to: requiring a parent to provide medical and medical history information if the parent is not granted legal custody of a child.

Assembly substitute amendment 1 adoption:

Ayes: 9 – Representatives Green, Grothman, Freese, Vrakas, Kelso, Huber, Notestein, Hubler and Cullen.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Green, Grothman, Freese, Vrakas, Kelso, Huber, Notestein, Hubler and Cullen.

Noes: 0.

To joint committee on **Finance**.

**Assembly Bill 415**

Relating to: the factors to be considered by a court when sentencing a person convicted of a crime.

Assembly amendment 1 adoption:

Ayes: 9 – Representatives Green, Grothman, Freese, Vrakas, Kelso, Huber, Notestein, Hubler and Cullen.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Green, Grothman, Freese, Vrakas, Kelso, Huber, Notestein, Hubler and Cullen.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 605**

Relating to: sexual intercourse or sexual contact with a child and providing a penalty.

Passage:

Ayes: 9 – Representatives Green, Grothman, Freese, Vrakas, Kelso, Huber, Notestein, Hubler and Cullen.

Noes: 0.

To committee on **Rules**.

*MARK GREEN*  
Chairperson  
Committee on Judiciary

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

**Assembly Bill 609**

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

Passage:

Ayes: 8 – Representatives Nass, Jeskewitz, Kreibich, Seratti, Ziegelbauer, Ryba, Kreuser and Staskunas.

Noes: 0.

To committee on **Rules**.

*STEPHEN NASS*  
Chairperson  
Committee on Mandates

**EXECUTIVE COMMUNICATIONS**

State of Wisconsin  
Office of the Governor  
Madison

December 19, 1997

To the Honorable Members of the Assembly:

The following bills, originating in the Assembly, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
<b>Assembly Bill 532</b>	29	December 19, 1997
<b>Assembly Bill 11</b>	51	December 19, 1997

**Assembly Bill 179** ..... 52 ..... December 19, 1997  
**Assembly Bill 187** ..... 53 ..... December 19, 1997  
**Assembly Bill 280** ..... 54 ..... December 19, 1997  
**Assembly Bill 283** ..... 55 ..... December 19, 1997  
**Assembly Bill 305** ..... 56 ..... December 19, 1997  
**Assembly Bill 385** ..... 57 ..... December 19, 1997

RL 97-6 Legislation on Prevention of Child Abuse and Neglect  
 (1997 Senate Bill 378 and Assembly Bill 665)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available, on request, in the Legislative Council Staff offices, One East Main, Suite 401, or from our web page at [www.legis.state.wi.us/lc/jlcrecs.html](http://www.legis.state.wi.us/lc/jlcrecs.html).

Respectfully submitted,  
*TOMMY G. THOMPSON*  
 Governor

Sincerely,  
*DAVID J. STUTE*  
 Director

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**COMMUNICATIONS**

December 19, 1997

Assembly Speaker Scott Jensen  
 Room 211 West  
 State Capitol

Dear Speaker Jensen:

As the Chair of the Assembly Children and Families Committee, I have created a working group to address concerns with Assembly Bill 651, relating to child support collections. Representatives John Dobyms, Rebecca Young, Barbara Notestein and myself have volunteered to serve on this group.

Thank you for your attention to this matter.

Sincerely,  
*MIKE HUEBSCH*  
 State Representative

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State of Wisconsin  
 Joint Legislative Council  
 Madison

December 19, 1997

Mr. Charles R. Sanders  
 Assembly Chief Clerk  
 1 East Main Street, Suite 402  
 Madison, WI 53702

Dear Charles:

I am pleased to transmit to you the following report to the 1997 Legislature on legislation introduced by the Joint Legislative Council:

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**AGENCY REPORTS**

State of Wisconsin  
 Legislative Audit Bureau  
 Madison

December 18, 1997

To the Honorable, the Assembly:

We have completed an audit of the local Government Property Insurance Fund, as required by state statute. The Fund provides property insurance to local units of government and is administered by the Office of the Commissioner of Insurance. We have issued an unqualified opinion on the Property Fund's fiscal year 1994-95, 1995-96, and 1996-97 financial statements.

Copies of the audit report have been distributed to members of the Joint Legislative Audit Committee and those required by law to receive them. If you are interested in receiving a copy of this report, please contact our office and request report 97-22.

Sincerely,  
*DALE CATTANACH*  
 State Auditor