



# STATE OF WISCONSIN Assembly Journal

## Ninety-Fourth Regular Session

10:00 A.M.

TUESDAY, July 27, 1999

The Assembly met in the Assembly Chamber located in the State Capitol.

Representative Pettis in the chair.

The Assembly dispensed with the call of the roll.

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### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 98-034**

Relating to ability to and availability for work, unemployment insurance (UI) notices and forms, and exceptional circumstances for failing to apply for UI.

Submitted by Department of Workforce Development.

Report received from Agency, July 15, 1999.

To committee on **Labor and Employment**.

Referred on July 26, 1999.

#### **Assembly Clearinghouse Rule 98-090**

Relating to the transmission and receipt of electronic prescription orders.

Submitted by Department of Regulation and Licensing.

Report received from Agency, July 8, 1999.

To committee on **Health**.

Referred on July 26, 1999.

#### **Assembly Clearinghouse Rule 98-197**

Relating to applications for discharge permits and water quality standards variances.

Submitted by Department of Natural Resources.

Report received from Agency, July 19, 1999.

To committee on **Natural Resources**.

Referred on July 27, 1999.

#### **Assembly Clearinghouse Rule 98-202**

Relating to the emergency assistance program.

Submitted by Department of Workforce Development.

Report received from Agency, July 15, 1999.

To committee on **Children and Families**.

Referred on July 26, 1999.

#### **Assembly Clearinghouse Rule 98-203**

Relating to the training of income maintenance workers.

Submitted by Department of Workforce Development.

Report received from Agency, July 15, 1999.

To committee on **Children and Families**.

Referred on July 26, 1999.

#### **Assembly Clearinghouse Rule 98-205**

Relating to the administration of day care funds.

Submitted by Department of Workforce Development.

Report received from Agency, July 15, 1999.

To committee on **Children and Families**.

Referred on July 26, 1999.

#### **Assembly Clearinghouse Rule 99-016**

Relating to the education required of licensed dental hygienists to receive a certificate to administer local anesthesia to patients.

Submitted by Department of Regulation and Licensing.

Report received from Agency, July 8, 1999.

To committee on **Health**.

Referred on July 26, 1999.

#### **Assembly Clearinghouse Rule 99-021**

Relating to incorporating federal nitrogen oxides (NOx) emission requirements into the department's air pollution control program.

Submitted by Department of Natural Resources.

Report received from Agency, July 19, 1999.

To committee on **Environment**.

Referred on July 27, 1999.

#### **Assembly Clearinghouse Rule 99-046**

Relating to emission limitations for motor vehicles.

Submitted by Department of Natural Resources.

Report received from Agency, July 19, 1999.

To committee on **Environment**.

Referred on July 27, 1999.

#### **Assembly Clearinghouse Rule 99-084**

Relating to the administration of the forest crop law and the managed forest law.

Submitted by Department of Natural Resources.

Report received from Agency, July 19, 1999.

To committee on **Rural Affairs and Forestry**.

Referred on July 27, 1999.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 68**

Relating to: the life and public service of Delmar E. DeLong.

By Representative Kedzie; cosponsored by Senator Robson.

To committee on **Rules**.

#### **Assembly Bill 421**

Relating to: facsimile explosive devices and providing a penalty.

By Representatives Kreuser, Rhoades, Steinbrink, Porter, Ainsworth, Carpenter, Gunderson, Hahn, Hasenohrl, Kelso, J. Lehman, Musser, Plale, Plouff, Suder and Turner; cosponsored by Senators Wirch, Rosenzweig, Darling and Roessler.

To committee on **Criminal Justice**.

#### **Assembly Bill 422**

Relating to: bag and possession limits for panfish in the boundary waters between Iowa and this state.

By Representatives Johnsrud, Brandemuehl, Gronemus, Gunderson, Petrowski, Hahn and Owens; cosponsored by Senators Schultz, Clausing, Rude, Baumgart, Cowles and Farrow.

To committee on **Natural Resources**.

#### **Assembly Bill 423**

Relating to: regulating fishing tournaments and granting rule-making authority.

By Representatives Johnsrud, Sykora, Albers, Kreibich, Hutchison, Hahn, Gronemus and Gunderson; cosponsored by Senators Rude, Cowles, Farrow, Schultz and Baumgart.

To committee on **Natural Resources**.

#### **Assembly Bill 424**

Relating to: exempting sales of United States flags and state flags from the sales tax and the use tax.

By Representatives Balow, Schneider, Sherman, Musser, Bock, Ainsworth, Black, Berceau, Boyle, Plouff, Suder, J. Lehman, Plale, Sykora, Riley, Gundrum and Reynolds; cosponsored by Senators Chvala and Zien.

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

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## **COMMUNICATIONS**

State of Wisconsin  
Joint Legislative Council  
Madison

July 22, 1999

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 1999 Legislature on legislation introduced by the Joint Legislative Council:

RL 99-1      Legislation on Capture of Federal Resources  
(1999 Assembly Bills 417, 418 and 419)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available at 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).

Sincerely,  
*DAVID J. STUTE*  
Director

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## **REFERRAL OF AGENCY REPORTS**

State of Wisconsin  
Department of Regulation and Licensing  
Madison

**DATE:** July 1, 1999

**TO:** Governor Tommy G. Thompson  
Appropriate Standing Committees

**FROM:** Department of Regulation and Licensing  
and Medical Examining Board  
[1997 Act 311](#) Implementation Committee

**SUBJECT:** Study Regarding Education and Training  
of Physicians

[1997 Wisconsin Act 311](#) mandated a joint study by the Medical Examining Board and Wisconsin medical schools of whether the physicians licensed by the medical examining board are sufficiently informed, educated or trained about advances in techniques and procedures for making a diagnosis or providing treatment.

Marlene A. Cummings, Secretary of the Department of Regulation and licensing, assembled an implementation committee to plan and conduct a meeting to respond to the mandate. She appointed Dr. Barbara Showers, Director, Office of Examinations to serve as the coordinator and the Medical Examining Board appointed Dr. Sidney Johnson to serve as the Chair of the Committee.

Representatives of the legislature, the Medical Examining Board, the Department of Regulation and Licensing, the medical schools, residency programs, hospitals, health maintenance organizations, continuing medical education providers, equipment providers, medical liability insurers, and the State Medical Society convened on March 24, 1999 to discuss the issues and determine whether there were any recommendations for proposed legislation.

The conclusions were:

- \* *Credentialing by hospitals and insurers is critical to safe practice by physicians. The review process that takes place in these settings should remain and be protected.*
- \* *Voluntary certification programs being developed by the American Medical Association (AMAP) and the American Board of Medical Specialties (ABMS) may permit physicians who are not now reviewed by hospitals*

*and insurers to obtain a review of their practice similar to those in institutional settings.*

\* *Further legislation is not needed at this time.*

The Medical Examining Board will continue to maintain information on disciplinary actions and stipulations. This information will be reviewed periodically to determine whether any trends emerge that may call for legislative action.

Referred to committee on **Health**.

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State of Wisconsin  
Department of Natural Resources  
Madison

July 15, 1999

To the Honorable, the Legislature:

As directed by the Legislature in Section 9137 of 1997 Wisconsin Act 27, I am submitting on behalf of the Department of Natural Resources proposed legislation to encourage the practice of sustainable forestry.

Enclosed is a proposal that was developed by the Department in collaboration with a wide array of individuals and groups with an interest in Wisconsin's forests. I am pleased to say that there is widespread agreement that it is in the public interest to keep forestland as forestland. The Natural Resource Board approved this proposal at their most recent meeting.

This process has already afforded us a valuable opportunity to work with many of our partners and customers to begin to address the tensions that exist between issues such as resource management, resource protection, private rights and local ordinances and zoning. We look forward to working with the Legislature and our other partners as this proposal moves forward.

Sincerely,  
GEORGE E. MEYER  
Secretary

Referred to committee on **Rural Affairs and Forestry**.

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State of Wisconsin  
Department of Commerce  
Madison

July 22, 1999

To the Honorable, the Assembly:

We are pleased to submit to you, the Recycling Market Development Board Quarterly Report for April through June 1999. In accordance to the statutory requirement, the Recycling Market Development Board is submitting the

Quarterly Report to the Senate Chief Clerk and the Assembly Chief Clerk, for your review.

Thank you for giving us the opportunity to update you on the Recycling Market Development Board activities. We hope this report will answer any questions you may have, as well as demonstrate the accomplishments we have made in our constant efforts to develop and sustain recycling markets in Wisconsin.

If you have any further questions or comments, please contact me at (608) 267-9360.

Sincerely,  
GAIL MILLER WRAY  
Executive Director, Recycling Market  
Development Board

Referred to committee on **Environment**.

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## AGENCY REPORTS

Southeast Wisconsin  
Professional Baseball Park District  
Milwaukee

July 22, 1999

To the Honorable, the Legislature:

Enclosed please find the Miller Park Monthly Progress Report for the month of June 1999 for your review and consideration. As the enclosed report indicates, Miller Park continues to develop with the District Board's "four for four" objectives of building a quality facility, on time, within budget and with strong community participation.

As always, please feel free to contact me if you should have any question or comments regarding the enclosed report.

Very truly yours,  
MICHAEL R. DUCKETT, P.E., R.L.S.  
Executive Director

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## REFERENCE BUREAU CORRECTIONS

### Assembly Bill 380

1. Page 59, line 12: substitute "s:" for "s."
2. Page 59, line 13: delete "757.68 (1)" and substitute "757.68 sub. (1)".

### Assembly Resolution 11

1. Page 2, line 9: after "federal" insert a comma.
  2. Page 2, line 10: delete "state," and substitute "state".
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**ADJOURNMENT**

Representative Underheim moved that the Assembly stand adjourned until 10:00 A.M. on Thursday, July 29.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

10:01 A.M.