

STATE OF WISCONSIN
Assembly Journal
Ninety-First Regular Session

WEDNESDAY, January 12, 1994

The chief clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly substitute amendment 2 to **Assembly Joint Resolution 3** offered by Representative Wood.

Assembly amendment 2 to **Assembly Bill 343** offered by Representative Ladwig.

Assembly substitute amendment 2 to **Assembly Bill 349** offered by committee on Criminal Justice and Public Safety.

Assembly substitute amendment 2 to **Assembly Bill 586** offered by Representative Baldus.

Assembly amendment 1 to **Assembly Bill 738** offered by Representative Wirch.

Assembly substitute amendment 2 to **Assembly Bill 769** offered by Representative Underheim.

Assembly amendment 1 to **Assembly Bill 797** offered by committee on Criminal Justice and Public Safety.

Assembly substitute amendment 1 to **Assembly Bill 855** offered by Representative Schneider.

Assembly amendment 1 to **Assembly Bill 865** offered by committee on Natural Resources.

Assembly substitute amendment 1 to **Assembly Bill 870** offered by Representative Bock.

ADMINISTRATIVE RULES

Read and referred:

Assembly Clearinghouse Rule 93-83

Relating to financial standards and security requirements for fruit and vegetable contractors.

Submitted by Department of Agriculture, Trade and Consumer Protection.

To committee on Agriculture, Forestry and Rural Affairs.

Referred on January 10, 1994.

Assembly Clearinghouse Rule 93-149

Relating to laboratory certification and registration, preservation procedures and laboratory procedures.

Submitted by Department of Natural Resources.

To committee on Natural Resources.

Referred on January 10, 1994.

Assembly Clearinghouse Rule 93-180

Relating to licensing of family day care centers.

Submitted by Department of Health and Social Services.

To committee on Children and Human Services.

Referred on January 10, 1994.

Assembly Clearinghouse Rule 93-198

Relating to the hazardous pollution prevention audit grant program.

Submitted by Department of Development.

To committee on Natural Resources.

Referred on January 10, 1994.

Assembly Clearinghouse Rule 93-209

Relating to motorcycle instruction courses and motorcycle instruction permits.

Submitted by Department of Transportation.

To committee on Highways.

Referred on January 10, 1994.

INTRODUCTION AND REFERENCE
OF PROPOSALS

Read first time and referred:

Assembly Bill 1024

Relating to removing the requirement that insurers provide uninsured motorist coverage in every motor vehicle insurance policy.

By Representatives Brancel, Ainsworth, Freese, Klusman, Ladwig, Holperin, Huber, Lehman, Musser, Porter, Lorge, Ryba, Seratti, Underheim and Zukowski, cosponsored by Senators Weeden, Huelsman, Lorman, Lekan, George and Jauch.

To committee on Insurance, Securities and Corporate Policy.

Assembly Bill 1025

Relating to the responsibility of participants in recreational activity.

By Representatives Brancel, Seratti, Silbaugh, Ainsworth, Albers, Gronemus, Hahn, Brandemuehl, Coleman, Freese, Gard, Goetsch, Harsdorf, Hasenohrl, Klusman, Ladwig, Lehman, Meyer, Musser, Nass, Ott, Otte, Owens, Ryba, Schneiders and Swoboda, cosponsored by Senators Huelsman, Buettner, Farrow, Lasee, Lorman, Rosenzweig and Panzer.

To committee on Insurance, Securities and Corporate Policy.

Assembly Bill 1026

Relating to increasing a school district's revenue limit if state aid to the school district is increased based on more accurate data.

By Representative Grobschmidt.
To committee on Ways and Means.

Assembly Bill 1027

Relating to human waste on land owned by the department of natural resources and granting rule-making authority.

By Representatives Johnsrud, Hahn; Gruszynski, Brandemuehl, Freese and Albers, cosponsored by Senators Cowles and Schultz.

To committee on Natural Resources.

Assembly Bill 1028

Relating to the eligibility for group health insurance for state employes participating under the Wisconsin retirement system.

By Representatives Hanson, Holperin, Ziegelbauer, Ladwig, Boyle, Goetsch, Travis, Robson, Bock, R. Young, Morris-Tatum, Potter, Grobschmidt, Notestein, Plombon, Schneiders, Brandemuehl, Seratti, Harsdorf, Gronemus and Baldwin, cosponsored by Senators Chvala, Risser, Buettner, Rosenzweig, Panzer, Huelsman and Farrow.

To committee on State Affairs.

Assembly Bill 1029

Relating to selection of officers of county political party committees and members of congressional district political party committees.

By Representative Potter, cosponsored by Senator Plewa.

To committee on Elections, Constitutional Law and Corrections.

Assembly Bill 1030

Relating to the lower Wisconsin state riverway concerning performance standards for structures and mobile homes, permit procedures of the counties in the riverway and of the lower Wisconsin state riverway board, recreational trails and mining and quarrying activities; granting rule-making authority; and providing exemptions from emergency rule-making procedures.

By Representatives Brandemuehl, Freese, Bolle, Hahn, Seratti, Ainsworth and Johnsrud, cosponsored by Senators Rude and Darling.

To committee on Natural Resources.

Assembly Bill 1031

Relating to reasons for pupil expulsions.

By Representatives Brandemuehl, Harsdorf, Duff, Gronemus, Coleman, Nass, Ryba, Otte, Schneiders, Ott, Vrakas, Green, Silbaugh, Ladwig, Goetsch, Owens, Boyle and Musser, cosponsored by Senators Leean, Petak and Weeden.

To committee on Education.

Assembly Bill 1032

Relating to allowing tax increments under the tax incremental financing program to be shifted between districts for environmental remediation.

By Representatives Kreuser, Wirsch and Porter, cosponsored by Senator Andrea.

To committee on Ways and Means.

Assembly Bill 1033

Relating to permissible investments of certain local units of government.

By Representatives Baldus, Ott, Prosser and Krug, cosponsored by Senators Darling, Lorman, Burke and Wineke.

To committee on Insurance, Securities and Corporate Policy.

Assembly Bill 1034

Relating to granting visitation rights during the pendency of a paternity proceeding.

By Representatives Huber, Ott, Plombon, Lehman, Hahn, Silbaugh, Ziegelbauer and Reynolds, cosponsored by Senators Breske, Panzer and Cowles.

To committee on Judiciary.

Assembly Bill 1035

Relating to approval for the adoption of voting machines or electronic voting systems by county clerks or boards of election commissioners and the format of certain paper ballots.

By Representatives Huber, Baldwin, Lehman, Roberts, Ourada, Turner, Springer, Freese, Notestein, Zukowski, Baldus, Ryba and Plache, cosponsored by Senator Wineke.

To committee on Elections, Constitutional Law and Corrections.

Assembly Bill 1036

Relating to exempting lottery operation vendors from the conflict of interest prohibitions under the racing and pari-mutuel wagering law.

By Representatives Kunicki, Kreuser and Freese, cosponsored by Senators Ellis, Andrea and Petak.

To Special Committee on Gambling Oversight.

COMMITTEE REPORTS

The committee on Children and Human Services reports and recommends:

Assembly Bill 470

Relating to the membership of the child abuse and neglect prevention board.

Passage: Ayes: (6) Noes: (0)

To committee on Rules.

Assembly Bill 554

Relating to income that may be retained by a medical assistance beneficiary who is in an institution.

Passage: Ayes: (6) Noes: (0)

To Joint Committee on Finance.

Assembly Bill 823

An act relating to supplementing funding for the nonfederally funded portion of the foster grandparent project and making an appropriation.

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Passage: Ayes: (6) Noes: (0)
To Joint Committee on Finance.

REBECCA YOUNG
Chairperson

The Joint Survey Committee on Retirement Systems reports and recommends:

Assembly Bill 768

Relating to granting the Milwaukee federated library system the same powers as multicounty library systems and eligibility to participate in the Wisconsin retirement system and in certain other benefit plans offered by the state.

Adoption of report: Ayes: (9) Noes: (0)
To committee on Education.

MARK MEYER
Assembly Chairperson

COMMUNICATIONS

State of Wisconsin
Elections Board
Madison

December 15, 1993

To the Honorable the Assembly:

Dear Mr. Melvin:

Please be advised that Glenn Grothman of 111 South 6th Avenue, West Bend, Wisconsin 53095, was elected Representative to the Assembly at the Special Election held in the 59th Assembly District of the State of Wisconsin on December 7, 1993.

Also, enclosed is a copy of the signed official canvass for the election of Representative to the Assembly from the 59th Assembly District.

Sincerely,
KEVIN J. KENNEDY
Executive Director
State Elections Board

CERTIFICATE OF ELECTION

I, Kevin J. Kennedy, Executive Director of the State Elections Board of the State of Wisconsin, certify that

GLENN GROTHMAN

was elected to the office of

REPRESENTATIVE TO THE ASSEMBLY

from the Fifty-Ninth Assembly District of the State of Wisconsin, for the unexpired term of two years commencing on January 4, 1993 and ending on January 2, 1995, to fill the vacancy created by the resignation of Mary E. Panzer, as shown on the official canvass of the

votes cast at the Special Election held on December 7, 1993.

Done in the City of Madison,
this 15th day of December, 1993.

KEVIN J. KENNEDY
Executive Director
State Elections Board

COMMUNICATIONS

December 2, 1993

Representative David Prosser
Room 21 North, State Capitol
P.O. Box 8953
Madison, WI 53708

Dear David:

This letter is to confirm my resignation from the Children and Human Services Committee, per our recent conversation.

Serving on the Children and Human Services Committee has been an excellent, challenging experience, but I feel that my true interests lie elsewhere.

I would like to reiterate my belief that Bonnie Ladwig would make an excellent ranking member on the CHS committee. Her Chairmanship of the Racine County Board's Human Services committee has given her a clear understanding of key issues faced by the CHS committee, such as juvenile justice.

Bonnie's depth of understanding on these issues, her always thorough preparation and the large amount of time she already dedicates to committee work have demonstrated her readiness to take on this responsibility.

Thank you in advance for your assistance with these matters.

Sincerely,
JUDY KLUSMAN
State Representative

December 28, 1993

Honorable Walter Kunicki
Speaker of the Wisconsin State Assembly
Room 212 North, State Capitol
Madison, WI 53702

Dear Speaker Kunicki:

With my recent election as the Assembly Republican Caucus Chairperson, I will be resigning my seat from the Elections, Constitutional Law and Corrections Committee. I will be assuming my Caucus Chair duties on January 4th, 1994 and I would like to be off the committee by that same date.

If you have any questions, please feel free to contact me. Thank you for your time and consideration.

Sincerely,
SCOTT R. JENSEN
State Representative

December 29, 1993

The Honorable Walter Kunicki
Speaker, Wisconsin State Assembly
Room 212 North, State Capitol
P.O. Box 8952
Madison, WI 53708

Dear Speaker Kunicki:

I am writing to inform you that I am resigning from the Special Committee on Welfare Reform.

Thank you for your attention to this matter. If you have any questions, please contact my office.

With best regards,
SUSAN B. VERGERONT
State Representative
60th Assembly District

January 4, 1994

Representative Walter Kunicki
Speaker of the Wisconsin Assembly
Room 212 North, State Capitol
P.O. Box 8952
Madison, WI 53708

Dear Speaker Kunicki:

Please accept my resignation from the Assembly Judiciary Committee. I have agreed to accept an assignment to the Assembly Health Committee.

Sincerely,
MARY A. LAZICH
State Representative
84th Assembly District

SPEAKER'S APPOINTMENTS

January 7, 1994

Representative Glenn Grothman
100 N. Hamilton, Room 416
P.O. Box 8952
Madison, WI 53708

Dear Representative Grothman:

Congratulations on your election to the Wisconsin State Assembly. As Speaker of the Assembly, it is my pleasure to notify you of your committee assignments. Following are your appointments, which are effective immediately:

Committee on Judiciary
Committee on Urban Education
Special Committee on Welfare Reform

I look forward to working with you during the upcoming session.

Sincerely,
WALTER KUNICKI
Assembly Speaker

January 7, 1994

Representative Scott Walker
100 N. Hamilton, Room 418
P.O. Box 8953
Madison, WI 53708

Dear Representative Walker:

Due to the resignation of Representative Scott Jensen from the Elections, Constitutional Law and Corrections Committee, it is my pleasure as Speaker of the Assembly to appoint you to this committee to fill his vacancy.

This appointment is effective immediately.

Sincerely,
WALTER KUNICKI
Assembly Speaker

January 7, 1994

Representative Susan Vergeront
15 North, State Capitol
P.O. Box 8953
Madison, WI 53708

Dear Representative Vergeront:

Due to the resignation of Representative Judy Klusman from the Children and Human Services Committee, it is my honor as Speaker of the Assembly to appoint you to fill her vacancy.

This appointment is effective immediately.

Sincerely,
WALTER KUNICKI
Assembly Speaker

January 7, 1994

Representative Mary Lazich
100 N. Hamilton, Room 401
P.O. Box 8952
Madison, WI 53708

Dear Representative Lazich:

Due to the resignation of Representative Peggy Rosenzweig from the Wisconsin State Assembly, it is my honor as Speaker of the Assembly to appoint you to the Health Committee to fill her vacancy.

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This appointment is effective immediately.

Sincerely,
WALTER KUNICKI
Assembly Speaker

January 11, 1994

Representative Richard Skindrud
100 N. Hamilton, Room 410
P.O. Box 8953
Madison, WI 53708

Dear Representative Skindrud:

Due to the resignation of Representative David Ward from the Tourism and Recreation Committee, it is my pleasure as Speaker of the Assembly to appoint you to this committee to fill his vacancy.

This appointment is effective immediately.

Sincerely,
WALTER KUNICKI
Assembly Speaker

COMMUNICATIONS

December 28, 1993

Mr. Thomas Melvin
Assembly Chief Clerk
1 East Main, Ste. 402
Madison, Wisconsin 53702

Dear Tom:

I am pleased to transmit to you the following reports to the 1993 Legislature on legislation introduced by the Legislative Council:

RL 93-13 Legislation on Sexual Harassment
(1993 Assembly Bills 981, 982, 983 and 984)

RL 93-14 Legislation on Drainage District Laws
(1993 Assembly Bill 994)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of these reports are available, on request, in the Legislative Council offices, One East Main, Suite 401.

Sincerely,
DAVID J. STUTE
Director

January 6, 1994

Mr. Thomas Melvin
Assembly Chief Clerk
1 East Main, Ste. 402
Madison, Wisconsin 53702

Dear Tom:

I am pleased to transmit to you the following report to the 1993 Legislature on legislation introduced by the Legislative Council:

RL 93-16 Legislation on Women Offenders in the Correctional System
(1993 Assembly Bills 996 and 997)

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 offices, One East Main, Suite 401.

Sincerely,
DAVID J. STUTE
Director

January 11, 1994

Mr. Thomas Melvin
Assembly Chief Clerk
1 East Main, Ste. 402
Madison, Wisconsin 53702

Dear Tom:

I am pleased to transmit to you the following report to the 1993 Legislature on legislation introduced by the Legislative Council:

RL 93-15 Legislation on Rail Facilities and Services
(1993 Assembly Bills 964, 965 and 966)

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 offices, One East Main, Suite 401.

Sincerely,
DAVID J. STUTE
Director

State of Wisconsin
Department of Revenue
Madison

September 30, 1993

To the Honorable the Legislature:

I am pleased to submit this study of the use value assessment of agricultural land in compliance with s. 9148 of 1993 WI Act 16 (the 1993-95 State Budget).

This report describes Wisconsin's current farmland assessment practices and examines the ramifications of

converting to a use-value assessment method. In addition to documenting some of the underlying economic, demographic and other issues that have focused interest on this issue, the study profiles use-value assessment methods proposed or adopted in neighboring states. Finally, the report describes a use-value assessment system for Wisconsin and outlines likely impacts on property assessments, state aid distribution and property tax burdens.

I hope that this study, prepared by the department's Property Tax Bureau, will provide a framework for a constructive discussion about this timely and important issue.

Sincerely,
MARK D. BUGHER
Secretary of Revenue

State of Wisconsin
Department of Public Instruction
Madison

December 23, 1993

To the Honorable the Legislature:

As required by s. 118.37, Wis. Stats., enclosed is the statewide evaluation report of the postsecondary enrollment options (PSEO) program. The legislation requires the State Superintendent of Public Instruction to conduct an evaluation of the educational and fiscal effects of the PSEO program. To provide information for the evaluation, all school districts were asked to complete a survey form, PI-8702 by August 31, 1993, for the time period of July 1, 1992 to June 30, 1993. The survey form asked districts about their impressions and participation in the program while also soliciting their written comments and suggestions. Districts provided demographic and specific student information and responded to questions in the following areas:

- * Did the district establish additional course offerings as a result of PSEO?
- * Were courses cancelled as a result of PSEO?
- * Did the district realize savings in the costs for teachers, books, etc.?
- * Is the legislation viewed as positive?
- * Did students or parents evaluate the PSEO program?
- * Has transportation restricted participation in PSEO?
- * Has PSEO had an effect on student scheduling?

There were 364 school districts that responded to the survey, however, gaps do exist in the data since all the school districts did not consistently answer every question. The summary totals and a complete listing of actual comments from school districts regarding the PSEO program are included as separate documents in this report. The data summaries together with the

richness of information in the comments do provide a view from the school districts about PSEO.

There were 733 students that applied to participate in the PSEO program, and when school districts answered the question regarding whether or not the legislation was viewed favorably, 154 responses indicated yes and 115 indicated no. The overwhelming majority of school districts did not cancel local courses as a result of PSEO. There were 50 responses indicating that additional courses, sections, or programs were established as a result of the PSEO. In asking if PSEO had an effect on student scheduling, 233 responses indicated they did not and 45 felt they did. Most school districts did not realize any savings in the costs for teachers, books, or materials. Neither parents or students have been active in evaluating the PSEO program. There were 87 responses indicating that transportation restricted students from participation in the program and 196 responses indicating this was not a problem.

The Department of Public Instruction also handled appeals when a pupil disagreed with the school board's decision regarding comparability of courses, satisfaction of high school graduation requirements or the number of high school credits to be awarded. To date there have been 9 appeals, of which two were withdrawn, 3 were upheld in favor of the pupil, 1 was upheld for 3 of 5 courses requested, and 3 were denied.

The comments/suggestions section of the school district survey provided revealing qualitative data about the school districts' perception of the program. Every comment is included in the summary document. The responses are broken down into categories that indicate either support of, or concerns with, the PSEO program. Several responses were especially revealing and are offered below:

"The Post Secondary Enrollment Options program provided an opportunity for a variety of students to participate in various courses offered at institutions of higher education throughout the Fox River Valley. Students were able to begin work in vocational and technical areas that they were interested in pursuing following their high school graduation."

"Parents are realizing an opportunity to have their student experience a head start on post secondary education at a financial savings to them."

"This legislation provided students with a resource to pursue courses in math and music that extended beyond our curriculum and which were not economical for us to offer. It also enabled us to place a special education student at North Central Technical College in a transitional program that established his readiness to pursue higher education."

"PSEO is not very practical in our district. We are at least 30 miles from any post secondary institution and students would lose two class hours just in traveling time."

"Students in rural areas have a transportation problem." In addition, the travel time cuts into the school day too

much. (A student would have to take off 1/2 day of school to participate and receive credit for one class.)

"The law as written causes the school district to pay the cost of post high school education for the student. This is not fair to the taxpayers of the district."

This report begins to establish initial trends about PSEO and serves as a foundation of information to enable educators, parents, taxpayers, and government officials to make better informed decisions about meeting the educational needs of our children. The department will continue to gather and record anecdotal information about PSEO in order to further assess program effectiveness. It is recommended that after one more year of program implementation, the department conduct a review of all existing evaluation data to determine if additional statutory or rule changes will be needed. Additional specific data analysis is available upon request by contacting Ken Brittingham at 266-2829.

Wisconsin has a rich tradition of excellence in public education, yet we must continuously strive to improve if we are to meet the many challenges that face us. My hope is that this report will help us in this collective effort as we pursue educational excellence for all children in Wisconsin.

Sincerely,
JOHN T. BENSON
State Superintendent, DPI

December 30, 1993

Thomas Melvin, Chief Clerk
Wisconsin Assembly
Suite 402, One East Main Street
P.O. Box 8952
Madison, WI 53708

Dear Mr. Melvin:

We are pleased to submit a joint report on primary care as required under Section 9140 (nonstatutory provisions) of 1993 Wisconsin Act 16.

It should be noted that this report has not yet been reviewed by the University of Wisconsin Board of Regents. Regent consideration of the report will take place in February 1994.

Sincerely yours,
RICHARD A. COOPER, M.D.
Dean, Medical College of
Wisconsin

LAURENCE J. MARTON, M.D.
Dean, University of Wisconsin
Medical School

State of Wisconsin
Legislative Audit Bureau
Madison

January 4, 1994

To the Honorable the Assembly:

We have audited the financial statements of the Wisconsin Educational Communications Board Radio and Television Networks for the year ended June 30, 1993 and have issued our reports on these statements.

This audit was requested by the Wisconsin Educational Communications Board to fulfill the audit requirements of the Corporation for Public Broadcasting. The Corporation requires audited financial statements of public broadcasting entities and certification of these entities' non-federal revenue sources in determining future funding levels.

The audit reports include no major findings, conclusions, or recommendations and, in our judgment, are not likely to be of interest to most members of the Legislature.

Copies of the audit reports have been distributed to members of the Joint Audit Committee and those required by law to receive copies. If you are interested in receiving copies of the audit reports, please contact our office and request report numbers 93-31 and 93-32.

Sincerely,
DALE CATTANACH
State Auditor

REFERENCE BUREAU CORRECTIONS

Assembly Bill 955

Page 5, line 16: delete "s."