

STATE OF WISCONSIN  
**Assembly Journal**  
Ninety-First Regular Session

MONDAY, February 14, 1994

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 84** offered by committee on Trade, Science and Technology.

Assembly substitute amendment 1 to **Assembly Bill 312** offered by committee on Insurance, Securities and Corporate Policy.

Assembly substitute amendment 1 to **Assembly Bill 900** offered by committee on Children and Human Services.

ADMINISTRATIVE RULES

Read and referred:

**Assembly Clearinghouse Rule 93-107**

Relating to the sale of medicare supplement insurance in Wisconsin.

Submitted by Office of the Commissioner of Insurance.

To committee on Insurance, Securities and Corporate Policy.

Referred on February 14, 1994.

**Assembly Clearinghouse Rule 93-135**

Relating to deer shooting/depredation permit program.

Submitted by Department of Natural Resources.

To committee on Natural Resources.

Referred on February 14, 1994.

**Assembly Clearinghouse Rule 93-150**

Relating to solid waste operator certification.

Submitted by Department of Natural Resources.

To committee on Natural Resources.

Referred on February 14, 1994.

**Assembly Clearinghouse Rule 93-167**

Relating to mercury emission standards.

Submitted by Department of Natural Resources.

To committee on Environmental Resources.

Referred on February 14, 1994.

INTRODUCTION AND REFERENCE  
OF PROPOSALS

Read first time and referred:

**Assembly Joint Resolution 121**

Relating to removing from the constitution unnecessary references to the masculine gender (first consideration).

By Representatives Johnsrud, Baldwin, Urban, Lehman, Black, Bock, Musser, Krug, Ott, Springer, Kaufert, Holperin and Boyle, cosponsored by Senators Rude, Potter, Cowles, Clausung and Lorman.

To committee on Elections, Constitutional Law and Corrections.

**Assembly Joint Resolution 122**

Relating to celebrating March 1, 1994, as St. David's Day.

By Representatives Owens, Stower, Ladwig, Grobschmidt, Grothman, Duff, Coleman, Baldus, Skindrud, Hahn, Lorge, Boyle, Walker, Welch, Underheim and Silbaugh, cosponsored by Senators Breske, Zien, Andrea and Wineke.

To committee on Rules.

**Assembly Bill 1127**

Relating to the calculation of a retirement annuity for educational support personnel employes participating in the Wisconsin retirement system.

By Representatives Meyer, Grobschmidt, Holperin, Notestein, Springer, Plombon, Boyle, Dobyns, Huber, La Fave, Hahn, Lorge, Musser, Hasenohrl, Goetsch, Baldwin, Albers, Roberts, Schneiders, Ryba, Robson, Black, Stower, Wirch, Plache, Freese and Gronemus, cosponsored by Senators Breske and Burke.

To Joint Survey Committee on Retirement Systems.

**Assembly Bill 1128**

Relating to changing the qualifications for converting a partial year of creditable service to a full year of creditable service under the Wisconsin retirement system for the purpose of determining an annuity reduction.

By Representatives Meyer, Grobschmidt, Plache, Baldwin, Albers, Boyle, Hahn, Ryba, Roberts, Robson, Black, Notestein, Lorge, Stower, Wirch, Freese and Gronemus, cosponsored by Senators Breske and Burke.

To Joint Survey Committee on Retirement Systems.

**Assembly Bill 1129**

Relating to classifying state probation and parole officers as protective occupation participants for the purposes of the Wisconsin retirement system.

By Representatives Meyer, Baldwin, Ziegelbauer, Holperin, Musser, Swoboda, Goetsch, La Fave, Ryba, Boyle, Lorge, Albers, Dobyns, Underheim and Deininger, cosponsored by Senators Helbach, Decker, Breske, Clausung and Schultz.

To Joint Survey Committee on Retirement Systems.

**Assembly Bill 1130**

Relating to prohibited gaming practices and the retention of certain wagering funds by racetrack licensees.

By Special Committee on Gambling Oversight.  
To Special Committee on Gambling Oversight.

**Assembly Bill 1131**

Relating to leaves of absence for certain state employes to participate in providing certain disaster relief services.

By Representatives Schneider, Walker, Musser, Plombon, Turner, Duff, Bock, Holperin, Seratti, Carpenter, Baldwin, Springer and Stower, cosponsored by Senators Clausing, Potter and Jauch.

To committee on State Affairs.

**Assembly Bill 1132**

Relating to creating a Kickapoo valley reserve and a Kickapoo valley governing board, providing an exemption from rule-making procedures, making appropriations, granting rule-making authority and providing a penalty.

By Representatives Johnsrud, Black, Gronemus, Musser, Roberts, Brandemuehl, Meyer, Albers and Freese, cosponsored by Senators Rude, Cowles, Schultz, Moen, Burke and Clausing.

To committee on Natural Resources.

**Assembly Bill 1133**

Relating to a filled area in the Flambeau river in the city of Ladysmith.

By Representative Reynolds, cosponsored by Senator Decker.

To committee on Natural Resources.

**Assembly Bill 1134**

Relating to excluding municipal bond interest from modified adjusted gross income in determining the taxable portion of social security benefits.

By Representatives Cullen, Carpenter, Boyle and Potter.

To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 1135**

Relating to substitution of judges in criminal cases.

By Representatives Owens, Kaufert, Lazich, Ladwig, Duff, Goetsch, Vergeront, Brandemuehl, Schneiders, Urban, Musser, Dobyns, Ainsworth, Jensen, Green, Klusman, Beal, Vrakas, Lehman, Seratti, Silbaugh, Ward and Walker, cosponsored by Senators Huelsman, Darling, Schultz and Leean.

To committee on Judiciary.

**Assembly Bill 1136**

Relating to fishing seasons for certain persons and granting rule-making authority.

By Representatives Krusick, Bock, Kaufert, Notestein, Potter and Ryba, cosponsored by Senators Rosenzweig and Burke.

To committee on Tourism and Recreation.

**Assembly Bill 1137**

Relating to various changes in the provisions regarding police relief associations.

By Representatives Krusick, Carpenter, Duff, Grobschmidt, Kaufert, Krug, La Fave, Lorge, Notestein, Schneiders and Turner, cosponsored by Senators Burke and Rosenzweig.

To committee on Insurance, Securities and Corporate Policy.

**Assembly Bill 1138**

Relating to requiring the deposit of certain withholding from lottery winnings in the lottery fund.

By Representatives Seratti, Gard, Freese, Jensen, Ladwig, Lazich, Goetsch, Ryba, Baldus, Hahn, Ward, Zukowski, Duff, Silbaugh, Otte, Vergeront, Albers and Walker, cosponsored by Senators Petak, Zien, Moore and Breske.

To Special Committee on Gambling Oversight.

**Assembly Bill 1139**

Relating to the distribution of food coupons in Milwaukee county under the food stamp program.

By Representatives Cullen, Nass, Grobschmidt, Krusick, Turner, Boyle, Ott, Plache, Musser, Albers and Schneiders, cosponsored by Senators Burke, Andrea and Plewa.

To Special Committee on Welfare Reform.

**Assembly Bill 1140**

Relating to requiring employers to establish safety and health programs and joint employer-employee safety and health committees and to provide employee safety and health training, requiring construction employers to establish safety and health programs and to provide employee safety and health training, requiring certain safety and health measures on construction projects, prohibiting employers from discharging or otherwise discriminating against employes who attempt to enforce any rights under this act or who refuse to perform dangerous tasks, creating an office of construction safety, health and education and a construction safety and health council in the department of industry, labor and human relations, granting rule-making authority, making an appropriation and providing penalties.

By Representatives Robson, L. Young, Plache, Carpenter, Roberts, Notestein, Black, Baldwin, Baldus, Springer, Wirch, Bock, Vander Loop, Grobschmidt, Hanson, Kreuser, La Fave, Bell, Goetsch, Boyle, Potter, Riley, Ott, Plombon, Holperin, Kaufert, Cullen, Stower and R. Young, cosponsored by Senators Burke, Moen, Chvala, Moore, Risser, Jauch, Plewa, Potter, Wineke and Andrea.

To committee on Labor and Job Training.

**Assembly Bill 1141**

Relating to the registration of unregulated day care providers, fraudulent misrepresentation that a person is licensed to operate a day care center and providing penalties.

By Representatives Deininger, Holperin, Schneiders, Huber, Musser, Bell, Owens, Boyle, Duff, Riley, Hahn,

Cullen, Turner and Ward, cosponsored by Senators Wineke, Lasee, Risser, Drzewiecki, Burke and Clausing.  
To committee on Children and Human Services.

**Assembly Bill 1142**

Relating to increasing the jurisdictional amount in small claims actions and decreasing the fees paid when filing certain documents in small claims actions.

By Representatives Deininger, Cullen, Grothman, Holperin, Roberts, Wood, Harsdorf, Albers, Hahn, Stower, Plache, Brandemuehl, Kaufert, Silbaugh, Ainsworth, Ladwig, Owens and Lorge, cosponsored by Senators Huelsman, Burke, Buettner and Zien.

To committee on Judiciary.

**Assembly Bill 1143**

Relating to the reporting and investigation of child abuse or neglect that occurs out of a child's home, restraining and enjoining child abuse that takes place in a care or services setting and providing a penalty.

By Representatives Deininger, Bell, Huber, Musser, Holperin, Duff, Cullen, Schneiders, Boyle, Hahn, Turner, Riley, Owens, Plombon and Ward, cosponsored by Senators Wineke, Drzewiecki, Burke, Lasee and Clausing.

To committee on Children and Human Services.

**Assembly Bill 1144**

Relating to grounds for suspending or expelling a pupil from school.

By Representatives Travis, Grobschmidt, Duff, Plache, Brandemuehl, Ziegebauer, Swoboda, Springer and Otte, cosponsored by Senators Petak, Potter and Jauch.

To committee on Education.

**Assembly Bill 1145**

Relating to itemization of certain in-kind contributions to candidates for state or local office.

By Representatives Otte, Baldwin, Deininger, Schneider, Vrakas, Baumgart, Grothman, Swoboda, Goetsch, Ryba, Ott, Owens, Vander Loop, Seratti, Ainsworth, Bolle, Ladwig, Lazich, Hahn, Zukowski, Johnsrud, Brandemuehl and Krosnicki, cosponsored by Senators Lasee and Zien.

To committee on Elections, Constitutional Law and Corrections.

**Assembly Bill 1146**

Relating to calculating child support on the basis of both parents' incomes.

By Representatives Ainsworth, Seratti, Hahn, Musser, Duff, Lehman, Roberts, Goetsch, Owens, Johnsrud, Albers, Ott, Brancel, Nass, Kaufert, Ourada and Schneider, cosponsored by Senators Drzewiecki, Breske, Rude and George.

To committee on Judiciary.

**Assembly Bill 1147**

Relating to judicial review of orders of school district reorganization.

By Representatives Grobschmidt and Ott, cosponsored by Senator Potter.

To committee on Education.

**Assembly Bill 1148**

Relating to the procedure for enforcing certain environmental laws, granting rule-making authority and providing penalties.

By Representatives Notestein, Holperin, Black, Robson, Huber, Boyle, R. Young, Hinkfuss, La Fave, Carpenter, Hanson, Riley, Baldwin, Bell, Plache and Cullen, cosponsored by Senators Burke, Risser and Moore.

To committee on Natural Resources.

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COMMITTEE REPORTS

The committee on Aging and Long Term Care reports and recommends:

**Assembly Bill 901**

An act relating to authorizing additional positions for the long-term care ombudsman program of the board on aging and long-term care and making an appropriation.

Passage: Ayes: (7) Noes: (3)

To Joint Committee on Finance.

PEGGY KRUSICK

Chairperson

The committee on Elections, Constitutional Law and Corrections reports and recommends:

**Assembly Clearinghouse Rule 93-143**

Relating to personal property of inmates.

Objection to DOC 309.35 (3), (4) and (6):

Ayes: (6) Noes: (3)

To Joint Committee for Review of Administrative Rules.

TAMMY BALDWIN

Chairperson

The committee on Health reports and recommends:

**Assembly Bill 247**

Relating to establishing a single-payer, publicly financed health care system for residents of this state, creating the department of health planning and finance, health policy board and regional health councils and establishing duties of the health policy board.

Passage: Ayes: (9) Noes: (7)

To Joint Committee on Finance.

**Assembly Bill 837**

Relating to permitting the opportunity to obtain hospital staff privileges to certain certified psychologists.

Passage: Ayes: (17) Noes: (0)

To committee on Rules.

**Assembly Bill 881**

Relating to prohibiting smoking in shopping malls.

Passage: Ayes: (16) Noes: (1)  
To committee on Rules.

**Assembly Bill 882**

Relating to the reporting of occupational health problems to the department of health and social services, the dissemination by that department of information regarding occupational health problems, granting rule-making authority and providing penalties.

Passage: Ayes: (9) Noes: (8)  
To committee on Rules.

**Assembly Bill 989**

Relating to the regulation of smoking in multifamily dwellings.

Passage: Ayes: (15) Noes: (2)  
To committee on Rules.

JUDITH ROBSON  
Chairperson

The committee on Insurance, Securities and Corporate Policy reports and recommends:

**Assembly Bill 312**

Relating to factors used by insurers to set rates and premiums for certain motor vehicle insurance policies and granting rule-making authority.

Adoption of assembly substitute amendment 1:  
Ayes: (9) Noes: (5)

Passage: Ayes: (8) Noes: (6)  
To committee on Rules.

**Assembly Bill 960**

Relating to premium rates for credit life insurance and credit accident and sickness insurance.

Passage: Ayes: (13) Noes: (1)  
To committee on Rules.

**Assembly Bill 1066**

Relating to an additional income category for a premium and deductible reduction subsidy under the health insurance risk-sharing plan, adjusting income categories to reflect changes in the consumer price index and making an appropriation.

Passage: Ayes: (12) Noes: (2)  
To Joint Committee on Finance.

AL BALDUS  
Chairperson

The committee on Trade, Science and Technology reports and recommends:

**Assembly Bill 84**

Relating to the discipline of state employees based on surveillance.

Adoption of assembly substitute amendment 1:  
Ayes: (7) Noes: (0)

Passage: Ayes: (7) Noes: (0)  
To committee on Rules.

MARLIN SCHNEIDER  
Chairperson

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MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

**Assembly Bill 233**  
**Assembly Bill 311**  
**Assembly Bill 336**  
**Assembly Bill 756**  
**Assembly Bill 816**  
**Assembly Joint Resolution 81**

Passed and asks concurrence in:

**Senate Bill 285**  
**Senate Bill 340**  
**Senate Bill 472**  
**Senate Bill 473**  
**Senate Bill 564**  
**Senate Bill 598**  
**Senate Bill 600**  
**Senate Bill 608**  
**Senate Bill 619**

Concurred in as amended:

**Assembly Bill 819** (Senate amendments 1, 2 and 3 adopted)

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ACTION ON THE SENATE MESSAGE

**Assembly Bill 819**

Relating to a right from the start grant program, the early childhood family education center grant program and making appropriations.

By Representatives Coggs, Robson, Bell, Meyer, Morris-Tatum, Riley, L. Young, Turner, Cullen, Notestein, Bock, Baldwin, Potter, Springer, Plache, Hinkfuss, Grobschmidt, Baldus, Black, Hanson, R. Young, Carpenter, Gruszynski, Krusick, La Fave, Schneiders, Klusman, Urban, Beal, Silbaugh, Dobyns, Vrakas, Jensen, Musser, Wilder, Lazich, Vergeront, Underheim and Freese, cosponsored by Senators Darling, Burke, Buettner, Plewa, Rosenzweig, Clausing, Petak, Helbach, Huelsman, Risser, Adelman, Farrow, Moore, Moen, George and Lorman.

To committee on Rules.

**Senate Bill 285**

Relating to designating and marking a certain bridge as the "Badger Chapter of the 82nd Airborne Division Bridge".

By Senators Helbach, Breske, Moen and Zien; cosponsored by Representatives Gruszynski, Stower,

Boyle, Potter, Riley, Lorge, Ryba, Zukowski, Welch, Green and Seratti.

To committee on Highways.

**Senate Bill 340**

Relating to a custodial parent moving with, or removing, a child after divorce.

By Senators Weeden, Petak, George, Huelsman, Breske, Lorman, Rosenzweig and Zien; cosponsored by Representatives Wood, Roberts, Musser, Schneider, Reynolds, Albers, Underheim, Brandemuehl, Ryba, Seratti and Green.

To committee on Children and Human Services.

**Senate Bill 472**

An act to repeal, renumber, amend and revise various provisions of the statutes for the purpose of reconciling conflicts, correcting and clarifying references and repelling unintended repeals (Revisor's Correction Bill).

By Law Revision Committee.

To committee on State Affairs.

**Senate Bill 473**

An act relating to repealing, consolidating, renumbering, amending and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting and clarifying references, eliminating unnecessary and obsolete provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

By Law Revision Committee.

To committee on State Affairs.

**Senate Bill 564**

Relating to classifying ephedrine as a schedule III controlled substance.

By Senators Drzewiecki, Breske, Cowles, Huelsman, Darling, Buettner, Lasee and Zien; cosponsored by Representatives Seratti, Musser, Ainsworth, Ryba, Duff, Green, Ward, Gruszynski, Urban, Ladwig, Silbaugh, La Fave, Goetsch, Walker, Lehman, Hanson, Brandemuehl, Holperin, Lorge, Wirch, Ourada, Boyle, Zukowski, Harsdorf, Otte, Albers, Freese, Ott, Owens, Riley, Klusman and Ziegelbauer.

To committee on Judiciary.

**Senate Bill 598**

Relating to hunting of deer by members of the armed forces.

By Senators Breske, Zien, Schultz, Farrow and Petak; cosponsored by Representatives Gronemus, Ryba, Lorge, Turner, Dobyns, Nass, Stower, Wirch and Boyle.

To committee on Tourism and Recreation.

**Senate Bill 600**

Relating to waiver of fees for fishing approvals.

By Senators Breske, Farrow, Jauch, Darling, Helbach and Zien; cosponsored by Representatives

Ryba, Musser, Hasenohrl, Turner, Lorge, Dobyns, Vergeront, Meyer, Boyle, Springer and Ourada.

To committee on Tourism and Recreation.

**Senate Bill 608**

An act relating to revising various provisions of the statutes for the purpose of deleting, replacing or otherwise modifying language that discriminates on the basis of sex (Revisor's Correction Bill).

By Law Revision Committee.

To committee on State Affairs.

**Senate Bill 619**

Relating to practice requirements for applicants for a professional counseling certificate.

By committee on Health, Human Services and Aging.

To committee on Health.

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COMMUNICATIONS

State of Wisconsin  
Legislative Audit Bureau  
Madison

February 9, 1994

To the Honorable the Legislature:

We have completed a process evaluation of case management services offered to Learnfare program participants during the 1992-93 school year in ten counties, as required by the Interagency Agreement between the Legislative Audit Bureau and the Department of Health and Social Services and by the terms and conditions of the federal waiver authorizing the Learnfare program.

We found that overall, only an estimated 14.1 percent of teenagers in their counties' target populations because of their attendance problems chose to work with case managers to identify the reasons for their poor school attendance so that supportive services could be provided. Many potential clients are believed to refuse service offers because they are receiving similar services or do not want assistance. While we found examples of diligent efforts to provide case management services, these tended to be exceptions to the procedures used in most counties. Improvements are needed in efforts to encourage teenagers and their families to accept case management services; the quality of case management assessments of family problems and service needs; cooperation among case managers, providers of other services and schools; and case monitoring to ensure service is delivered and addresses the teenagers' attendance problems.

While the initial design of the program allowed counties to develop their own methods for providing case management services, we found that most have not done so systematically. If effective services are to be provided, we believe case managers need more specific written guidance from the Department. The Department

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responded to this need by creating a *Learnfare Case Management Manual* to be provided to counties early in 1994. The Department will need to review county efforts to strengthen case management services and to required modifications to 1995 county case management plans if improvements are not made.

We appreciate the courtesy and cooperation we received from department and county staff and the various

contract agencies working with counties to deliver case management services. We have included a profile of each county we reviewed in Appendices VII through XVI.

Respectfully submitted,  
DALE CATTANACH  
State Auditor