



# STATE OF WISCONSIN Assembly Journal

Ninety–Second Regular Session

WEDNESDAY, April 3, 1996

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

The following is a list of Assembly bills, joint resolutions and resolutions in the possession of the Assembly at the end of floorperiod IX on March 28, 1996 and, therefore, adversely disposed of pursuant to **Assembly Joint Resolution 95**:

**Assembly Bills** 3, 4, 5, 9, 11, 12, 14, 16, 17, 19, 20, 23, 25, 27, 28, 29, 30, 31, 33, 35, 38, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 58, 59, 62, 63, 64, 65, 66, 68, 71, 72, 74, 75, 76, 77, 79, 80, 81, 82, 84, 85, 86, 89, 90, 92, 93, 94, 97, 98, 99, 102, 105, 106, 107, 108, 109, 111, 112, 113, 114, 118, 120, 121, 122, 123, 125, 127, 128, 129, 131, 132, 133, 135, 136, 137, 139, 141, 142, 143, 144, 147, 149, 153, 155, 156, 157, 158, 160, 161, 163, 165, 170, 171, 172, 174, 176, 177, 178, 179, 180, 182, 187, 190, 191, 192, 193, 194, 197, 198, 199, 200, 203, 204, 210, 212, 216, 218, 220, 221, 223, 224, 225, 226, 227, 228, 232, 236, 239, 246, 248, 249, 250, 253, 255, 257, 258, 259, 260, 262, 263, 266, 267, 268, 269, 270, 272, 273, 274, 275, 277, 279, 282, 284, 285, 286, 287, 288, 292, 293, 294, 295, 296, 297, 298, 300, 301, 302, 304, 305, 306, 307, 308, 309, 310, 313, 314, 315, 316, 318, 319, 320, 321, 322, 323, 324, 327, 329, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 365, 366, 368, 369, 371, 372, 373, 374, 376, 377, 380, 381, 382, 383, 387, 388, 390, 392, 394, 396, 397, 398, 402, 403, 404, 408, 409, 411, 412, 413, 414, 415, 420, 421, 422, 423, 425, 426, 431, 432, 433, 434, 435, 436, 439, 442, 443, 446, 447, 449, 450, 453, 455, 456, 457, 460, 461, 462, 463, 464, 468, 472, 474, 475, 476, 478, 480, 482, 485, 486, 488, 489, 490, 492, 493, 494, 496, 499, 500, 501, 503, 504, 507, 508, 512, 513, 514, 515, 516, 518, 519, 521, 522, 524, 527, 529, 531, 533, 536, 537, 538, 539, 541, 542, 543, 549, 551, 558, 559, 561, 563, 564, 565, 566, 567, 572, 574, 576, 577, 581, 582, 586, 587, 588, 589, 592, 594, 596, 597, 600, 604, 611, 612, 614, 615, 616, 618, 620, 626, 627, 629, 631, 632, 633, 635, 636, 637, 638, 641, 645, 646, 647, 649, 650, 651, 654, 655, 656, 657, 659, 661, 662, 663, 668, 669, 670, 672, 673, 674, 675, 686, 688, 689, 691, 692, 694, 695, 696, 697, 698, 699, 700, 701, 702, 704, 706, 710, 711, 712, 713, 714, 715, 716, 717, 720, 723, 724, 725, 726, 729, 730, 731, 732, 735, 737, 738, 741, 743, 744, 746, 747, 749, 750, 751, 752, 753, 755, 757, 758, 761, 763, 764, 766, 767, 768, 769, 770, 771, 772, 777, 778, 780, 783, 784, 785, 787, 788, 789, 791, 794, 796, 797, 798, 799, 800, 803, 804, 805, 806, 807, 809, 812, 813, 818, 819, 822, 826, 828, 835, 837, 838, 839, 854, 856, 857, 859, 862, 864, 867, 868, 870, 871, 872, 874, 875, 877, 878, 880,

881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 893, 894, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 911, 915, 916, 917, 920, 921, 922, 925, 929, 931, 932, 933, 935, 936, 937, 938, 939, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 956, 957, 958, 959, 962, 963, 964, 965, 967, 968, 970, 971, 972, 973, 974, 975, 976, 977, 978, 980, 981, 982, 983, 984, 985, 986, 990, 991, 994, 995, 996, 997, 998, 999, 1001, 1002, 1003, 1005, 1006, 1007, 1010, 1012, 1013, 1014, 1015, 1016, 1017, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1029, 1030, 1031, 1032, 1035, 1037, 1038, 1039, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1049, 1051, 1052, 1053, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1077, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094

**Assembly Joint Resolutions** 4, 9, 10, 13, 20, 22, 24, 26, 27, 28, 29, 31, 32, 35, 36, 38, 41, 45, 49, 50, 52, 54, 55, 56, 57, 61, 76, 84, 90

**Assembly Resolutions** 3, 4, 5, 6, 7, 8, 9, 15, 17, 18, 19, 20, 21, 22, 24, 26

## ADMINISTRATIVE RULES

### Assembly Clearinghouse Rule 95–113

Relating to the rights of patients receiving treatment for mental illness, a developmental disability, alcohol abuse or dependency or other drug abuse or dependency and standards for grievance procedures for these patients.

Submitted by Department of Health and Social Services .

Report received from Agency, March 22, 1996.

To committee on **Children and Families**.

Referred on April 2, 1996.

## MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

**Senate Joint Resolution 54**

**Senate Joint Resolution 58**

**Senate Joint Resolution 59**

Passed and asks concurrence in:

**Senate Bill 235**  
**Senate Bill 360**  
**Senate Bill 462**  
**Senate Bill 482**  
**Senate Bill 503**  
**Senate Bill 510**  
**Senate Bill 519**  
**Senate Bill 536**  
**Senate Bill 538**  
**Senate Bill 544**  
**Senate Bill 572**  
**Senate Bill 580**  
**Senate Bill 588**  
**Senate Bill 593**  
**Senate Bill 600**  
**Senate Bill 606**  
**Senate Bill 618**  
**Senate Bill 621**  
**Senate Bill 624**  
**Senate Bill 631**  
**Senate Bill 633**  
**Senate Bill 643**  
**Senate Bill 657**  
**Senate Bill 658**

Concurred in as amended:

**Assembly Bill 424** (Senate substitute amendment 1 adopted)  
**Assembly Bill 483** (Senate amendment 1 adopted)  
**Assembly Bill 509** (Senate amendment 1 adopted)  
**Assembly Bill 869** (Senate amendments 1 and 2 adopted)

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**ACTION ON THE SENATE MESSAGE**

**Assembly Bill 424**

Relating to: the establishment of certain restrictions on floodplain and shoreland zoning ordinances that regulate improvements to nonconforming buildings, the elimination of other restrictions on floodplain and shoreland zoning ordinances that regulate improvements and repairs to nonconforming buildings or buildings with nonconforming uses that are applicable to Trenton Island in Pierce County and granting rule-making authority.

By Representatives Harsdorf, Johnsrud, Owens, Gronemus, Otte, Zukowski, Lehman, Musser, Brandemuehl, Hahn, Olsen, Jensen, Seratti, Ainsworth, Grothman, Underheim, Albers, Ryba, Klusman and Silbaugh; cosponsored by Senators A. Lasee and Cowles.

To committee on **Rules**.

**Assembly Bill 483**

Relating to: appraisal of and payment for animals that are destroyed because of infectious diseases, livestock remedies, violations of animal health laws, granting rule-making authority and providing a penalty.

By Representatives Ott, Ainsworth, Brandemuehl, Seratti, Baldus, Freese, F. Lasee, Zukowski, Hahn and Olsen; cosponsored by Senator Schultz.

To committee on **Rules**.

**Assembly Bill 509**

Relating to: fishing by residents of state correctional institutions.

By Representatives Hahn, Handrick, Zukowski, Kreibich, Gunderson, Ott, Lehman, Huebsch, Seratti, Dobyms, Powers, Grothman, Johnsrud, Hoven, Ainsworth, Foti, Duff, Freese, Nass, Silbaugh, Grobschmidt, Ryba, Lazich, Boyle, Kelso, Skindrud and Olsen; cosponsored by Senators Fitzgerald, Zien and Breske.

To committee on **Rules**.

**Assembly Bill 869**

Relating to: fees concerning pesticides, fertilizers and soil and plant additives.

By Representatives Green, Ott, Gard, Kaufert, Gronemus, Springer, F. Lasee and Klusman; cosponsored by Senators Cowles, Drzewiecki, Andrea and Breske.

To committee on **Rules**.

**Senate Joint Resolution 54**

Relating to: urging Congress and the President to enact legislation to confer national monument status on the National Native American Vietnam Veterans Memorial at "The Highground".

By Senators Zien, Fitzgerald, Breske, Burke and Moen; cosponsored by Representatives Musser, Zukowski, Dobyms, Lorge, Baldus, Seratti, Ourada, Olsen, Freese, Hahn, Silbaugh, Goetsch, Turner, F. Lasee, Green, Ladwig, Wirsch and Baldwin.

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

**Senate Joint Resolution 58**

Relating to: proclaiming National Garden Week in Wisconsin.

By Senator C. Potter; cosponsored by Representative Ziegelbauer.

To committee on **Rules**.

**Senate Joint Resolution 59**

Relating to: expressing support for the Republic of China (Taiwan).

By Senators Schultz, Welch, Darling, Drzewiecki, Panzer, Fitzgerald, Zien, Huelsman, Weeden, Petak, Farrow, Breske, Rude, Buettner, Cowles, Jauch, Shibilski, Wineke, C. Potter, Andrea and Grobschmidt.

To special committee on **State-Federal Relations**.

**Senate Bill 235**

Relating to: allowing checkoffs of retirement annuities to be paid for membership dues or donations to labor organizations, professional organizations, affiliated retiree organizations and charitable organizations, granting rule-making authority and making an appropriation.

By Senators Rude, Panzer, Risser and Breske; cosponsored by Representatives Baldwin, Musser, Albers, Riley, Plache, Huber, R. Potter, Wilder, Meyer, Ryba, Baldus, Cullen, Hasenohrl, Wirsch, Boyle and Turner, by request of American Federation of State, County and Municipal Employees and the Professional Firefighters of Wisconsin.

To committee on **Labor and Employment**.

**Senate Bill 360**

Relating to: exempting all transfers between spouses from the real estate transfer fee.

By Senators Decker, Moen, Burke and Breske; cosponsored by Representatives Ainsworth, Wilder, Ziegelbauer, Musser, Wasserman, Hasenohrl, Albers, Boyle, Gronemus and Hahn.

To committee on **Ways and Means**.

**Senate Bill 462**

Relating to: sexual assaults causing substantial bodily harm.

By Senators Burke, Andrea, Chvala, Clausing, Moen, Moore, C. Potter and Rosenzweig; cosponsored by Representatives Rutkowski, Ainsworth, Baldwin, Bell, Boyle, Carpenter, Coggs, Grobschmidt, Grothman, Hasenohrl, Kaufert, F. Lasee, Lehman, Notestein, Plache, Ryba, Underheim, Wasserman and Wirch, by request of the Wisconsin Coalition Against Sexual Assault.

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

**Senate Bill 482**

Relating to: the recycled or recovered content of paper purchased by state agencies and certain authorities; approval of surety bonds by corporation counsels; and the administration of the weatherization assistance program (suggested as remedial legislation by the department of administration).

By Law Revision Committee.

To committee on **Rules**.

**Senate Bill 503**

Relating to: authorizing a sheriff and county board to contract with a federally recognized American Indian tribe or band to confine tribal prisoners in the county jail.

By Joint Legislative Council.

To committee on **Government Operations**.

**Senate Bill 510**

Relating to: the election of certain persons to a city, village or town planning commission.

By Senators Rude and Schultz; cosponsored by Representatives Huebsch, Hanson, Musser, Albers, Goetsch, Olsen, Turner, La Fave, Powers, Silbaugh, Johnsrud and Klusman.

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

**Senate Bill 519**

Relating to: security deposits made by motor fuel dealers.

By Senators Rude and Clausing; cosponsored by Representatives Brandemuehl, Johnsrud, Freese, Albers, Dobyms, Musser, Baldus, Lehman, Ott, Bock, Goetsch, Ladwig, Plache, Hasenohrl and Gronemus.

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

**Senate Bill 536**

Relating to: granting authority to the division of hearings and appeals in the department of administration to hold administrative hearings for the department of health and family services and the department of industry, labor and job

development, granting rule-making authority and making appropriations.

By Senator Weeden; cosponsored by Representative Brancel.

To committee on **Government Operations**.

**Senate Bill 538**

Relating to: the collection of fines through civil actions and providing a penalty.

By Senator C. Potter; cosponsored by Representatives Otte and Baumgart.

To committee on **Judiciary**.

**Senate Bill 544**

Relating to: the regulation of certain amateur radio antennas by cities, villages, towns and counties.

By Senator Grobschmidt; cosponsored by Representatives Brancel, Turner, Jensen, Hasenohrl, Albers and Brandemuehl.

To committee on **Rules**.

**Senate Bill 572**

Relating to: arrest and conviction record discrimination.

By Senators Huelsman and Darling; cosponsored by Representatives Kelso, Grothman, Zukowski, Underheim, Kaufert, Schneiders, Nass, Olsen, Silbaugh, Powers and Ladwig.

To committee on **Labor and Employment**.

**Senate Bill 580**

Relating to: the regulation of sales of franchises and granting rule-making authority.

By Senators Darling, Huelsman and Fitzgerald; cosponsored by Representatives Jensen, Green, Hoven, Ladwig, Hahn, Springer, Grothman and Seratti.

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

**Senate Bill 588**

Relating to: battery by persons who are subject to harassment injunctions and providing a penalty.

By Senators Cowles, Darling, Rude, Panzer and Drzewiecki; cosponsored by Representatives Ourada, Notestein, Gunderson, Albers, Seratti, Musser, Ziegelbauer, Baldus and Boyle.

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

**Senate Bill 593**

Relating to: a youth and athlete facility at state fair park.

By Senators Cowles, Darling, Huelsman and A. Lasee; cosponsored by Representatives Hahn, Goetsch, Seratti, R. Young, Porter, Grothman and Lorge.

To committee on **Government Operations**.

**Senate Bill 600**

Relating to: designating STH 160 as the "Polish Veterans Memorial Highway".

By Senators Drzewiecki, Zien, Andrea, Burke, Grobschmidt, Shibilski and Cowles; cosponsored by Representatives Porter, Dobyms, Wirch, Urban, Ryba, Murat, Grothman, Gard, Lorge, Seratti and Kreuser.

To committee on **Highways and Transportation**.

**Senate Bill 606**

Relating to: production by the state and local governments of customized work products compiled from public records.

By Senators Welch, Risser and Buettner; cosponsored by Representatives Hahn, Powers, Seratti and Olsen.

To committee on **Government Operations**.

**Senate Bill 618**

Relating to: vehicles or vehicle parts having an altered or obliterated vehicle identification number.

By Senators Zien, Welch, Farrow, Schultz, Darling, Moore, Petak, Drzewiecki, A. Lasee and Fitzgerald; cosponsored by Representatives Nass, Musser, Gard, Handrick, Turner, F. Lasee, Brancel, Zukowski, Ward, Ainsworth, Kreibich, Lorge and Gunderson.

To committee on **Highways and Transportation**.

**Senate Bill 621**

Relating to: regulation of viatical settlement contracts, exempting from the income tax income that is received from the sale of a life insurance policy under a viatical settlement contract and granting rule-making authority.

By Senators Rosenzweig, Schultz, Buettner, Rude, Burke, Grobschmidt, Darling, Clausing, Panzer, Risser and Chvala; cosponsored by Representatives Baldwin, Jensen, Albers, Foti, Goetsch, Gard, Underheim, Bock, Meyer, Ainsworth, Brandemuehl, Duff, Murat, Wasserman, Walker, Wood, Gunderson, Hanson, Baldus, Musser, Ourada, Carpenter, Coggs, Cullen, Hasenohrl, Huebsch, Kelso, Klusman, Kreibich, Kreuser, Krug, F. Lasee, Lazich, Notestein, Otte, Owens, Plombon, R. Potter, Riley, Robson, Seratti, Springer, Vrakas, L. Young, R. Young and Ziegelbauer.

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

**Senate Bill 624**

Relating to: juvenile justice and granting rule-making authority.

By Senators Panzer, C. Potter and Huelsman; cosponsored by Representative Ladwig.

To committee on **Children and Families**.

**Senate Bill 631**

Relating to: bulletproof garments for state traffic patrol officers and motor vehicle inspectors.

By Senators Jauch, Drzewiecki, Andrea, C. Potter, Grobschmidt, Burke, Moen, Decker, Clausing, Chvala, Breske and Fitzgerald; cosponsored by Representatives Dobyns, Boyle, Musser, Wirch, Hahn, Otte, Wasserman, Meyer, F. Lasee, Black, Ziegelbauer, Seratti, Ryba, Grothman, Baldus, Lorge, Turner, L. Young, Gronemus, Coggs, Robson and Foti.

To committee on **Government Operations**.

**Senate Bill 633**

Relating to: repeat offenders and persistent repeat offenders.

By Senator Huelsman; cosponsored by Representatives Green and Huber, by request of the Department of Justice.

To committee on **Judiciary**.

**Senate Bill 643**

Relating to: the expenditure of \$700,000 from the general fund for payment of a claim against the state made by the city of Superior.

By Senator Weeden; cosponsored by Representative Brancel.

To committee on **Rules**.

**Senate Bill 657**

Relating to: designating and marking a bridge on STH 441 in Outagamie County as the "Fox Valley Connection Bridge" and providing an exemption from rule-making procedures.

By Senator Ellis.

To committee on **Highways and Transportation**.

**Senate Bill 658**

Relating to: the sentence of a person who escapes from the intensive sanctions program.

By Senator Drzewiecki; cosponsored by Representative Kaufert.

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

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**ENROLLED BILLS**

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

- Assembly Bill 78
- Assembly Bill 103
- Assembly Bill 134
- Assembly Bill 183
- Assembly Bill 188
- Assembly Bill 238
- Assembly Bill 271
- Assembly Bill 389
- Assembly Bill 395
- Assembly Bill 406
- Assembly Bill 417
- Assembly Bill 441
- Assembly Bill 444
- Assembly Bill 491
- Assembly Bill 495
- Assembly Bill 511
- Assembly Bill 517
- Assembly Bill 528
- Assembly Bill 532
- Assembly Bill 534
- Assembly Bill 544
- Assembly Bill 547
- Assembly Bill 548
- Assembly Bill 550
- Assembly Bill 568
- Assembly Bill 570
- Assembly Bill 571
- Assembly Bill 579
- Assembly Bill 590
- Assembly Bill 595
- Assembly Bill 644
- Assembly Bill 652
- Assembly Bill 653

Assembly Bill 658  
Assembly Bill 707  
Assembly Bill 718  
Assembly Bill 736  
Assembly Bill 740  
Assembly Bill 762  
Assembly Bill 793  
Assembly Bill 830  
Assembly Bill 834  
Assembly Bill 836  
Assembly Bill 841  
Assembly Bill 928  
Assembly Bill 930  
Assembly Bill 954  
Assembly Bill 955  
Assembly Bill 993  
Assembly Bill 1028  
Assembly Bill 1033  
Assembly Bill 1070  
Assembly Bill 1071  
Assembly Bill 1072  
Assembly Bill 1073  
Assembly Bill 1074  
Assembly Bill 1075  
Assembly Bill 1078

CHARLES R. SANDERS  
Assembly Chief Clerk

**EXECUTIVE COMMUNICATIONS**

State of Wisconsin  
Office of the Governor  
Madison

April 2, 1996

To the Honorable, the Legislature:

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

Bill Number                      Act Number                      Date Approved  
Assembly Bill 1078 . . . . . 178 . . . . . April 1, 1996

Respectfully submitted,  
TOMMY G. THOMPSON  
Governor

**COMMUNICATIONS**

State of Wisconsin  
Office of the Secretary of State  
Madison

To Whom It May Concern:

Acts, Joint Resolutions and Resolutions deposited in this office have been numbered and published as follows:

Bill Number                      Act Number                      Publication Date  
Assembly Bill 22 . . . . . 155 . . . . . April 3, 1996  
Assembly Bill 67 . . . . . 156 . . . . . April 3, 1996

Assembly Bill 88 . . . . . 157 . . . . . April 3, 1996  
Assembly Bill 207 . . . . . 158 . . . . . April 3, 1996  
Assembly Bill 331 . . . . . 159 . . . . . April 3, 1996  
Assembly Bill 364 . . . . . 160 . . . . . April 3, 1996  
Assembly Bill 448 . . . . . 161 . . . . . April 3, 1996  
Assembly Bill 833 . . . . . 162 . . . . . April 3, 1996  
Assembly Bill 151 . . . . . 163 . . . . . April 3, 1996  
Assembly Bill 666 . . . . . 164 . . . . . March 25, 1996  
Assembly Bill 154 . . . . . 165 . . . . . April 5, 1996  
Assembly Bill 280 . . . . . 166 . . . . . April 5, 1996  
Assembly Bill 325 . . . . . 167 . . . . . April 5, 1996  
Assembly Bill 399 . . . . . 168 . . . . . April 5, 1996  
Assembly Bill 418 . . . . . 169 . . . . . April 5, 1996  
Assembly Bill 429 . . . . . 170 . . . . . April 5, 1996  
Assembly Bill 430 . . . . . 171 . . . . . April 5, 1996  
Assembly Bill 479 . . . . . 172 . . . . . April 5, 1996  
Assembly Bill 609 . . . . . 173 . . . . . April 5, 1996  
Assembly Bill 861 . . . . . 174 . . . . . March 25, 1996  
Assembly Bill 1078 . . . . . 178 . . . . . April 3, 1996

Sincerely,  
DOUGLAS LA FOLLETTE  
Secretary of State

**EXECUTIVE COMMUNICATIONS**

State of Wisconsin  
Office of the Governor  
Madison

March 16, 1996

To the Honorable, the Assembly:

I am pleased to transmit my 1996 Oil Overcharge Plan for consideration by the Joint Committee on Finance (JFC) at the next s. 13.10 meeting. As required by Wisconsin Statutes 14.065, I am also forwarding a copy to the Chief Clerk of the Senate.

This plan allocates \$1.6 million of new Stripper monies plus interest, and modifies three previously approved Stripper oil overcharge programs. Oil overcharge monies must be used on energy programs that provide restitution to Wisconsin citizens.

In addition to JCF's action, the U.S. Department of Energy must also conduct a review to determine if Wisconsin's Plan conforms with federal requirements. I urge your support of this plan as it is sufficiently diverse to provide restitution to the broadest sector of Wisconsin citizens.

The Department of Administration staff will be available to provide additional information that may be required.

Respectfully submitted,  
TOMMY G. THOMPSON  
Governor

Referred to committee on **Environment and Utilities.**