



STATE OF WISCONSIN

Assembly Journal

Ninety–Third Regular Session

TUESDAY, May 6, 1997

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 72** offered by Representative Gunderson.

Assembly substitute amendment 1 to **Assembly Bill 139** offered by Representative Musser.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 139** offered by committee on **Veterans and Military Affairs**.

Assembly amendment 1 to **Assembly Bill 171** offered by Representative Urban.

Assembly amendment 2 to **Assembly Bill 220** offered by Representatives Grothman, Albers, Gunderson, Jeskewitz, Kedzie, Lazich, Lorge, Otte, Wieckert and Zukowski.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 96–092

Relating to leave for qualified inmates.
Submitted by Department of Corrections.
Report received from Agency, April 28, 1997.
To committee on **Criminal Justice and Corrections**.
Referred on May 6, 1997.

Assembly Clearinghouse Rule 96–105

Relating to the temporary release of an inmate under supervision.
Submitted by Department of Corrections.
Report received from Agency, April 28, 1997.
To committee on **Criminal Justice and Corrections**.
Referred on May 6, 1997.

Assembly Clearinghouse Rule 96–148

Relating to surface water quality standards, criteria and their implementation procedures.
Submitted by Department of Natural Resources.
Report received from Agency, April 30, 1997.
To committee on **Environment**.
Referred on May 6, 1997.

Assembly Clearinghouse Rule 96–176

Relating to the inmate work and study release program.
Submitted by Department of Corrections.
Report received from Agency, April 25, 1997.
To committee on **Criminal Justice and Corrections**.
Referred on May 6, 1997.

Assembly Clearinghouse Rule 96–178

Relating to solid waste management.
Submitted by Department of Natural Resources.
Report received from Agency, April 30, 1997.
To committee on **Natural Resources**.
Referred on May 6, 1997.

Assembly Clearinghouse Rule 97–002

Relating to do–not–resuscitate bracelets to alert emergency health care personnel of do–not–resuscitate orders.
Submitted by Department of Health and Family Services.
Report received from Agency, April 30, 1997.
To committee on **Health**.
Referred on May 6, 1997.

Assembly Clearinghouse Rule 97–010

Relating to revisions of the state electrical code.
Submitted by Public Service Commission.
Report received from Agency, April 25, 1997.
To committee on **Utilities Oversight**.
Referred on May 6, 1997.

Assembly Clearinghouse Rule 97–023

Relating to the administration of child care funds and required parent copayments.
Submitted by Department of Workforce Development.
Report received from Agency, April 28, 1997.
To committee on **Wisconsin Works Oversight**.
Referred on May 5, 1997.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 53

Relating to: The life and public service of Stan Pelecky.
By Representative Urban; cosponsored by Senators Farrow and Moore.
To committee on **Rules**.

Assembly Bill 338

Relating to: disclosure of personally identifiable information by the department of transportation, granting rule-making authority and providing penalties.

By Representative Brandemuehl; cosponsored by Senator Plache, by request of Department of Transportation.

To committee on **Highways and Transportation**.

Assembly Bill 339

Relating to: creating a wood residue income tax and franchise tax credit.

By Representatives Ainsworth, Hasenohrl, Musser, Ott, Owens and Seratti; cosponsored by Senator A. Lasee.

To committee on **Rural Affairs**.

Assembly Bill 340

Relating to: exempting certain vehicles that are used primarily off a highway from vehicle registration

By Representatives Ainsworth, Albers, Gard, Goetsch, Grothman, Hahn, Musser, Nass, Olsen, Ott, Owens, Powers, Seratti, Sykora, Ward and Skindrud; cosponsored by Senators A. Lasee and Zien.

To committee on **Rural Affairs**.

Assembly Bill 341

Relating to: requiring criminal history searches of certain persons hired or proposed to be hired by certain facilities or services, clarifying requirements for reporting the misappropriation of property, abuse or neglect of certain patients or facility residents, limiting the personal exemptions tax credit, granting rule-making authority, making appropriations and providing a penalty.

By Representatives Krusick, Underheim, Albers, Baldwin, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dobyns, Duff, Freese, Gard, Green, Gronemus, Gunderson, Hanson, Harsdorf, Hasenohrl, Hoven, Huber, Jeskewitz, Kaufert, Kedzie, Kelso, Kreibich, Kreuser, Krug, Kunicki, Ladwig, La Fave, Lazich, M. Lehman, Linton, Meyer, Murat, Musser, Notestein, Olsen, Ott, Ourada, Plale, Plouff, Porter, R. Potter, Powers, Riley, Robson, Ryba, Seratti, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Ziegelbauer and Zukowski; cosponsored by Senators Moen, Burke, Roessler, Clausing, Darling, Farrow, Grobschmidt, A. Lasee, Moore, Panzer, Rosenzweig, Welch and Wirch, by request of Wisconsin Board on Aging and Long-Term, Access to Independence, Alzheimer's Association, Citizen Advocates for Nursing Home Residents, Coalition of Wisconsin Aging Groups, Curative Workshop Rehabilitation Center, Geriatric Support Associates, Service Employees Local 150, Milwaukee County Department on Aging, Wisconsin Adult Daycare Association, Wisconsin Coalition for Advocacy, Wisconsin Coalition of Independent Living Centers, Wisconsin Coalition of Visiting Nurse Associations, Wisconsin Council of Senior Citizens, Wisconsin Homecare Organization, Wisconsin Nurse's Association, Attorney General James Doyle and Wisconsin Professional Police Association.

To committee on **Health**.

Assembly Bill 342

Relating to: rights of victims of crime, granting rule-making authority and providing a penalty.

By Representatives Krug, Green, Rutkowski, Duff, R. Potter, Schneider, Brandemuehl, Baumgart, Dobyns, Black, Freese, Boyle, Hahn, Carpenter, Harsdorf, Coggs, Seratti, Hanson, Sykora, Hasenohrl, Underheim, Ryba, Walker, Springer, Travis, Huebsch, Turner, Vander Loop, Hutchison, Wasserman, Kelso, L. Young, Ladwig, Ziegelbauer, F. Lasee, Hebl, Lazich, Huber, J. Lehman, Kreuser, M. Lehman, La Fave, Lorge, Meyer, Musser, Morris-Tatum, Olsen, Notestein, Plale, Ourada, Plouff, Porter, Riley, Robson, Albers and Bock; cosponsored by Senators Moore, Huelsman, Adelman, Plache, Welch, C. Potter, Wirch, Rosenzweig, Moen, Grobschmidt and Drzewiecki, by request of Attorney General James Doyle; Crime Victims Council; Wisconsin Coalition Against Sexual Assault; Parents of Murdered Children; Mothers Against Drunk Driving; Wisconsin Chiefs of Police Association; Wisconsin Victim/Witness Professionals Association; Coalition of Wisconsin Aging Groups; Wisconsin Merchants Federation; AFSCME, Locals 3021 and 3394 (Correctional Officers).

To committee on **Judiciary**.

Assembly Bill 343

Relating to: required emissions inspections of motor vehicles transferred to surviving spouses.

By Representatives Otte, Duff, Bock, Gronemus, Ziegelbauer, Krug, Baumgart, Jeskewitz, Albers, Grothman, M. Lehman, Zukowski, Owens, Ryba, Goetsch, Ladwig, Nass, Seratti, Plale, Musser, Ainsworth, Olsen, Sykora, Brandemuehl and Powers; cosponsored by Senators C. Potter, Grobschmidt, Huelsman, Panzer, A. Lasee, Farrow and Zien.

To committee on **Environment**.

Assembly Bill 344

Relating to: school district achievement guarantee contracts and making an appropriation.

By Representatives Plouff, Green, Notestein, Bock, Boyle, Dueholm, Hasenohrl, Krug, Linton, Meyer, Murat, Plale, R. Potter, Reynolds, Riley, Robson, Ryba and R. Young; cosponsored by Senators Jauch, Rude, Roessler, Clausing, Grobschmidt, Weeden and Wirch.

To committee on **Education**.

Assembly Bill 345

Relating to: increasing a school district's revenue limit to cover the costs of certain employe contracts.

By Representatives M. Lehman, Musser, Olsen, R. Young, Albers, F. Lasee and Gronemus.

To committee on **Ways and Means**.

Assembly Bill 346

Relating to: exempting certain resident students from tuition at the University of Wisconsin System and at the technical college system.

By Representatives Ward, Walker, Lazich, Musser, Gunderson and Sykora; cosponsored by Senators Weeden, Farrow and Roessler.

To committee on **Colleges and Universities**.

Assembly Bill 347

Relating to: public access to records of the identities of final candidates for certain local governmental positions.

By Representatives Travis, Albers, Baldwin, Baumgart, Notestein, Powers and Ziegelbauer; cosponsored by Senators Adelman and Moen.

To committee on **Government Operations**.

Assembly Bill 348

Relating to: funding for agricultural research and development and making an appropriation.

By committee on Agriculture.
To committee on **Agriculture**.

Assembly Bill 349

Relating to: health care liability, the patients compensation fund, the mediation system and granting rule-making authority.

By Representative Underheim, by request of Dr. Albert L. Fisher.

To committee on **Government Operations**.

Assembly Bill 350

Relating to: the elimination of the state lottery and pari-mutuel wagering, prohibiting new claims under the farmland relief tax credit, providing a penalty and making an appropriation.

By Representatives La Fave, Grothman, Huebsch, Plouff, R. Young, F. Lasee and Baldwin; cosponsored by Senators Risser and Welch.

To committee on **Ways and Means**.

Assembly Bill 351

Relating to: sentences for felony offenses, parole, community supervision, granting rule-making authority and providing penalties.

By Representatives Sykora, Walker, Goetsch, Green, Dobyns, Duff, Foti, Freese, Gunderson, Hahn, Hoven, Huebsch, Jensen, Jeskewitz, Kelso, Kreibich, Krusick, Ladwig, Musser, Nass, Ott, Owens, Porter, Rutkowski, Schafer, Skindrud, Vrakas, Ward, Ziegelbauer, Zukowski and Lazich; cosponsored by Senators Adelman, Grobschmidt, Huelsman, Zien, Roessler, Drzewiecki, Farrow, Schultz, Weeden and Welch.

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

COMMITTEE REPORTS

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

Assembly Bill 232

Relating to: sale of rabies vaccine and rabies vaccination of dogs.

Passage:

Ayes: 13 – Representatives Ott, Sykora, Ainsworth, Hahn, Otte, Ward, Skindrud, Gronemus, Reynolds, Springer, Dueholm, Steinbrink and Plouff.

Noes: 0.

To committee on **Rules**.

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

Assembly Bill 279

Relating to: authorizing the child abuse and neglect prevention board to form a nonstock, nonprofit corporation.

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

The committee on **Consumer Affairs** reports and recommends:

Senate Bill 35

Relating to: the purchase of used home furnishings by antique dealers and recyclers and providing a penalty.

Assembly amendment 1 adoption:

Ayes: 7 – Representatives Otte, Johnsrud, Ott, M. Lehman, Urban, Williams and Hasenohrl.

Noes: 0.

Assembly amendment 2 adoption:

Ayes: 6 – Representatives Otte, Johnsrud, Ott, Urban, Williams and Hasenohrl.

Noes: 1 – Representative M. Lehman.

Concurrence as amended:

Ayes: 5 – Representatives Otte, Ott, Urban, Williams and Hasenohrl.

Noes: 2 – Representatives Johnsrud and M. Lehman.

To committee on **Rules**.

CLIFFORD OTTE

Chairperson

Committee on Consumer Affairs

The committee on **Criminal Justice and Corrections** reports and recommends:

Assembly Bill 220

Relating to: prohibiting performance of certain partial-birth abortions and providing a penalty.

Passage:

Ayes: 12 – Representatives Goetsch, Dobyns, Nass, Owens, Walker, Gunderson, F. Lasee, Jeskewitz, Wood, Rutkowski, Huber and Murat.

Noes: 2 – Representatives Travis and Baldwin.

To committee on **Rules**.

Assembly Bill 268

Relating to: permitting the department of corrections to administer the juvenile correctional system under policies and procedures not promulgated as rules and providing an exemption from rule-making procedures.

Passage:

Ayes: 14 – Representatives Goetsch, Dobyns, Nass, Owens, Walker, Gunderson, F. Lasee, Jeskewitz, Wood, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 0.

To committee on **Rules**.

ROBERT GOETSCH
Chairperson
Committee on Criminal Justice and
Corrections

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

Assembly Bill 35

Relating to: the minimum number of persons required on train crews, granting rule-making authority and providing a penalty.

Assembly substitute amendment 1 adoption:

Ayes: 15 – Representatives Brandemuehl, Otte, Musser, Lorge, Hahn, Zukowski, Huebsch, Sykora, Hasenohrl, Gronemus, Turner, L. Young, Ryba, Riley and Steinbrink.

Noes: 0.

Passage as amended:

Ayes: 15 – Representatives Brandemuehl, Otte, Musser, Lorge, Hahn, Zukowski, Huebsch, Sykora, Hasenohrl, Gronemus, Turner, L. Young, Ryba, Riley and Steinbrink.

Noes: 0.

To committee on **Rules**.

DAVID BRANDEMUEHL
Chairperson
Committee on Highways and
Transportation

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

Assembly Bill 135

Relating to: permitting recovery for injuries or costs resulting from controlled substance use.

Assembly substitute amendment 1 adoption:

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

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Green, Freese, Vrakas, Kelso, Rutkowski, Notestein, Hubler and Cullen.

Noes: 1 – Representative Grothman.

To committee on **Rules**.

Assembly Bill 175

Relating to: battery to certain persons and providing a penalty.

Assembly amendment 1 to Assembly substitute amendment 1 adoption:

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

Noes: 0.

Assembly substitute amendment 1 adoption:

Ayes: 8 – Representatives Green, Freese, Vrakas, Kelso, Rutkowski, Notestein, Hubler and Cullen.

Noes: 1 – Representative Grothman.

Passage as amended:

Ayes: 8 – Representatives Green, Freese, Vrakas, Kelso, Rutkowski, Notestein, Hubler and Cullen.

Noes: 1 – Representative Grothman.

To committee on **Rules**.

Assembly Bill 248

Relating to: increasing the limits, and authorizing occurrence or claims-made coverage, for health care liability insurance and granting rule-making authority.

Passage:

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

Noes: 0.

To committee on **Rules**.

MARK GREEN
Chairperson
Committee on Judiciary

The committee on **Ways and Means** reports and recommends:

Assembly Joint Resolution 9

Relating to: the vote on bills that would increase certain tax rates (first consideration).

Adoption:

Ayes: 9 – Representatives M. Lehman, Jeskewitz, Goetsch, Gard, Owens, Huebsch, Powers, Wood and Ziegelbauer.

Noes: 3 – Representatives Krug, R. Young and Turner.

To committee on **Rules**.

Assembly Bill 184

Relating to: adjusting a school district's revenue limit upon the transfer of services.

Passage:

Ayes: 12 – Representatives M. Lehman, Jeskewitz, Goetsch, Gard, Owens, Huebsch, Powers, Wood, Krug, R. Young, Turner and Ziegelbauer.

Noes: 0.

To joint committee on **Finance**.

MICHAEL LEHMAN
Chairperson
Committee on Ways and Means

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

Assembly Bill 181

Relating to: creating a nonrefundable individual income tax credit for low-income persons.

Assembly substitute amendment 1 adoption:

Ayes: 5 – Representatives Kelso, Lazich, Schafer, Krusick and Black.

Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Kelso, Lazich, Schafer, Krusick and Black.

Noes: 0.

To joint committee on **Finance**.

CAROL KELSO
Chairperson
Committee on Working Families