



# STATE OF WISCONSIN

# Assembly Journal

## Ninety–Third Regular Session

10:45 A.M.

TUESDAY, March 17, 1998

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

Representative Porter in the chair.

The Assembly dispensed with the call of the roll.

### AMENDMENTS OFFERED

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 460** offered by Representative M. Lehman.

Assembly amendment 7 to **Assembly Bill 514** offered by Representative Ott.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 549** offered by Representative Kelso.

Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 549** offered by Representative Kelso.

Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 549** offered by Representative Kelso.

Assembly amendment 4 to Assembly substitute amendment 1 to **Assembly Bill 549** offered by Representative Kelso.

Assembly substitute amendment 2 to **Assembly Bill 639** offered by Representative Johnsrud.

Assembly substitute amendment 2 to **Assembly Bill 651** offered by Representative Huebsch.

Assembly amendment 1 to **Assembly Bill 712** offered by committee on **Children and Families**.

Assembly amendment 1 to **Assembly Bill 724** offered by Representative Dobyns.

Assembly substitute amendment 1 to **Assembly Bill 732** offered by Representative Gronemus.

Assembly substitute amendment 1 to **Assembly Bill 806** offered by committee on **Land Use**.

Assembly substitute amendment 1 to **Assembly Bill 807** offered by committee on **Land Use**.

Assembly substitute amendment 1 to **Assembly Bill 810** offered by committee on **Land Use**.

Assembly amendment 1 to **Assembly Bill 869** offered by Representative Kelso.

Assembly amendment 1 to **Assembly Bill 878** offered by Representative Handrick.

Assembly amendment 1 to **Assembly Bill 883** offered by committee on **Education**.

Assembly amendment 1 to **Senate Bill 144** offered by committee on **Ways and Means**.

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 123**

Relating to: honoring the life of Ray Nitschke

By Representatives Huebsch, Ryba, Gard, Walker, Boyle, F. Lasee, Ott, Duff, Bock, Vrakas, Spillner, Otte, Wood, Freese, Owens, Hoven, Ourada, Harsdorf, Brandmuehl, Turner, Dobyns, Klusman, Kelso, Kreuser, Underheim, Musser, Huber, Goetsch, Jeskewitz, Sykora, Krug, Plale, Kreibich, Porter, Handrick, Kedzie, Ainsworth, Springer and Gronemus; cosponsored by Senators Drzewiecki, Plache, Farrow, Jauch, Cowles, Fitzgerald, Wineke, A. Lasee, Rosenzweig, Schultz, Moen, Grobschmidt, George, Breske, Huelsman, Weeden and Wirsch.

To committee on **Rules**.

#### **Assembly Bill 915**

Relating to: eliminating outdated references to certificates of registration to practice audiology and speech–language pathology, and replacing the term “hearing aid” with “hearing instrument”; eliminating outdated references to transitional appraiser licenses; exempting certain persons who assist occupational therapists from licensure and certification requirements; use of titles and representations regarding Wisconsin registered interior designers by firms, partnerships and corporations; continuing education requirements for physicians and podiatrists; allowing the optometry examining board to deny, limit, suspend or revoke a certificate authorizing an optometrist to use topical ocular diagnostic or therapeutic pharmaceutical agents or to remove foreign bodies from an eye, and continuing education requirements for optometrists certified to use therapeutic pharmaceutical

agents or to remove foreign bodies from an eye; and public accountants practicing under a certificate of authority and qualifications for applicants for a certificate as a certified public accountant (suggested as remedial legislation by the department of regulation and licensing).

By Law Revision Committee.

To committee on **Consumer Affairs**.

#### **Assembly Bill 916**

Relating to: excluding from coverage under the federal Social Security Act services performed by part-time, seasonal and temporary state employes, establishing an alternative plan with comparable benefits to social security for these part-time, seasonal and temporary state employes and granting rule-making authority.

By Representatives Plale, Jensen, Hanson, Duff, Grothman, Hebl, Kedzie, Kreuser, F. Lasee, Nass, Porter, Riley, Staskunas, Walker, Wasserman and Ziegelbauer; cosponsored by Senators Rude and Welch.

To joint survey committee on **Retirement Systems**.

#### **Assembly Bill 917**

Relating to: sex offender registration of certain persons who are on probation or parole and providing a penalty.

By Representatives Wieckert and Green.

To committee on **Judiciary**.

#### **Assembly Bill 918**

Relating to: defining employes of fraternal to include retired employes and providing insurance for the spouses and minor children of employes of fraternal.

By Representatives Wieckert, Lorge and Kaufert.

To committee on **Assembly Organization**.

#### **Assembly Bill 919**

Relating to: permitting the creation of joint local water authorities and granting rule-making authority.

By Representatives F. Lasee, Gard, Hutchison, Porter, Owens, Hoven, Ott, Ryba, Vander Loop, Green, Kelso, Ladwig, Ainsworth, Ziegelbauer and Vrakas; cosponsored by Senators Cowles, Drzewiecki, A. Lasee, Shibilski and Roessler.

To committee on **Environment**.

#### **Assembly Bill 920**

Relating to: Downer Woods on the campus of the University of Wisconsin-Milwaukee.

By Representatives Wasserman and Walker; cosponsored by Senators Grobschmidt and Darling.

To committee on **Colleges and Universities**.

#### **Assembly Bill 921**

Relating to: fiscal responsibilities of the department of corrections and the disposal of property belonging to prisoners and inmates under the supervision of the department of corrections; standards for delivery of health services in state correctional institutions; and discharge of persons from probation.

By Representative Goetsch; cosponsored by Senator Fitzgerald, by request of Department of Corrections.

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

#### **Assembly Bill 922**

Relating to: criminal liability of school personnel for corporal punishment.

By Representatives Grothman, Reynolds, Albers, Baumgart, Duff, Gard, Goetsch, Green, Gronemus, Hahn, Handrick, Harsdorf, Hasenohrl, Hoven, Jeskewitz, Kelso, Klusman, Kreuser, Ladwig, Lazich, J. Lehman, M. Lehman, Lorge, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, Robson, Ryba, Seratti, Spillner, Steinbrink, Underheim, Vander Loop, Zukowski and Jensen; cosponsored by Senators Fitzgerald, Farrow, C. Potter, Roessler and Zien.

To committee on **Education**.

#### **Assembly Bill 923**

Relating to: the sales tax exemption for certain sales by auctioneers.

By Representative Grothman; cosponsored by Senator Panzer.

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

#### **Assembly Bill 924**

Relating to: parental liability for acts of their minor child, recovery of damages for certain criminal actions, increasing the jurisdictional amount in small claims court, powers of court commissioners, garnishment, attorney fees, exemption from execution of accounts, assignment of debt, earnings garnishment retail theft and recovery in actions involving worthless checks.

By Representatives Green and Murat; cosponsored by Senators Panzer and Shibilski.

To committee on **Judiciary**.

#### **Assembly Bill 925**

Relating to: prohibition of political contributions by foreign nationals and providing a penalty.

By Representative Jensen; cosponsored by Senator Welch.

To **Calendar**.

#### **Assembly Bill 926**

Relating to: access to records of county sheriffs, superintendents of county houses of correction and the department of corrections for coroners and medical examiners.

By Representatives Goetsch, Porter, Olsen, Dobyns, Owens, Musser, J. Lehman and Gronemus; cosponsored by Senators Fitzgerald and Roessler.

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

#### **Assembly Bill 927**

Relating to: requirements for managed care plans and granting rule-making authority.

By Representatives Ladwig, R. Potter, Owens, Wasserman, Baldwin, Black, Bock, Brandemuehl, Carpenter, Dobyns, Gunderson, Hahn, Hebl, Johnsrud, J. Lehman, Linton, Musser, Notestein, Olsen, Ott, Plale, Porter, Robson, Ryba, Seratti and Vander Loop; cosponsored by Senators Roessler, Wirsch, Rosenzweig, C. Potter, Schultz, Welch, Drzewiecki, Darling and Panzer.

To committee on **Managed Care**.

**Assembly Bill 928**

Relating to: prohibiting the parking of vehicles in access aisles adjacent to parking spaces reserved for vehicles used by persons with disabilities and reports of violations of parking spaces reserved for vehicles used by persons with disabilities.

By Representatives R. Potter, Musser and Kelso; cosponsored by Senator Moen.

To committee on **Government Operations**.

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**COMMITTEE REPORTS**

The committee for review of **Administrative Rules** reports and recommends:

**Assembly Bill 842**

Relating to: requiring cost-benefit analyses in the rule-promulgation process.

Passage:

Ayes: 4 – Representatives Grothman, Seratti, Gunderson and Kreuser.

Noes: 1 – Representative R. Young.

To committee on **Rules**.

*GLENN GROTHMAN*  
Chairperson  
Committee for review of Administrative Rules

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The committee on **Campaign Finance Reform** reports and recommends:

**Assembly Bill 508**

Relating to: qualification for a grant from the Wisconsin election campaign fund.

Assembly amendment 1 adoption:

Ayes: 6 – Representatives Handrick, Walker, Klusman, Bock, Cullen and Huber.

Noes: 1 – Representative Ladwig.

Passage as amended:

Ayes: 6 – Representatives Handrick, Ladwig, Walker, Klusman, Bock and Huber.

Noes: 1 – Representative Cullen.

To committee on **Rules**.

*JOSEPH HANDRICK*  
Chairperson  
Committee on Campaign Finance Reform

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

**Assembly Bill 712**

Relating to: harboring or aiding juveniles who have run away or failed to appear in court and providing a penalty.

Passage as amended:

Ayes: 5 – Representatives Dobyms, Kelso, Goetsch, Ainsworth and Ladwig.

Noes: 4 – Representatives R. Young, Notestein, Krug and Hebl.

To committee on **Rules**.

**Assembly Bill 713**

Relating to: the designation by a parent or the appointment by a court of a standby guardian of a child whose duty and authority as standby guardian begins on the incapacity, death, or debilitation and consent, of the parent.

Passage:

Ayes: 9 – Representatives Dobyms, Kelso, Goetsch, Ainsworth, Ladwig, R. Young, Notestein, Krug and Hebl.

Noes: 0.

To committee on **Rules**.

*JOHN DOBYNS*  
Chairperson  
Committee on Children and Families

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

**Assembly Bill 714**

Relating to: a hotline in the department of justice for the reporting of information regarding firearms in public schools.

Passage:

Ayes: 10 – Representatives Olsen, Brandemuehl, Duff, Ainsworth, Hahn, Otte, Ward, Reynolds, Dueholm and J. Lehman.

Noes: 4 – Representatives Nass, Schneider, R. Young and Ziegelbauer.

To committee on **Rules**.

**Assembly Bill 715**

Relating to: authorizing the search of a pupil's locker.

Passage:

Ayes: 14 – Representatives Olsen, Nass, Brandemuehl, Duff, Ainsworth, Hahn, Otte, Ward, Schneider, R. Young, Reynolds, Ziegelbauer, Dueholm and J. Lehman.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 869**

Relating to: background investigations of persons employed by school boards.

Assembly amendment 1 adoption:

Ayes: 12 – Representatives Olsen, Nass, Brandemuehl, Duff, Ainsworth, Hahn, Otte, Ward, R. Young, Reynolds, Ziegelbauer and J. Lehman.

Noes: 2 – Representatives Schneider and Dueholm.

Passage:

Ayes: 10 – Representatives Olsen, Nass, Brandemuehl, Duff, Ainsworth, Hahn, Otte, Ward, Ziegelbauer and J. Lehman.

Noes: 4 – Representatives Schneider, R. Young, Reynolds and Dueholm.

To committee on **Rules**.

*LUTHER OLSEN*  
Chairperson  
Committee on Education

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

**Senate Bill 147**

Relating to: regulating water or sewer service provided to occupants of mobile home parks, providing an exemption from emergency rule procedures, granting rule-making authority and providing a penalty.

Concurrence:

Ayes: 10 – Representatives Duff, Hoven, Johnsrud, Hahn, Seratti, Kedzie, Bock, Robson, Black and La Fave.

Noes: 0.

To committee on **Rules**.

*MARC DUFF*  
Chairperson  
Committee on Environment

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

**Assembly Bill 876**

Relating to: a statutory rape prosecution pilot program and making an appropriation.

Passage:

Ayes: 5 – Representatives Green, Grothman, Freese, Vrakas and Kelso.

Noes: 4 – Representatives Huber, Notestein, Hubler and Cullen.

To committee on **Rules**.

*MARK GREEN*  
Chairperson  
Committee on Judiciary

**SPEAKER'S COMMUNICATIONS**

March 16, 1998

Mr. Charlie Sanders  
Assembly Chief Clerk  
State of Wisconsin  
P.O. Box 8952  
Madison, WI 53708

Dear Mr. Sanders:

This letter is to notify you that I am temporary removing Rep. Mike Huebsch from the Committee on Children and Families. In his place, I have appointed Rep. Carol Kelso. These changes are effective, March 16, 1998.

Thank you for your attention in regard to this matter.

Sincerely,  
*SCOTT R. JENSEN*  
Assembly Speaker

**REFERENCE BUREAU CORRECTIONS**

**Assembly Bill 327**

- 1. Page 2, line 7: after "violation" insert a period.

**Assembly Bill 808**

- 1. Page 2, line 12: delete "rational" and substitute "rationale".

**Assembly Bill 810**

- 1. Page 2, line 21: delete "59.964" and substitute "59.694".
- 2. Page 3, line 2: delete "paragraph" and substitute "subdivision".

**Assembly Bill 901**

- 1. Page 1, line 5: delete ", investments and sales taxes" and substitute "and investments".

**Senate Bill 329**

- 1. Page 5, line 2: delete "cancer" and substitute "cancer".

**ADJOURNMENT**

Representative Underheim moved that the Assembly stand adjourned until 10:00 A.M. tomorrow.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

10:46 A.M.