



# STATE OF WISCONSIN Assembly Journal

## Ninety-Fourth Regular Session

10:00 A.M.

MONDAY, May 17, 1999

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

Speaker Jensen in the chair.

The Assembly dispensed with the call of the roll.

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### AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 154** offered by Representative Goetsch.

Assembly substitute amendment 1 to **Assembly Bill 169** offered by Representative Kelso.

Assembly substitute amendment 1 to **Assembly Bill 221** offered by joint committee on **Finance**.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 54**

Relating to: commending the 1999 Academic Decathlon Team of Waukesha Catholic Memorial High School.

By Representatives Gundrum, Huebsch, Kestell, Urban, Townsend, Ladwig, Stone, Porter, Vrakas, Jensen, Foti, Nass, Ryba, Bock, Staskunas, Owens, Plouff, Jeskewitz, Miller, Kedzie, Klusman, Spillner, Goetsch, Pettis, Petrowski, Gunderson, Suder, Montgomery, Sykora, Rhoades, Walker, F. Lasee, Kelso and Kreibich; cosponsored by Senators Lazich, Farrow, Moen, Darling, Huelsman, Wirch and Panzer.

To committee on **Rules**.

#### **Assembly Bill 340**

Relating to: restrictions on issuing operator's licenses, state employment and student financial assistance based on failure to register with the selective service system.

By Representatives Schneider, Ladwig, Owens, Turner, Musser, Sykora and Albers; cosponsored by Senators Schultz and Drzewiecki.

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

#### **Assembly Bill 341**

Relating to: use of caller identification blocking services by telephone solicitors.

By Representatives Schneider, Black, Miller, Cullen, Owens, Turner, Musser, Gronemus, Sykora, Goetsch, Gunderson and Powers; cosponsored by Senators Erpenbach, Schultz, Darling, Roessler, Plache and Clausing.

To committee on **Judiciary and Personal Privacy**.

#### **Assembly Bill 342**

Relating to: prohibiting charter schools, and private schools that participate in the Milwaukee parental choice program, from discriminating against pupils.

By Representatives Sinicki, Young, Boyle, Bock, Pocan, Richards, Plouff, Balow, Miller, Colon, La Fave, Black, J. Lehman and Coggs; cosponsored by Senators Grobschmidt, Moen, Plache and Erpenbach.

To committee on **Education Reform**.

#### **Assembly Bill 343**

Relating to: authorization for electors who are victims of domestic abuse to be listed confidentially on poll and registration lists and providing penalties.

By Representatives Kreibich, Petrowski, Suder, Seratti, Sykora, Owens, Klusman, Stone, Huebsch, Spillner, Ryba, Musser, Brandemuehl, F. Lasee, Pettis, Kelso, Kestell, Hahn, Skindrud, Wasserman, Cullen, Boyle, Montgomery, Huber and Lassa; cosponsored by Senators Plache, Huelsman, Roessler, Darling and Clausing.

To committee on **Campaigns and Elections**.

#### **Assembly Bill 344**

Relating to: increasing medical assistance payment to nursing homes to supplement wages and fringe benefits for direct care nursing staff, increasing medical assistance rates of payments for workers providing in-home personal care services, requiring a report and making appropriations.

By Representatives Krusick, Berceau, Black, Bock, Boyle, Carpenter, Cullen, Gronemus, Handrick, Hasenohrl, J. Lehman, Miller, Musser, Plache, Wasserman, Williams and Young; cosponsored by Senators Grobschmidt, Baumgart, Darling, Erpenbach, Plache, Roessler, Rosenzweig and Schultz, by request of American Association of Retired Persons, ARC Wisconsin, Allied Council of Senior Citizens, Board on Aging and Long Term Care, Coalition of Wisconsin Aging Groups, Service Employees International Union, United Seniors of Wisconsin, and Wisconsin Council on Developmental Disabilities.

To joint committee on **Finance**.

**Assembly Bill 345**

Relating to: open season for the fishing of bass.

By Representatives Pettis, Suder, Owens, Albers, Seratti, Gundrum, Gronemus, Kreibich, Sykora, Musser, Waukau, Townsend and Kreuser; cosponsored by Senators Darling and Zien.

To committee on **Natural Resources**.

**Assembly Bill 346**

Relating to: the amount of a forfeiture that may be imposed on a juvenile who possesses a controlled substance, a controlled substance analog or drug paraphernalia and providing penalties.

By Representatives Pettis, Suder, Ladwig, Musser, Ainsworth, Owens, Kelso, Seratti, Brandemuehl, Gronemus, Freese, Kreibich, Goetsch and Sykora; cosponsored by Senators Darling, Schultz and Zien.

To committee on **Criminal Justice**.

**Assembly Bill 347**

Relating to: the petroleum storage remedial action program, providing an exemption from emergency rule-making procedures and granting rule-making authority.

By Representative Kelso; cosponsored by Senator George.

To joint committee on **Audit**.

**Assembly Bill 348**

Relating to: authorizing revenue obligations to fund payment of claims under the petroleum storage remedial action program; authorizing a new type of revenue obligation; granting revenue bonding authority; granting rule-making authority; and making appropriations.

By Representative Kelso; cosponsored by Senator George.

To joint committee on **Audit**.

**Assembly Bill 349**

Relating to: the employment of minors 12 years or older as officials for athletic events in which the participants are under 14 years of age.

By Representatives Underheim, Albers, Grothman, Gunderson, Musser, Owens, Ryba and Turner; cosponsored by Senators Roessler and Clausing.

To committee on **Labor and Employment**.

**Assembly Bill 350**

Relating to: qualifications for possessing a license or permit to sell or serve alcohol beverages.

By Representatives Stone, Plale, Montgomery, Urban, Kelso, Albers and Wasserman; cosponsored by Senator Roessler.

To committee on **State Affairs**.

**Assembly Bill 351**

Relating to: dogs running at large.

By Representatives Hutchison, Suder, Gunderson, Ainsworth, Ott, Sykora, Musser, Staskunas, Kreuser, Pettis, Petrowski and Waukau; cosponsored by Senators Farrow, Zien and Baumgart.

To committee on **Natural Resources**.

**Assembly Bill 352**

Relating to: creating an individual income tax exemption for military income received by certain members of the U.S. armed forces.

By Representatives Seratti, Albers, Black, Brandemuehl, Duff, Gronemus, Grothman, Gundrum, Hasenohrl, Klusman, Kreibich, Ladwig, F. Lasee, Musser, Olsen, Owens, Pettis, Plouff, Pohan, Powers, Ryba, Spillner, Turner and Skindrud; cosponsored by Senators Wirch, Breske, Clausing, Darling, Drzewiecki, Schultz and Zien.

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

**Assembly Bill 353**

Relating to: exempting certain telecommunications services from the sales tax.

By Representatives Kaufert, F. Lasee, Musser, Hundertmark, Hutchison, Sykora, Klusman, Grothman, Spillner, Powers, Gunderson and Staskunas; cosponsored by Senators Roessler and Ellis.

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

**Assembly Bill 354**

Relating to: the funding source for the earned income tax credit and making an appropriation.

By Representatives Pettis, Townsend, Gard, Petrowski, Suder, Kelso, Skindrud, Hundertmark, Kestell, Leibham, Montgomery, Hahn, Rhoades, Musser, Gundrum, Stone, Spillner, Sykora and Jensen.

To calendar.

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**COMMITTEE REPORTS**

The committee on **Campaigns and Elections** reports and recommends:

**Assembly Bill 240**

Relating to: filing of declarations of candidacy and recording of votes received by write-in candidates in certain elections.

Passage:

Ayes: 7 – Representatives Freese, Suder, Walker, Montgomery, Ladwig, Cullen and Sherman.

Noes: 1 – Representative Miller.

To committee on **Rules**.

**Assembly Bill 337**

Relating to: payment and amounts of fees for recounts of elections.

Passage:

Ayes: 8 – Representatives Freese, Suder, Walker, Montgomery, Ladwig, Cullen, Miller and Sherman.

Noes: 0.

To committee on **Rules**.

**Assembly Joint Resolution 33**

Relating to: elections at which referenda may be held (first consideration).

Adoption:

Ayes: 5 – Representatives Freese, Suder, Walker, Montgomery and Ladwig.

Noes: 3 – Representatives Cullen, Miller and Sherman.

To committee on **Rules**.

*STEPHEN FREESE*  
Chairperson  
Committee on Campaigns and Elections

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The committee on **Colleges and Universities** reports and recommends:

**Assembly Bill 152**

Relating to: payment of health insurance premiums for University of Wisconsin System faculty and certain administrative staff.

Passage:

Ayes: 11 – Representatives Kreibich, Rhoades, Hutchison, Townsend, Underheim, Kelso, Plouff, Boyle, Lassa, Meyer and Richards.

Noes: 0.

To joint committee on **Finance**.

**Assembly Bill 203**

Relating to: automatic fire sprinkler systems in University of Wisconsin System residence halls.

Passage:

Ayes: 10 – Representatives Kreibich, Rhoades, Hutchison, Townsend, Kelso, Plouff, Boyle, Lassa, Meyer and Richards.

Noes: 1 – Representative Underheim.

To joint committee on **Finance**.

*ROB KREIBICH*  
Chairperson  
Committee on Colleges and Universities

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

**Assembly Bill 84**

Relating to: the factors to be considered by a court when sentencing a person convicted of a crime.

Assembly amendment 1 adoption:

Ayes: 13 – Representatives Goetsch, Walker, Stone, Owens, F. Lasee, Jeskewitz, Gundrum, Gunderson, Colon, Berceau, Richards, Wood and Young.

Noes: 0.

Assembly amendment 2 adoption:

Ayes: 12 – Representatives Goetsch, Walker, Stone, Owens, F. Lasee, Jeskewitz, Gundrum, Gunderson, Berceau, Richards, Wood and Young.

Noes: 1 – Representative Colon.

Passage as amended:

Ayes: 13 – Representatives Goetsch, Walker, Stone, Owens, F. Lasee, Jeskewitz, Gundrum, Gunderson, Colon, Berceau, Richards, Wood and Young.

Noes: 0.

To committee on **Rules**.

*ROBERT GOETSCH*  
Chairperson  
Committee on Criminal Justice

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

**Assembly Bill 255**

Relating to: excused absences from school.

Passage:

Ayes: 13 – Representatives Olsen, Nass, Brandemuehl, Hahn, Spillner, Kestell, Hundertmark, Rhoades, J. Lehman, La Fave, Pocan, Reynolds and Sherman.

Noes: 1 – Representative Ziegelbauer.

To committee on **Rules**.

*LUTHER OLSEN*  
Chairperson  
Committee on Education

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

**Assembly Bill 185**

Relating to: the controlled substance flunitrazepam.

Assembly substitute amendment 1 adoption:

Ayes: 9 – Representatives Huebsch, Gundrum, Walker, Suder, Grothman, Sherman, Colon, Hebl and Staskunas.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Huebsch, Gundrum, Walker, Suder, Grothman, Sherman, Colon, Hebl and Staskunas.

Noes: 0.

To committee on **Rules**.

*MICHAEL HUEBSCH*  
Chairperson  
Committee on Judiciary and Personal Privacy

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The committee on **Veterans and Military Affairs** reports and recommends:

**Assembly Bill 249**

Relating to: proceeds from the sale of forest products at Fort McCoy and making an appropriation.

Assembly amendment 1 adoption:

Ayes: 9 – Representatives Musser, Hundertmark, Pettis, Sykora, Petrowski, Ryba, Boyle, Kreuser and Plouff.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Musser, Hundertmark, Pettis, Sykora, Petrowski, Ryba, Boyle, Kreuser and Plouff.

Noes: 0.

To joint committee on **Finance**.

*TERRY MUSSER*  
Chairperson  
Committee on Veterans and Military  
Affairs

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## REFERRAL OF AGENCY REPORTS

State of Wisconsin  
University of Wisconsin System  
Madison

May 13, 1999

To the Honorable, the Legislature:

One year ago the Joint Finance Committee passed a motion to “require the UW Board of Regents to develop recommended legislation to establish an optional retirement plan for faculty and academic staff and submit such recommended legislation to the Legislature by June 1, 1999.”

At its May 7 meeting, the Board of Regents adopted Resolution 7902 that approved drafting instructions for an Optional Retirement System and directed me to forward those instructions to the Legislature as required by the 1998 Budget Bill. The Regents resolution and the ORS drafting instructions are enclosed for your use.

Our Office of Human Resources and our Office of General Counsel developed the drafting instructions under the direction of Senior Vice President Dave Olien. If you or any legislative staff member has any questions regarding the instructions, please contact Mr. Olien at 262-4048 and he will make sure that your questions are answered without delay.

Sincerely,  
*KATHERINE C. LYALL*  
President

Referred to joint committee on **Retirement Systems**.

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## AGENCY REPORTS

Southeast Wisconsin  
Professional Baseball Park District  
Milwaukee

May 20, 1999

To the Honorable, the Legislature:

Enclosed please find your copy of the April 1999 Miller Park Monthly Progress Report. If you have any questions or comments on this month’s report, please feel free to contact me.

Thank you in advance for your consideration and input on the Miller Park project.

Sincerely,  
*MICHAEL R. DUCKETT, P.E., R.L.S.*  
Executive Director

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## REFERENCE BUREAU CORRECTIONS

### Assembly Bill 305

1. Page 9, line 7: after that line insert:

**“CHAPTER 441”.**

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## ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 9:30 A.M. on Wednesday, May 19.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

10:01 A.M.