



STATE OF WISCONSIN

Assembly Journal

Ninety-Fourth Regular Session

12:01 P.M.

TUESDAY, September 14, 1999

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

Representative Ladwig in the chair.

The Assembly dispensed with the call of the roll.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representative Goetsch.

Assembly amendment 1 to **Assembly Bill 97** offered by Representative Goetsch.

Assembly substitute amendment 1 to **Assembly Bill 111** offered by Representative Goetsch.

Assembly substitute amendment 1 to **Assembly Bill 121** offered by Representative Goetsch.

Assembly amendment 1 to **Assembly Bill 446** offered by Representative Petrowski.

Assembly substitute amendment 1 to **Assembly Joint Resolution 47** offered by Representative Schneider.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 98-168

Relating to operator's licenses and identification cards.
Submitted by Department of Transportation.
Report received from Agency, September 2, 1999.
To committee on **Transportation**.
Referred on September 14, 1999.

Assembly Clearinghouse Rule 98-180

Relating to WPDES permit exemptions for private sewage systems with a design capacity of less than 12,000 gallons per day.
Submitted by Department of Natural Resources.
Report received from Agency, September 7, 1999.
To committee on **Natural Resources**.
Referred on September 14, 1999.

Assembly Clearinghouse Rule 98-187

Relating to pharmacists administering by injection a drug product or device in the course of teaching a patient self-administration techniques.
Submitted by Department of Regulation and Licensing.
Report received from Agency, September 2, 1999.
To committee on **Health**.
Referred on September 14, 1999.

Assembly Clearinghouse Rule 98-196

Relating to regulating the discharge of chloride to surface waters of the state.
Submitted by Department of Natural Resources.
Report received from Agency, September 7, 1999.
To committee on **Environment**.
Referred on September 14, 1999.

Assembly Clearinghouse Rule 99-044

Relating to bow fishing hours on inland lakes during the rough fish spearing season.
Submitted by Department of Natural Resources.
Report received from Agency, September 7, 1999.
To committee on **Natural Resources**.
Referred on September 14, 1999.

Assembly Clearinghouse Rule 99-047

Relating to snowmobiles.
Submitted by Department of Natural Resources.
Report received from Agency, September 7, 1999.
To committee on **Tourism and Recreation**.
Referred on September 14, 1999.

Assembly Clearinghouse Rule 99-082

Relating to camping and reservations on state parks, forests and other public lands and waters under the department's jurisdiction.
Submitted by Department of Natural Resources.
Report received from Agency, September 7, 1999.
To committee on **Tourism and Recreation**.
Referred on September 14, 1999.

Assembly Clearinghouse Rule 99-083

Relating to public use of department lands.
Submitted by Department of Natural Resources.
Report received from Agency, September 7, 1999.
To committee on **Natural Resources**.
Referred on September 14, 1999.

Assembly Clearinghouse Rule 99-097

Relating to the 1999 migratory game bird season.

Submitted by Department of Natural Resources.
Report received from Agency, September 7, 1999.
To committee on **Natural Resources**.
Referred on September 14, 1999.

Assembly Clearinghouse Rule 99–110

Relating to reinstatement eligibility and restoration of sick leave for state employes, other related time periods for state personnel transactions, and minor and technical rule changes.

Submitted by Department of Employment Relations.
Report received from Agency, September 3, 1999.
To committee on **Labor and Employment**.
Referred on September 14, 1999.

Assembly Clearinghouse Rule 99–111

Relating to reinstatement eligibility and employment register expiration for state employment and minor and technical rule changes.

Submitted by Department of Employment Relations.
Report received from Agency, September 3, 1999.
To committee on **Labor and Employment**.
Referred on September 14, 1999.

**INTRODUCTION AND REFERENCE
OF PROPOSALS**

Read first time and referred:

Assembly Joint Resolution 73

Relating to: the life and public service of Lawrence P. Kelly.

By Representatives Sinicki, Plale, Walker, Bock, Owens, Plouff, Travis, Boyle, Porter, Staskunas, Turner, Hasenohrl, Seratti and Kelso; cosponsored by Senators Grobschmidt and Wirch.

To committee on **Rules**.

Assembly Joint Resolution 74

Relating to: the death of ironworkers Jerome Starr, Jeffrey Wischer, and William DeGrave while building Miller Park.

By Representatives Bock, Meyerhofer, M. Lehman, Sherman, Huber, Schooff, Black, Kreuser, Wasserman, Young, Musser, Travis, Boyle, Riley, Sinicki, Duff, Krug, Sykora, La Fave, Pocan, Goetsch, Grothman, Rhoades, Ward, Richards, Miller, Ladwig, Coggs, Albers, Walker, Kestell, Klusman, Jeskewitz, Townsend, Plouff, Jensen, J. Lehman, Gronemus, Spillner, Staskunas, Porter, Schneider, Handrick, Kelso, Turner, Kreibich, Ryba, Lassa, Reynolds, Hasenohrl and Vrakas; cosponsored by Senators Burke, Darling, Erpenbach, Jauch, Moen, Farrow, Lazich, Moore, Grobschmidt, Roessler, Rosenzweig, Huelsman, Clausing, A. Lasee and Robson.

To committee on **Rules**.

Assembly Bill 449

Relating to: the effective date of the requirement that entities that provide care for children or adults conduct background investigations of their current employes.

By Representatives Underheim, Krusick, Ainsworth, Albers, Goetsch, Grothman, Huber, Kelso, La Fave, Ladwig, M. Lehman, Meyer, Miller, Musser, Olsen, Owens, Porter, Rhoades, Ryba, Seratti, Sykora, Turner and Urban; cosponsored by Senators Moen, Breske, Baumgart, Darling, Erpenbach, Farrow, Jauch, Risser, Robson, Roessler, Rosenzweig, Rude, Schultz, Welch and Wirch.

To committee on **Health**.

Assembly Bill 450

Relating to: requiring town board approval for, and setting conditions on, certain annexation actions and prohibiting the creation of town islands.

By Representatives F. Lasee, Goetsch, Ladwig, Spillner, Hutchison, Seratti, Owens, Olsen, Gronemus, Gunderson, Sykora, Johnsrud, Kreibich, Kestell, Nass, Skindrud, Freese, Klusman, Porter, Musser, Hahn and Ainsworth; cosponsored by Senators Breske, A. Lasee, Schultz and Shibilski.

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

Assembly Bill 451

Relating to: revision of certain prescription orders and insurance coverage under those orders.

By Representatives Waukau, Krug, Musser, Gronemus, Ryba, Lassa, Berceau, Pocan, Miller, Hasenohrl, Plouff and Seratti; cosponsored by Senators Clausing, Roessler, Erpenbach and George.

To committee on **Health**.

Assembly Bill 452

Relating to: issuing fees collected by agents who issue fish and game licenses and stamps.

By Representatives Waukau, Musser, Plouff, Meyerhofer, Gronemus, Pocan, Ryba, Lassa, Reynolds, Kreuser, Hasenohrl, Boyle and Seratti; cosponsored by Senators Breske and Wirch, by request of Robert D. Kunkel, Lincoln County Clerk.

To committee on **Natural Resources**.

Assembly Bill 453

Relating to: liability for the actions of law enforcement officers and other employes of cities, villages, towns or counties who are requested to assist other jurisdictions.

By Representatives M. Lehman, Sykora, Olsen, Musser and Stone.

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

Assembly Bill 454

Relating to: transporting loads on a highway in vehicles equipped with dump bodies.

By Representatives Ainsworth, J. Lehman, Kaufert, Kelso and Pettis; cosponsored by Senator Farrow.

To committee on **Transportation**.

Assembly Bill 455

Relating to: establishing a presumption for employment-connected disease for state and county fire fighters.

By Representatives Spillner, Brandemuehl, Freese, Goetsch, Gunderson, Hahn, Handrick, Hasenohrl, Kelso, Ladwig, Lassa, Miller, Musser, Olsen, Schneider, Sykora and

Waukau; cosponsored by Senators Plache, Robson, Roessler and Schultz.

To committee on **Labor and Employment**.

Assembly Bill 456

Relating to: creating an individual income tax subtract modification for amounts spent on medical insurance premiums by certain individuals.

By Representatives Hahn, Kestell, Rhoades, Ladwig, Hundertmark, Reynolds, Pettis, Lassa, Kelso, Waukau, Skindrud, Freese, Sykora, Hasenohrl, Urban, Stone, Musser, Plouff, F. Lasee, Kedzie, Plale, Owens, Gunderson, Seratti, Klusman, Goetsch, Olsen, Colon, Ainsworth, Petrowski, Nass, Staskunas, Ryba, Brandemuehl, Jeskewitz, Underheim, Huebsch, Meyerhofer and Jensen; cosponsored by Senators Drzewiecki, Wirch, Darling, Plache, Huelsman, Lazich, Schultz, Roessler and Welch.

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

Assembly Bill 457

Relating to: exemptions from rules regulating mining and regulating the storage and disposal of mining waste.

By Representatives Black, Bock, Miller, La Fave, J. Lehman, Balow, Pocan and Berceau; cosponsored by Senators Decker, Burke and Baumgart.

To committee on **Environment**.

Assembly Bill 458

Relating to: mining for minerals on lands owned by the state and under the jurisdiction of the department of natural resources, sale of lands by the department of natural resources and providing a penalty.

By Representatives Black, Bock, Miller, La Fave, Huber, Plouff, J. Lehman, Balow, Pocan, Lassa and Berceau; cosponsored by Senators Decker, Burke, Baumgart and Erpenbach.

To committee on **Environment**.

Assembly Bill 459

Relating to: information concerning persons who intend to engage in mining and related entities and denial of mining permits.

By Representatives Black, Bock, Miller, La Fave, Huber, Plouff, J. Lehman, Balow, Pocan and Berceau; cosponsored by Senators Decker, Burke and Baumgart.

To committee on **Environment**.

Assembly Bill 460

Relating to: treatment of contributions of money made by individuals or organizations acting as conduits.

By Representatives Black, Plouff, Boyle, Bock, Pocan and J. Lehman.

To committee on **Campaigns and Elections**.

Assembly Bill 461

Relating to: political contributions made or solicited by lobbyists, principals or former lobbyists to or for the benefit of certain state officials or candidates, service by lobbyists or former lobbyists as officers or directors of political committees and providing a penalty.

By Representatives Black, Boyle, Plouff and J. Lehman.

To committee on **Campaigns and Elections**.

Assembly Bill 462

Relating to: political contributions by lobbyists, principals and certain committees during certain periods and providing a penalty.

By Representatives Black, Boyle, Plouff and J. Lehman.

To committee on **Campaigns and Elections**.

Assembly Bill 463

Relating to: violations of the intoxicated boating law and providing penalties.

By Representatives Black, Miller, Huber, Plouff, Staskunas, Brandemuehl and Hundertmark; cosponsored by Senators Roessler, Darling, Drzewiecki and Baumgart.

To committee on **Natural Resources**.

Assembly Bill 464

Relating to: construction of certain bridges over wild rivers.

By Representatives Seratti, Albers, Musser, Petrowski, Sykora, Kreibich, Kelso, Brandemuehl, Ryba and Gronemus; cosponsored by Senator Zien.

To committee on **Tourism and Recreation**.

Assembly Bill 465

Relating to: classification and elements of felony offenses and certain misdemeanor offenses; modification of a bifurcated sentence in certain cases; revocation of extended supervision; the creation of a sentencing commission and temporary sentencing guidelines; making an appropriation; and providing penalties.

By Representatives Goetsch and Walker; cosponsored by Senator George.

To committee on **Criminal Justice**.

Assembly Bill 466

Relating to: releasing information from the sex offender registry to certain schools.

By Representatives Kestell, Urban, Musser, Albers, Kedzie, Leibham, F. Lasee, Spillner, Underheim, Suder, Nass, Kelso, Hundertmark, Hahn, Sykora, Schooff and Stone; cosponsored by Senators Darling and A. Lasee.

To committee on **Children and Families**.

Assembly Bill 467

Relating to: membership on landfill and hazardous waste facility negotiating committees.

By Representatives Stone, Gunderson, Kestell, Kedzie, Spillner, Duff, Owens, Ladwig and M. Lehman; cosponsored by Senators Plache, Lazich, Roessler and Farrow.

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

Assembly Bill 468

Relating to: intradistrict transfer aid, bonding for construction of and capital improvements to schools in Milwaukee Public Schools and making an appropriation.

By Representatives Krug, Riley, Urban, Krusick, Sykora, Richards, Goetsch, La Fave, Sinicki, Colon, Plale, Plouff and Wasserman; cosponsored by Senators Burke, Grobschmidt and Rosenzweig.

To committee on **Education**.

COMMITTEE REPORTS

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

Assembly Bill 279

Relating to: school district boundary disputes.

Passage:

Ayes: 15 – Representatives Olsen, Nass, Brandemuehl, Hahn, Spillner, Kestell, Hundertmark, Rhoades, J. Lehman, La Fave, Pocan, Reynolds, Schooff, Sherman and Ziegelbauer.

Noes: 0.

To committee on **Rules**.

Assembly Bill 370

Relating to: distribution of certain state documents; school district reports on programs for school age parents and on special transfer programs; the supervision of nurses and dentists employed by a school board; and the term “limited–English speaking” (suggested as remedial legislation by the department of public instruction).

Passage:

Ayes: 15 – Representatives Olsen, Nass, Brandemuehl, Hahn, Spillner, Kestell, Hundertmark, Rhoades, J. Lehman, La Fave, Pocan, Reynolds, Schooff, Sherman and Ziegelbauer.

Noes: 0.

To committee on **Rules**.

Assembly Bill 447

Relating to: the conditional early reinstatement to school of a pupil who has been expelled from school.

Passage:

Ayes: 15 – Representatives Olsen, Nass, Brandemuehl, Hahn, Spillner, Kestell, Hundertmark, Rhoades, J. Lehman, La Fave, Pocan, Reynolds, Schooff, Sherman and Ziegelbauer.

Noes: 0.

To committee on **Rules**.

Senate Bill 62

Relating to: sharing public library system resources, preparing a written plan for library technology and the sharing of resources and eliminating redundant provisions relating to libraries.

Concurrence:

Ayes: 15 – Representatives Olsen, Nass, Brandemuehl, Hahn, Spillner, Kestell, Hundertmark, Rhoades, J. Lehman, La Fave, Pocan, Reynolds, Schooff, Sherman and Ziegelbauer.

Noes: 0.

To committee on **Rules**.

LUTHER OLSEN

Chairperson

Committee on Education

The committee on **Tourism and Recreation** reports and recommends:

Assembly Bill 252

Relating to: the operation of all–terrain vehicles on highways for the purpose of certain types of access.

Passage:

Ayes: 6 – Representatives Spillner, Seratti, Olsen, Skindrud, Reynolds and Ryba.

Noes: 0.

To committee on **Rules**.

JOAN SPILLNER

Chairperson

Committee on Tourism and Recreation

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

Assembly Bill 11

Relating to: Korean War memorials at The Highground and at Plover and making appropriations.

Passage:

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

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

Assembly Bill 42

Relating to: authorizing claims under the school property tax rent credit for property taxes paid in the year before the year in which they are due.

Passage:

Ayes: 15 – Representatives M. Lehman, Sykora, Huebsch, F. Lasee, Ainsworth, Jeskewitz, Goetsch, Spillner, Wood, La Fave, Meyerhofer, Morris–Tatum, Plale, Turner and Ziegelbauer.

Noes: 0.

To joint committee on **Finance**.

Assembly Bill 224

Relating to: expanding the time period for expenditures that may be made by a tax incremental district created by the village of Ashwaubenon.

Passage:

Ayes: 15 – Representatives M. Lehman, Sykora, Huebsch, F. Lasee, Ainsworth, Jeskewitz, Goetsch, Spillner, Wood, La Fave, Meyerhofer, Morris–Tatum, Plale, Turner and Ziegelbauer.

Noes: 0.

To committee on **Rules**.

Senate Bill 49

Relating to: the individual income tax filing threshold for certain married persons.

Concurrence:

Ayes: 15 – Representatives M. Lehman, Sykora, Huebsch, F. Lasee, Ainsworth, Jeskewitz, Goetsch, Spillner, Wood, La Fave, Meyerhofer, Morris–Tatum, Plale, Turner and Ziegelbauer.

Noes: 0.

To committee on **Rules**.

MICHAEL LEHMAN
Chairperson
Committee on Ways and Means

SPEAKER'S COMMUNICATIONS

August 24, 1999

Representative DuWayne Johnsrud
Inter-departmental
323 North, State Capitol

Dear Representative Johnsrud:

By this letter, I am granting approval for you to appoint a Special Subcommittee of the Assembly Natural Resources Committee.

This subcommittee will be directed to study the amount of money paid to vendors of hunting and fishing licenses for their services to the DNR and the sportsmen and women of Wisconsin. This committee will also review the operation of the DNR's automated licensing system.

I agree that Rep. Scott Gunderson should chair the subcommittee and please find the enclosed letter detailing the membership of the subcommittee.

As a State Representative, Gunderson has a long history of working with private vendors of hunting and fishing licenses. The Representative's experience makes him well suited to leading this investigation and for developing

recommendations for the Assembly Natural Resources Committee and Legislature.

Sincerely,
SCOTT R. JENSEN
Assembly Speaker

September 9, 1999

Representative Joan Spillner
Inter-departmental
10 West, State Capitol

Dear Representative Spillner:

By this letter, I am granting approval for you to appoint a Special Joint Subcommittee of the Assembly Natural Resources & Tourism Committees.

This subcommittee will be directed to study the amount of money paid to vendors of hunting and fishing licenses for their services to the DNR and the sportsmen and women of Wisconsin. The committee will also review the operation of the DNR's automated licensing system.

I agree that Rep. Gunderson should chair the subcommittee and work with the Natural Resources and Tourism Committees to select members.

As a State Representative, Gunderson has a long history of working with private vendors of hunting and fishing licenses. The Representative's experience makes him well suited to leading this investigation and for developing recommendations for the Assembly Natural Resources Committee, Tourism Committee and the Legislature.

Sincerely,
SCOTT R. JENSEN
Assembly Speaker

September 13, 1999

Charles Sanders
Assembly Chief Clerk
1 E. Main, #402
Madison, WI 53703

Dear Charlie:

As Assembly Speaker, I am temporarily appointing the following members to the following committees:

Rep. John Gard will replace Rep. Bonnie Ladwig on the Rules Committee.
Rep. Scott Walker will replace Rep. Stephen Freese on the Rules Committee.
Rep. Scott Suder will replace Rep. Carol Owens on the Criminal Justice Committee.

These appointments are effective immediately. If you have any questions, please contact Brett in my office. Thank you.

Sincerely,
SCOTT R. JENSEN
Assembly Speaker

COMMUNICATIONS

September 2, 1999

Assembly Speaker Jensen
Inter-departmental
State Capitol, 211 West

Dear Speaker Jensen:

The appointments for the Joint Natural Resources and Tourism Subcommittee Studying the ALIS Licensing System and Retailer Compensation are as follows:

Natural Resources Committee

Representative Gunderson, Chair
Representative Handrick
Representative Gronemus
Representative Steinbrink

Tourism Committee

Representative Pettis
Representative Skindrud

Should you have any questions please feel free to call myself or Mike in my office at 266-3363.

Sincerely,
SCOTT GUNDERSON
83rd District
Wisconsin State Assembly

State of Wisconsin
Joint Legislative Council
Madison

September 9, 1999

Mr. Charles R. Sanders
Assembly Chief Clerk
1 East Main Street, Suite 402
Madison, WI 53702

Dear Charles:

I am pleased to transmit to you the following report to the 1999 Legislature on legislation introduced by the Joint Legislative Council:

RL 99-3 Legislation on the Election Process
(1999 Assembly Bills 434 and 435)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available at the Legislative Council Staff

offices, One East Main, Suite 401, or from our web page at www.legis.state.wi.us/lc/jlcrecs.html.

Sincerely,
DAVID J. STUTE
Director

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Agriculture, Trade and
Consumer Protection
Madison

September 8, 1999

To the Honorable, the Assembly:

[1991 Wisconsin Act 273](#) created section 1.11(2)(j), Wis. Stats., which requires the submittal of an annual report to the chief clerk of each house of the Legislature by September 15 regarding the preparation of environmental assessments and environmental impact statements.

I am submitting the attached report prepared by the Department of Agriculture, Trade and Consumer Protection for fiscal year 1999 to comply with this requirement.

Please contact Buzz Davis of my staff at 224-4593 if there are any questions regarding the report.

Sincerely,
BEN BRANCEL
Secretary

Referred to committee on **Natural Resources**.

State of Wisconsin
Investment Board
Madison

September 9, 1999

To the Honorable, the Assembly:

Pursuant to s. [1.11\(2\)\(j\)](#) of the Statutes, the State of Wisconsin Investment Board is pleased to report that during fiscal year 1999, it did not consider any proposals for major actions in Wisconsin that could significantly affect the quality of the human environment. Accordingly, the agency was not required to prepare any environmental assessments or impact statements under s. [1.11](#).

Please contact Ken Johnson at 267-0221 if you have any questions concerning this report.

Referred to committee on **Natural Resources**.

Sincerely,
PATRICIA LIPTON
Executive Director

DATE: September 10, 1999
TO: Charles R. Sanders
Assembly Chief Clerk
FROM: Katharine C. Lyall
President, The University of Wisconsin System
RE: Wisconsin Environmental Policy Act

The University of Wisconsin System is pleased to provide you with a copy of our annual Wisconsin Environmental Policy Act (WEPA) report. In fulfillment of Section 1.11(2)(j) Wisconsin Statutes, this document provides information on the numbers of environmental assessment (EA's) and environmental impact statements (EIS's) completed in the past fiscal year.

This report addresses the activities of the University of Wisconsin System for the period July 1, 1998 to June 30, 1999.

Questions regarding this report should be directed to Gary Brown, UW System Environmental Affairs Officer. Gary may be reached at 263-4417.

Referred to committee on **Natural Resources**.

REFERENCE BUREAU CORRECTIONS

Assembly Bill 394

1. Page 1, line 5: underscore the material beginning with "and," and ending with "school" on line 7.

Assembly Bill 449

1. Page 2, line 3: delete "affected" and substitute "last amended".
2. Page 2, line 15: delete "1999" and substitute "1997".

ADJOURNMENT

Representative Porter moved that the Assembly stand adjourned until 10:00 A.M. on Thursday, September 16.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

12:02 P.M.