



STATE OF WISCONSIN Assembly Journal

Ninety-Fourth Regular Session

WEDNESDAY, October 20, 1999

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

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 390** offered by committee on **Ways and Means**.

Assembly substitute amendment 1 to **Assembly Bill 466** offered by Representatives Kestell, Grothman and Pocan.

Assembly substitute amendment 1 to **Assembly Bill 518** offered by Representatives Underheim, F. Lasee, Ziegelbauer and Skindrud.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 518** offered by Representative Ziegelbauer.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 19

Relating to: the life and public service of George Reedy.
By Representatives Plale, Walker, Colon and Cullen.
To committee on **Rules**.

Assembly Bill 539

Relating to: the construction of correctional facilities by private persons, the lease of certain correctional facilities, contracts for the confinement of Wisconsin prisoners in other states, making an appropriation and providing penalties.

By Representatives Balow, Sykora, Suder, Goetsch, F. Lasee, Riley, Colon and Schooff; cosponsored by Senators Zien, Jauch and Farrow.

To committee on **Corrections and the Courts**.

Assembly Bill 540

Relating to: a sales tax and a use tax exemption for items used for conservation or restoration related to agricultural land.

By Representatives Skindrud, Musser, Brandemuehl, Goetsch, Black, Stone, Ott, Hasenohrl, Sykora, Ainsworth, Gronemus, Spillner, Miller and Gunderson; cosponsored by Senators Rude, A. Lasee and Roessler.

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

Assembly Bill 541

Relating to: creating a nonresident physician license.

By Joint Legislative Council.

To committee on **Public Health**.

Assembly Bill 542

Relating to: designation of a date as "Benefit Specialist Day".

By Representatives Waukau, Bock, Ryba, Sherman, Pettis, Schooff, Hasenohrl, Musser, Gronemus, Plouff, Huber and Kreuser; cosponsored by Senators Breske, Moen, Robson, Grobschmidt and Rude, by request of Wisconsin Association of Benefits Specialists.

To committee on **Health**.

Assembly Bill 543

Relating to: the duty of a motor vehicle operator who is involved in an accident with a person or an attended or occupied vehicle.

By Representatives Stone, Jensen, Brandemuehl, Urban, Hahn, Albers, Handrick, Vrakas, Kelso, Ryba and Nass; cosponsored by Senators Huelsman and Darling.

To committee on **Highway Safety**.

Assembly Bill 544

Relating to: the lease and operation of correctional facilities and making an appropriation.

By committee on Corrections and the Courts.

To committee on **Corrections and the Courts**.

Assembly Bill 545

Relating to: paid leaves of absence for state employees for the purpose of serving as bone marrow and human organ donors.

By Representatives Kreuser, Waukau, Seratti, Wasserman, Ryba, Hasenohrl, Riley, Pocan, Bock, Miller, Williams, Plale and Boyle; cosponsored by Senators Erpenbach and George.

To committee on **Government Operations**.

Assembly Bill 546

Relating to: modifying the definition of "income" under the homestead tax credit.

By Representatives Kreuser, Ainsworth, Boyle, Cullen, Hasenohrl, La Fave, Musser, Steinbrink, Turner and Waukau; cosponsored by Senators Darling and Plache.
To committee on **Ways and Means**.

Assembly Bill 547

Relating to: various changes to the worker's compensation law.
By Representatives Vrakas and Turner; cosponsored by Senators Baumgart and Zien.
To committee on **Labor and Employment**.

Assembly Bill 548

Relating to: the unlawful use of electronic mail and other computerized communication systems, transmitting information about a child on the internet and providing a penalty.
By Representatives Huebsch, Suder, Pettis, Montgomery, Ladwig, Musser, Porter, Stone, Townsend, Owens and Leibham; cosponsored by Senators Erpenbach and Welch.
To committee on **Judiciary and Personal Privacy**.

Assembly Bill 549

Relating to: limiting disclosure of information regarding children and providing a penalty.
By Representatives Huebsch, Rhoades, Suder, Pettis, Montgomery, Ladwig, M. Lehman, Musser, Porter, Stone, Owens and Leibham; cosponsored by Senators Drzewiecki and Welch.
To committee on **Judiciary and Personal Privacy**.

Assembly Bill 550

Relating to: transfer or use of a syringe, needle or similar object used by a person with acquired immunodeficiency syndrome or the human immunodeficiency virus, persons with acquired immunodeficiency syndrome or the human immunodeficiency virus having sexual contact or sexual intercourse, and providing a penalty.
By Representatives Gundrum, Suder, Nass, Musser, Kestell, Spillner, Kaufert, Ladwig, Stone, Gunderson and Albers; cosponsored by Senators Darling, Roessler and Drzewiecki.
To committee on **Judiciary and Personal Privacy**.

Assembly Bill 551

Relating to: priority of claims for distribution in insurance liquidations, the insurance security fund, conforming the mutual insurance holding company provisions to changes made in the nonstock corporation provisions, the certified capital investment credit for insurers and miscellaneous changes to insurance statutes.
By Representative F. Lasee; cosponsored by Senator Breske, by request of Office of the Commissioner of Insurance.
To committee on **Insurance**.

COMMITTEE REPORTS

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

Assembly Bill 53

Relating to: exempting from the sales tax and the use tax farm animal ear tags and mastitis detection solution.
Passage:
Ayes: 14 – Representatives Ott, Petrowski, Hahn, Kestell, Spillner, Suder, Ainsworth, Sykora, Gronemus, Lassa, Plouff, Reynolds, Steinbrink and Waukau.
Noes: 0.

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

ALVIN OTT
Chairperson
Committee on Agriculture

The committee on **Highway Safety** reports and recommends:

Senate Bill 108

Relating to: authority to modify speed limits within historic districts.
Concurrence:
Ayes: 5 – Representatives Stone, Suder, Hasenohrl, Ryba and Young.
Noes: 2 – Representatives Brandemuehl and Urban.
To committee on **Rules**.

JEFF STONE
Chairperson
Committee on Highway Safety

The committee on **Information Policy** reports and recommends:

Assembly Bill 334

Relating to: electronic mail solicitations.
Assembly amendment 1 adoption:
Ayes: 5 – Representatives Hutchison, Montgomery, Spillner, Schneider and Kreuser.
Noes: 0.
Passage as amended:
Ayes: 5 – Representatives Hutchison, Montgomery, Spillner, Schneider and Kreuser.
Noes: 0.
To committee on **Rules**.

DAVID HUTCHISON
Chairperson
Committee on Information Policy

The committee on **Labor and Employment** reports and recommends:

Assembly Bill 469

Relating to: permitting an employer to refuse to employ or to terminate from employment an individual who has been convicted of a felony and who has not been pardoned.

Passage:

Ayes: 7 – Representatives Vrakas, Montgomery, Nass, Grothman, Hundertmark, Goetsch and Meyerhofer.

Noes: 3 – Representatives Turner, Pocan and Schooff.

To committee on **Rules**.

DANIEL VRAKAS
Chairperson
Committee on Labor and Employment

The committee on **Urban and Local Affairs** reports and recommends:

Assembly Bill 325

Relating to: liability of cities, villages, towns and counties for damages caused by an insufficiency or want of repair of a highway.

Assembly amendment 1 to Assembly substitute amendment 1 adoption:

Ayes: 9 – Representatives Gunderson, Brandemuehl, Kedzie, Stone, Musser, Colon, Berceau, Carpenter and Williams.

Noes: 0.

Assembly substitute amendment 1 adoption:

Ayes: 9 – Representatives Gunderson, Brandemuehl, Kedzie, Stone, Musser, Colon, Berceau, Carpenter and Williams.

Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Gunderson, Brandemuehl, Kedzie, Stone and Musser.

Noes: 4 – Representatives Colon, Berceau, Carpenter and Williams.

To committee on **Rules**.

SCOTT GUNDERSON
Chairperson
Committee on Urban and Local Affairs

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

Assembly Bill 390

Relating to: the definition of tangible personal property that is subject to a sales or use tax.

Assembly amendment 1 adoption:

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

Noes: 0.

Passage as amended:

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

Noes: 0.

To committee on **Rules**.

Assembly Bill 402

Relating to: authorizing payment schedules for delinquent taxpayers who enter into a compromise with the department of revenue.

Passage:

Ayes: 15 – Representatives M. Lehman, Sykora, Huebsch, F. Lasee, Jeskewitz, Goetsch, Owens, 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

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

October 19, 1999

To the Honorable Members of the Assembly:

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 449 8 October 18, 1999

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 449 8 November 1, 1999

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Corrections
Madison

DATE: October 7, 1999

TO: Charles R. Sanders
Chief Clerk of the Assembly

FROM: Jon E. Litscher
Secretary

RE: Reporting Requirements for the Education
Commission of the States

Please find the enclosed four documents from the Education Commission of the States (ECS):

1. 1998-99 Annual Report;
2. Highlights of the 1998-99 Annual Report;
3. 1999 Education agenda; and
4. A copy of the ECS' bylaws with amendments.

The ECS is required to file these with your office to meet its statutory requirements under ss. [39.75](#) and [39.76](#), Wis. Stats. If there are any questions please call me at 266-4548.

Referred to committee on **Education**.

State of Wisconsin
State Treasurer
Madison

October 18, 1999

To the Honorable, the Legislature:

I am pleased to submit to you the 1998-1999 Biennial Report of the State Treasurer's office, pursuant to section 14.58(9), Wis. Stats.

This report contains the statement of accounts held in trust for banks, trust companies and insurance companies, statement of receipts and disbursement, participating shares of investment trusts and state cash reconciliation figures for the fiscal years of 1998 and 1999.

If you have any questions on this report, please contact Nicholas Voegeli, Deputy State Treasurer at (608) 266-7982.

Sincerely,
JACK C. VOIGHT
State Treasurer

Referred to committee on **Ways and Means**.

State of Wisconsin
Department of Revenue
Madison

October 12, 1999

To the Honorable, the Legislature:

I am submitting the quarterly report of the Wisconsin Lottery for the quarter ending September 30, 1999. As required by § [565.37\(3\)](#), Wis. Stats., the attached materials contain unaudited Wisconsin Lottery year to date Sales and Expenditure information.

The summary information reported here is not intended to be a complete financial accounting of the Wisconsin Lottery Fund. It reflects current law, including provisions of [1999 Wisconsin Act 5](#), but does not reflect the pending provisions of the 1999-01 biennial budget. This report may be amended pending the results of the biennial budget.

If you have any questions or comments regarding this report, please feel free to contact me at (608) 266-6466.

Sincerely,
CATE ZEUSKE
Secretary of Revenue

Referred to committee on **State Affairs**.

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

October 15, 1999

To the Honorable, the Legislature:

We recently completed a financial audit of the Mendota and Winnebago Mental Health Institutes for the period July 1, 1997 through June 30, 1998. The audit was requested by the Department of Health and Family Services to comply with requirements of the Joint Commission on Accreditation of Hospitals.

We were able to express an unqualified opinion on each Institute's financial statements. These statements show that, on an accrual basis, Mendota Mental Health Institute had net

income of \$771,000 and Winnebago Mental Health Institute had net income of \$53,000. This income has allowed the Institutes to reduce their overall cash deficit.

Because of limitations in the Department's patient billing system, the prior year's financial statements contained errors, which had the effect of overstating patient accounts receivable, patient revenues, and net income. To correct for these overstatements, the fiscal year 1997-98 financial statements reflect a \$2.6 million prior-period reduction in retained earnings for the Mendota Mental Health Institute and a \$3.7 million reduction in retained earnings for the Winnebago Mental Health Institute.

Our audit report was delayed primarily because of difficulties relating to the Department's billing system, which does not report patient revenues and receivables in accordance with generally accepted accounting principles. Therefore, complex additional procedures were required to determine the Institutes' patient revenues and receivables. Because the Department's system is unable to accumulate and summarize accurate information on patient revenues and receivables, we qualified our report on internal controls.

The Department has recognized the limitations of its billing system for a number of years and is implementing a new billing system that is intended to allow for more timely and accurate financial reporting of patient revenues and accounts receivable. However, the Department is experiencing difficulties in this effort and, as of September 30, 1999, had not billed patients or other parties since March 1999. The Department resumed billing in October 1999. We will review the Department's new system during our audit of the Mental Health Institutes' fiscal year 1998-99 financial statements.

We appreciate the courtesy and cooperation extended to us by Department of Health and Family Services staff during our audit.

Respectfully submitted,
JANICE MUELLER
State Auditor

Southeast Wisconsin
Professional Baseball Park District
Milwaukee

October 21, 1999

To the Honorable, the Legislature:

Enclosed please find the Miller Park Monthly Progress Report for the month of September 1999 for your review and consideration.

We continue to move forward with our recovery plan and standard ballpark construction efforts in the aftermath of the July crane accident. During the month of September, we accepted the recommendation of the construction manager, HCH Miller Park Joint Venture, to postpone the opening of Miller Park until April 2001. Through the course of our recovery plan and schedule analysis efforts, it was apparent that we could not adequately assemble the necessary workforce to consider an earlier opening of the ballpark.

Most significantly, we have re-established a workforce of more than 450 workers on site involved in debris removal and other normal ballpark construction activities, including electrical, plumbing, fireproofing, painting, mechanical, structural steel, glazing, drywall, and so forth.

As always, please feel free to contact me if you should have any question or comments regarding the enclosed report.

Very truly yours,
MICHAEL R. DUCKETT, P.E., R.L.S.
Executive Director

REFERENCE BUREAU CORRECTIONS

Assembly Substitute Amendment 1 to **Assembly Bill 133**

In enrolling, the following corrections were made:

Assembly Substitute Amendment 1 to Assembly Bill 133:

1. Page 656, line 21: on lines 21 and 22, delete “, as affected by 1999 Wisconsin Act (this act).”.

2. Page 1603, line 1: before “1. a.” insert “(c)”.

Conference Amendment 1 to Assembly Substitute Amendment 1 to Assembly Bill 133:

3. Page 348, line 23: substitute a plain semicolon for the stricken semicolon.

4. Page 847, line 16: delete “page 1559, line 7” and substitute “page 1557, line 24”.

5. Page 877, line 2: substitute “9150” for “9350”.