



STATE OF WISCONSIN

Assembly Journal

Ninety-Fourth Regular Session

WEDNESDAY, January 19, 2000

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

AMENDMENTS OFFERED

Assembly amendment 2 to **Assembly Bill 175** offered by Representative Staskunas.

Assembly amendment 1 to **Assembly Bill 244** offered by committee on **Colleges and Universities**.

Assembly amendment 2 to **Assembly Bill 244** offered by committee on **Colleges and Universities**.

Assembly substitute amendment 1 to **Assembly Bill 392** offered by Representative Cullen.

Assembly substitute amendment 2 to **Assembly Bill 483** offered by Representative Ward.

Assembly amendment 1 to **Assembly Bill 532** offered by Representative Steinbrink.

Assembly amendment 2 to **Assembly Bill 532** offered by Representative Steinbrink.

Assembly amendment 1 to **Assembly Bill 572** offered by committee on **Ways and Means**.

Assembly substitute amendment 1 to **Assembly Bill 606** offered by committee on **Tourism and Recreation**.

Assembly amendment 2 to **Assembly Bill 615** offered by Representative Suder.

Assembly amendment 1 to **Assembly Bill 619** offered by committee on **Ways and Means**.

Assembly amendment 1 to **Assembly Bill 634** offered by committee on **Ways and Means**.

Assembly amendment 2 to **Assembly Bill 634** offered by committee on **Ways and Means**.

Assembly amendment 1 to **Assembly Bill 654** offered by committee on **Colleges and Universities**.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 99

Relating to: urging the members of the U. S. Congress to support proposed federal legislation that would call for definitive debt reduction and cancellation for the poorest nations of the world.

By Representatives Miller, Klusman, Black, Richards, Berceau, Coggs, Young, Spillner and Pocan; cosponsored by Senators Rude, Risser, Burke, Darling and George.

To committee on **Government Operations**.

Assembly Bill 655

Relating to: the administration and collection of local exposition district taxes, community-wide standards for marriage, taxation of certain inter vivos trusts, correcting a reference to the year in which Sheboygan County was created and prohibiting denial of payment for certain medical or surgical services or procedures.

By committee on Rules.

To committee on **Rules**.

Assembly Bill 656

Relating to: granting creditable service under the Wisconsin retirement system to certain assistant district attorneys formerly employed by Milwaukee County and making an appropriation.

By Representatives Walker, Ward, Stone, Duff, Sykora, M. Lehman, Albers, Staskunas and Plale; cosponsored by Senators Burke, Darling, Rosenzweig, Panzer and George.

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

Assembly Bill 657

Relating to: the priority of a wage claim lien.

By Representatives Riley, Nass, Kreuser, Bock, Musser, Hasenohrl, Pocan, Olsen, Turner, Ziegelbauer, Ryba, J. Lehman, Richards, Miller, Plouff, Gronemus, F. Lasee, Williams, Berceau and Meyerhofer; cosponsored by Senators Robson, George, Wirch, Plache, Erpenbach, Burke, Roessler and Baumgart.

To committee on **Labor and Employment**.

Assembly Bill 658

Relating to: the low-income energy assistance and weatherization assistance programs (suggested as remedial legislation by the department of administration).

By Law Revision Committee.
To committee on **Children and Families**.

Assembly Bill 659

Relating to: light rail and the urban mass transit operating assistance program.

By Representatives Grothman, Suder, Walker, Albers, Duff, Goetsch, Nass, Pettis and Stone; cosponsored by Senator Lazich.

To committee on **Transportation**.

Assembly Bill 660

Relating to: measuring a pupil's awareness of individual words in sounds and school district revenue limits.

By Representatives Underheim, Grothman, Musser and Ryba; cosponsored by Senators Darling and Welch.

To committee on **Education**.

Assembly Bill 661

Relating to: using night vision equipment while hunting or possessing a weapon.

By Representatives Johnsrud, Porter, Boyle, Olsen, Owens, Klusman, Hahn and Kreuser; cosponsored by Senators Baumgart, Schultz, Rude and Burke, by request of Department of Natural Resources.

To committee on **Natural Resources**.

Assembly Bill 662

Relating to: transaction fees for issuing fishing and game approvals.

By Representatives Gunderson, Handrick, Gronemus, Spillner, Ott, Hasenohrl, Musser and Seratti; cosponsored by Senator Decker.

To committee on **Natural Resources**.

Assembly Bill 663

Relating to: the disclosure of pupil records by the department of public instruction.

By Representative Olsen; cosponsored by Senator Grobschmidt.

To committee on **Education**.

Assembly Bill 664

Relating to: providing information to a firearms dealer when purchasing a handgun and providing a penalty.

By Representatives Gundrum, Gunderson, Jensen, Stone, Carpenter, Pettis, Vrakas, Schooff, Kestell, Ladwig, Walker, Rhoades, Huebsch, Olsen, Kreibich, Ainsworth, Nass, Hundertmark, Spillner, Porter, Albers, Ward, Sykora, Kaufert and Urban; cosponsored by Senators Drzewiecki, Darling and Schultz.

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

Assembly Bill 665

Relating to: counting of certain convictions in drunk driving cases.

By Representatives Ott, Stone, Brandemuehl, Ainsworth, Hundertmark, Hutchison, Kestell, Klusman, Kreibich,

Ladwig, Montgomery, Spillner and Vrakas; cosponsored by Senators Drzewiecki, Darling and Rosenzweig.

To committee on **Highway Safety**.

Assembly Bill 666

Relating to: the right to discovery in implied consent cases involving drunk driving.

By Representatives Stone, Brandemuehl, Ryba, Ladwig, Hahn, Hundertmark and Vrakas; cosponsored by Senator Huelsman.

To committee on **Highway Safety**.

Assembly Bill 667

Relating to: the transfer of an interest in a motor vehicle.

By Representatives Pettis, Musser, Ladwig, Schneider, Goetsch, Ainsworth, Brandemuehl, Vrakas, Nass, Freese, Townsend and Gunderson; cosponsored by Senator Huelsman.

To committee on **Transportation**.

Assembly Bill 668

Relating to: counting prior offenses of operating a motor vehicle with an operating privilege that is suspended or revoked, or of operating a commercial motor vehicle while disqualified or ordered out of service.

By Representatives Brandemuehl, Stone, La Fave, Goetsch, Hundertmark, Spillner, Ladwig, Kelso, Albers, Ainsworth and Owens; cosponsored by Senators Breske, Roessler, Darling, Huelsman, Baumgart and Rosenzweig.

To committee on **Transportation**.

REFERRAL OF FULL VETOES

Assembly Bill 189

Relating to: consolidation or merger of incorporated Roman Catholic congregations.

By Representatives Gard and Plale; cosponsored by Senators Burke and Farrow.

To committee on **Rules**.

COMMITTEE REPORTS

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

Assembly Bill 244

Relating to: an education tax credit to corporations.

Assembly amendment 1 adoption:

Ayes: 9 – Representatives Kreibich, Rhoades, Hutchison, Underheim, Kelso, Plouff, Lassa, Meyer and Richards.

Noes: 1 – Representative Boyle.

Assembly amendment 2 adoption:

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

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Kreibich, Rhoades, Hutchison, Underheim, Kelso, Plouff, Lassa, Meyer and Richards.

Noes: 1 – Representative Boyle.

To committee on **Rules**.

Assembly Bill 432

Relating to: auditing University of Wisconsin System and technical college system courses by persons who are 60 years of age or older.

Assembly amendment 1 adoption:

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

Noes: 0.

Passage as amended:

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

Noes: 0.

To committee on **Rules**.

Assembly Bill 592

Relating to: creating an International Baccalaureate Diploma grant program, granting rule-making authority and making an appropriation.

Assembly amendment 1 adoption:

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

Noes: 0.

Passage as amended:

Ayes: 6 – Representatives Kreibich, Rhoades, Hutchison, Underheim, Kelso and Richards.

Noes: 4 – Representatives Plouff, Boyle, Lassa and Meyer.

To joint committee on **Finance**.

ROB KREIBICH
Chairperson
Committee on Colleges and Universities

The committee on **Family Law** reports and recommends:

Assembly Bill 83

Relating to: covenant marriage and granting rule-making authority.

Passage:

Ayes: 5 – Representatives Owens, Ladwig, Huebsch, Pettis and Montgomery.

Noes: 4 – Representatives Staskunas, Berceau, Krusick and J. Lehman.

To committee on **Rules**.

CAROL OWENS
Chairperson
Committee on Family Law

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

Assembly Bill 379

Relating to: discharge or other retaliation or discrimination against an employe of a health care facility or a health care provider who reports a violation of the law or a violation of a clinical or ethical standard by the health care facility or health care provider or by an employe of the health care facility or health care provider and providing a penalty.

Passage:

Ayes: 16 – Representatives Underheim, Walker, F. Lasee, Johnsrud, Olsen, Wieckert, Hundertmark, Owens, Wasserman, Carpenter, Krusick, La Fave, Meyer, Miller, Schooff and Waukau.

Noes: 0.

To committee on **Rules**.

GREGG UNDERHEIM
Chairperson
Committee on Health

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

Assembly Joint Resolution 83

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

Adoption:

Ayes: 5 – Representatives Huebsch, Gundrum, Walker, Suder and Grothman.

Noes: 4 – Representatives Sherman, Colon, Hebl and Staskunas.

To committee on **Rules**.

MICHAEL HUEBSCH
Chairperson
Committee on Judiciary and Personal Privacy

The committee on **Public Health** reports and recommends:

Assembly Bill 308

Relating to: prohibiting smoking in the state capitol building and on the state capitol grounds and providing a penalty.

Passage:

Ayes: 7 – Representatives Freese, Kreibich, Townsend, Carpenter, Bock, Miller and Wasserman.

Noes: 2 – Representatives Urban and Underheim.

To committee on **Rules**.

FRANK URBAN
Chairperson
Committee on Public Health

The joint survey committee on **Tax Exemptions** reports and recommends:

Assembly Bill 442

Relating to: the amount of the exemption from income tax withholding requirements for employes of a county fair association.

Adoption of Report:

Ayes: 9—Representatives Hahn, M. Lehman and Hebl; Senators Decker, Breske and Cowles; Secretary Cate Zueske, Mr. Alan Lee, Department of Justice and Mr. Paul Vrakas.
Noes: 0.

To committee on **Rules**.

EUGENE HAHN
Assembly Chairperson
Joint survey committee on Tax Exemptions

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

Assembly Bill 606

Relating to: expanding the definition of “bed and breakfast establishment”.

Assembly substitute amendment 1 adoption:

Ayes: 10 – Representatives Spillner, Seratti, Olsen, Pettis, Skindrud, Hutchison, Reynolds, Sinicki, Steinbrink and Waukau.
Noes: 0.

Passage as amended:

Ayes: 10 – Representatives Spillner, Seratti, Olsen, Pettis, Skindrud, Hutchison, Reynolds, Sinicki, Steinbrink and Waukau.
Noes: 0.

To committee on **Rules**.

JOAN SPILLNER
Chairperson
Committee on Tourism and Recreation

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

Assembly Bill 41

Relating to: the filing of personal property reports.

Passage:

Ayes: 12 – Representatives M. Lehman, Sykora, Goetsch, Huebsch, F. Lasee, Ainsworth, Owens, Spillner, Wood, La Fave, Plale and Ziegelbauer.

Noes: 2 – Representatives Morris–Tatum and Turner.

To committee on **Rules**.

Assembly Bill 572

Relating to: the sales tax and the use tax on tips and gratuities.

Assembly amendment 1 adoption:

Ayes: 14 – Representatives M. Lehman, Sykora, Goetsch, Huebsch, F. Lasee, Ainsworth, Owens, Spillner, Wood, La Fave, Morris–Tatum, Plale, Turner and Ziegelbauer.

Noes: 0.

Passage as amended:

Ayes: 14 – Representatives M. Lehman, Sykora, Goetsch, Huebsch, F. Lasee, Ainsworth, Owens, Spillner, Wood, La Fave, Morris–Tatum, Plale, Turner and Ziegelbauer.

Noes: 0.

To joint committee on **Finance**.

Assembly Bill 619

Relating to: the sales tax and the use tax on purchases made with a manufacturer’s rebate.

Assembly amendment 1 adoption:

Ayes: 14 – Representatives M. Lehman, Sykora, Goetsch, Huebsch, F. Lasee, Ainsworth, Owens, Spillner, Wood, La Fave, Morris–Tatum, Plale, Turner and Ziegelbauer.

Noes: 0.

Passage as amended:

Ayes: 14 – Representatives M. Lehman, Sykora, Goetsch, Huebsch, F. Lasee, Ainsworth, Owens, Spillner, Wood, La Fave, Morris–Tatum, Plale, Turner and Ziegelbauer.

Noes: 0.

To committee on **Rules**.

Assembly Bill 634

Relating to: the liability of married persons filing a joint income tax return, the payment of the alternate fuel tax and the tobacco products tax, reducing nondelinquent taxes, rounding dollar amounts to whole dollars on all tax returns, allowing a mathematical computation of sales and use taxes, items used exclusively for tax–exempt purposes, paying taxes with a credit card, extending the time for filing a tax withholding report, granting rule–making authority, making an appropriation and providing a penalty.

Assembly amendment 1 adoption:

Ayes: 14 – Representatives M. Lehman, Sykora, Goetsch, Huebsch, F. Lasee, Ainsworth, Owens, Spillner, Wood, La Fave, Morris–Tatum, Plale, Turner and Ziegelbauer.

Noes: 0.

Assembly amendment 2 adoption:

Ayes: 14 – Representatives M. Lehman, Sykora, Goetsch, Huebsch, F. Lasee, Ainsworth, Owens, Spillner, Wood, La Fave, Morris–Tatum, Plale, Turner and Ziegelbauer.

Noes: 0.

Passage as amended:

Ayes: 14 – Representatives M. Lehman, Sykora, Goetsch, Huebsch, F. Lasee, Ainsworth, Owens, Spillner, Wood, La Fave, Morris–Tatum, Plale, Turner and Ziegelbauer.

Noes: 0.

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

MICHAEL LEHMAN
Chairperson
Committee on Ways and Means

EXECUTIVE COMMUNICATIONS

January 20, 2000

The Honorable Fred Risser
President of the Wisconsin State Senate
220 South, State Capitol
Madison, WI 53702

The Honorable Scott Jensen
Speaker of the Wisconsin State Assembly
211 West, State Capitol
Madison, WI 53702

Dear Senator Risser and Representative Jensen:

Pursuant to Article V, Section 4 of the Wisconsin Constitution, I request that you convene a joint session of the Legislature on Wednesday, January 26, 2000, at 7:00 P.M. for the purpose of my delivery of the 2000 State of the State Address.

I respectfully request confirmation of this date with my scheduler, Patricia Hackett, at your earliest convenience. Ms. Hackett can be reached directly at 266-6942. Thank you in advance for your consideration.

Sincerely,
TOMMY G. THOMPSON
Governor

COMMUNICATIONS

January 14, 2000

Representative Scott Jensen, Speaker
Wisconsin State Assembly
211 West, State Capitol
Madison, WI 53708

Dear Speaker Jensen:

As chair of the Assembly Transportation Committee, it has come to my attention that there have been a number of problems associated with the current implementation of Trans 233 of the Wisconsin Administrative Code. Trans 233 relates to the division of land abutting a state trunk highway or connecting highway. Originally created in 1956 to regulate subdivisions only, as of February 1, 1999, Trans 233 now regulates all land divisions adjacent to state highways.

Due to the concerns that have been brought to my attention by both fellow legislators and the Coalition to Reform Trans 233, which consists of 20 different associations, I held a briefing on Trans 233 for the benefit of the Assembly Transportation Committee. At that briefing, a number of additional concerns were raised by the committee members. Thus, I have appointed a subcommittee to specifically review Trans 233 and offer recommendations for modifications to the Joint Committee for Review of Administrative Rules.

Members of the subcommittee include Representatives Jeff Stone, Mike Huebsch, Joe Leibham, Julie Lassa, John Steinbrink and Gary Sherman. I will serve as chair. I intend to call the first meeting of the subcommittee on Review of Trans 233 for Thursday, January 27.

If you have any questions regarding the subcommittee or the concerns associated with Trans 233, please let me know.

Sincerely,
DAVID A. BRANDEMUEHL
State Representative
49th Assembly District

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Administration
Madison

December 29, 1999

To the Honorable, the Legislature:

RE: Division of Gaming Quarterly Report

Included with this correspondence, I am submitting the report of the Department of Administration, Division of Gaming (Gaming), for the quarter ended September 30, 1999. As required by s. 562.02(1)(g), Wis. Stats., the attached materials contain pari-mutuel wagering and racing statistical information, as well as the revenues and expenditures for the program areas of Racing, Charitable Gaming and Indian Gaming.

If you have any questions or comments regarding this report, please do not hesitate to contact me at (608) 270-2560.

Sincerely,
F. SCOTT SCEPANIAC
Administrator

Referred to committee on **State Affairs**.

State of Wisconsin
Department of Health and Family Services
Madison

January 10, 2000

To the Honorable, the Assembly:

The Bureau of Health Information (BHI) is pleased to submit to the Governor and to the Legislature the attached report.

This report addresses the non-statutory provision in Section 65 (3t) of 1997 Wisconsin Act 231. The 1997 Wisconsin Act 231 required the Department of Health and Family Services to study whether health care data from teaching physicians should be adjusted to reflect the unique aspects of delivering health care as a teaching physician.

Questions regarding the attached report should be forwarded to Barbara Rudolph, Director, Bureau of Health Information, at (608) 266-0236.

Sincerely,
JOE LEEAN
Secretary

Referred to committee on **Health**.

State of Wisconsin
Department of Public Instruction
Madison

January 11, 2000

To the Honorable, the Legislature:

This is to inform you that the department will submit the 1999 Annual Report on the Status of Bilingual-Bicultural Education programs, as required under s. 115.96, Wisconsin Statutes, by January 31, 2000. Last year, we moved to an electronic collection of all limited-English proficient (LEP) related data. This year, we needed to make some major changes to the LEP data collection in response to new USDE requirements as well as to address difficulties that arose from the previous year's implementation of the new system. These necessary changes delayed the dissemination of data collection packets until the summer, resulting in the delay of submittal of data by some districts. Staff are working on the database and reporting formats that will allow us to provide the complete report to you by the end of January 2000.

The complete annual report will include details on: the state's administration and funding of bilingual education in Wisconsin and factors contributing to program expansion; the continually lower annual reimbursement rates for school districts; the number of pupils served from minority languages, the locations of state-aided programs during the 1999 fiscal year (July 1, 1998, through June 30, 1999), and staff-related data.

If you have any questions, please contact Barbara A. Bitters, Director, Equity Mission Team, at 266-9609 or at barbara.bitters@dpi.state.wi.us.

Sincerely,
JUANITA S. PAWLISCH, PH.D.,
ASSISTANT SUPERINTENDENT
Division for Learning Support:
Equity and Advocacy

Referred to committee on **Education**.

AGENCY REPORTS

State of Wisconsin
Department of Administration
Madison

December 17, 1999

To the Honorable, the Legislature:

I have enclosed a copy of the State of Wisconsin's Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 1999. This report contains the "general purpose" or combined financial statements, and the combining financial statements for each fund type. As such, it represents a summary of all State transactions during the fiscal year.

I am pleased to report that the Government Finance Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the State of Wisconsin for its fiscal year 1998 CAFR. The GFOA's Certificate is a prestigious national award recognizing conformance with the highest standards for state and local government financial reports. The State of Wisconsin is again applying for the Certificate, and the 1999 CAFR has been submitted to the GFOA.

A copy of the CAFR is also available on the State of Wisconsin, Department of Administration homepage on the World Wide Web: <http://www.doa.state.wi.us/debf/cafr/FY99/99cafr.htm>

If you have specific questions regarding the CAFR's contents or comments on its usefulness, please contact me at (608) 266-3628.

Sincerely,
WILLIAM J. RAFTERY, CPA
State Controller

Southeast Wisconsin
Professional Baseball Park District
Milwaukee

January 20, 2000

To the Honorable, the Legislature:

Enclosed please find the Miller Park Monthly Progress Report for the month of December 1999 for your review and consideration. As the enclosed report indicates, Miller Park continues to develop with the District Board's objectives of building the premier baseball facility in the country; scheduled for play on Opening Day 2001; within budget; and with meaningful community participation.

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

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

REFERENCE BUREAU CORRECTIONS

Assembly Amendment 1 to **Assembly Bill 467**

1. Page 1, line 5: after “that is” insert “in”.

Assembly Bill 646

1. Page 4, line 3: delete lines 3 to 7 and substitute “From the capital improvement fund, a sum sufficient for the technology for educational achievement in Wisconsin board to provide educational technology infrastructure financial assistance to school districts under s. [44.72 \(4\)\(a\)1](#). The state may contract public debt in an amount not to exceed \$100,000,000 for this purpose.”.

Note: The above change is made because the wrong appropriation text was inadvertently placed in this bill SECTION. The correct text is “20.866 (2)(zc)”, as affected by [1999 Wisconsin Act 9](#).