

STATE OF WISCONSIN Assembly Journal

Ninetieth Regular Session

MONDAY, December 16, 1991

The chief clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 298** offered by committee on Natural Resources.

Assembly substitute amendment 1 to **Assembly Bill 366** offered by committee on Judiciary.

Assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 421** offered by Representatives Stower and Holperin.

Assembly amendment 2 to **Assembly Bill 512** offered by Representative Wood.

Assembly amendment 1 to **Assembly Bill 701** offered by Representative Boyle.

ADMINISTRATIVE RULES

Read and referred:

Assembly Clearinghouse Rule 91-116

Relating to fire prevention.

Submitted by Department of Industry, Labor and Human Relations.

To committee on Labor.

Referred on December 16, 1991.

Assembly Clearinghouse Rule 91-118

Relating to authorizing savings and loan associations to sell noninsured financial products and requiring a written disclosure of noninsurance.

Submitted by Office of the Commissioner of Savings and Loan.

To committee on Financial Institutions and Insurance.

Referred on December 16, 1991.

Assembly Clearinghouse Rule 91-128

Relating to atrazine management areas and atrazine prohibition areas.

Submitted by Department of Agriculture, Trade and Consumer Protection.

To committee on Natural Resources.

Referred on December 16, 1991.

Assembly Clearinghouse Rule 91-134

Relating to environmental policy implementation pursuant to s. 1.11, Stats.

Submitted by Department of Corrections.
To committee on Environmental Resources, Utilities and Mining.

Referred on December 16, 1991.

Assembly Clearinghouse Rule 91-152

Relating to adoption of national standards.

Submitted by Department of Industry, Labor and Human Relations.

To committee on Labor.

Referred on December 16, 1991.

Assembly Clearinghouse Rule 91-154

Relating to allowing the operation of double bottoms and certain other combination vehicles greater than 60 feet in overall length on the specified highways.

Submitted by Department of Transportation.

To committee on Highways.

Referred on December 16, 1991.

Assembly Clearinghouse Rule 91-165

Relating to revising the patients compensation fund annual fee billing procedures.

Submitted by Office of the Commissioner of Insurance.

To committee on Financial Institutions and Insurance.

Referred on December 16, 1991.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 774

Relating to blood tests of infants for congenital and metabolic disorders.

By Representatives Carpenter and Rosenzweig.
To committee on Health.

Assembly Bill 775

Relating to creating an independent cause of action for individuals who receive home health agency services.

By Representatives Carpenter, Krusick, Notestein, Darling, Grobschmidt, Boyle, S. Coggs, Bolle, Urban and Potter, cosponsored by Senator Breske.

To committee on Health.

Assembly Bill 776

Relating to transactions for which secondhand dealer and pawnbroker licenses are required and the validity of licenses for pawnbrokers, secondhand article dealers and secondhand jewelry dealers.

By Representatives Vergeront, Holperin, Silbaugh, Bolle, Welch, Stower, Lehman, Lautenschlager, Zien.

Brancel, Goetsch and Lorge, cosponsored by Senators Van Sistine, Stitt, Breske, Farrow, Huelsman and Weeden.

To committee on Urban and Local Affairs.

Assembly Bill 777

Relating to establishing pilot pregnancy prevention programs.

By Representatives Vergeront, Carpenter, Rosenzweig, Ainsworth, Bolle, Zien, Lorge, Brandemuehl, Underheim and Darling, cosponsored by Senators Weeden, Petak, Farrow and Buettner.

To committee on Children and Human Services.

Assembly Bill 778

Relating to registration of certificates of discharge from the armed services.

By Representatives Hubler, Stower, Boyle, Musser, Goetsch, Baldus, Silbaugh, Rohan, Radtke, Van Gorden, Barca and Freese, cosponsored by Senators Jauch, Cowles, Breske and Lorman.

To committee on Veterans and Military Affairs.

Assembly Bill 779

Relating to eliminating jury trials in juvenile court proceedings involving children alleged to have violated civil laws or municipal ordinances and children alleged to be in need of protection or services.

By Representatives Goetsch, Lehman, Huber, Barca, Porter, Hahn, Silbaugh, Van Gorden, Musser, Brandemuehl, Gard, Schneiders and Radtke, cosponsored by Senators Lorman, Farrow, Huelsman and Buettner.

To committee on Children and Human Services.

Assembly Bill 780

Relating to allowing an attorney-in-fact to act on behalf of a person in the military in the administration of an estate.

By Representatives Huber, Bolle, Musser, Springer, Carpenter, Young, Deininger, Lautenschlager, Lehman, Goetsch, Holschbach, Kaufert, Ladwig, Schneiders, Hisrich, Moore, Darling, Lorge, Baldus, Robson, Hamilton, Plache, Boyle, Radtke, Hauke, Gronemus, Rohan, Nass, Reynolds and Barca, cosponsored by Senators Moen, Breske, Huelsman, Decker, Roshell, Schultz, Farrow, Petak, Buettner and Lorman.

To committee on Judiciary.

Assembly Bill 781

Relating to proposed electric generating facility air pollution standards.

By Representatives Black, Seery and Hinkfuss, cosponsored by Senators Chvala and Burke.

To committee on Environmental Resources, Utilities and Mining.

Assembly Bill 782

Relating to credit card records and providing a penalty.

By Representative Schneider.

To committee on Consumer Affairs.

Assembly Bill 783

Relating to equipment for certain communications towers for the instructional television fixed service system and making an appropriation.

By Representatives Swoboda, Grobschmidt and Gronemus.

To committee on Colleges and Universities.

Assembly Bill 784

Relating to eliminating processing fees for the issuing of certain hunting and trapping permits.

By Representatives Swoboda, Lorge, Ainsworth, Freese, Ladwig, Grobschmidt, Hahn and Boyle, cosponsored by Senator Roshell.

To committee on Tourism and Recreation.

Assembly Bill 785

Relating to use of seized firearms or ammunition.

By Representatives Swoboda, Lautenschlager, Musser, Kaufert and Brandemuehl.

To committee on Criminal Justice and Public Safety.

Assembly Bill 786

Relating to prohibiting counties, cities, villages, towns and public school districts from imposing residency requirements on certain employees.

By Representatives Swoboda, Lehman, Boyle, Loucks, Ainsworth, Ladwig, Musser and Duff, cosponsored by Senators Huelsman and Decker.

To committee on Urban and Local Affairs.

Assembly Bill 787

Relating to expanding eligibility for the homestead credit.

By Representatives Swoboda, Musser, Black and Boyle.

To committee on Ways and Means.

Assembly Bill 788

Relating to prohibiting a state agency from informing the public in writing that a rule is or will be in effect unless the agency has completed its rule-making process.

By Representatives Swoboda, Holschbach, Plache, Linton, Holperin, Stower, Vergeront, Lorge, Goetsch and Hisrich.

To Joint Committee for Review of Administrative Rules.

Assembly Bill 789

Relating to solicitation of funds for charitable purposes, granting rule-making authority and providing penalties.

By Representatives Loucks, Clarenbach, Young, Darling, Carpenter, Musser, Wineke, Johnsrud, Rohan, Van Gorden, Hauke, Zien, Seery, Duff, Bock, Porter, Hasenohrl, Brandemuehl, Bolle and Moore, cosponsored by Senators Breske, Chvala, Lekan and Huelsman.

To committee on State Affairs.

COMMITTEE REPORTS

The Joint Committee for Review of Administrative Rules reports and recommends:

Assembly Clearinghouse Rule 91-103

Relating to bluegill, crappie, pumpkinseed and yellow perch sport fishing daily bag limits on inland and outlying waters.

Concurrence in objection of committee on Tourism and Recreation:

Ayes: (7) Noes: (0)

JOHN ANTARAMIAN
Assembly Chairperson

The Special Committee on Reform of Health Insurance reports and recommends:

Assembly Bill 427

Relating to mandatory coverage of newborn children by all disability insurance policies.

Passage: Ayes: (8) Noes: (0)

To committee on Rules.

DAVID CLARENBACH
Chairperson

The committee on Tourism and Recreation reports and recommends:

Senate Bill 163

Relating to membership of the arts board.

Adoption of assembly amendment 1:

Ayes: (7) Noes: (0)

Concurrence: Ayes: (7) Noes: (0)

To committee on Rules.

HARVEY STOWER
Chairperson

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

To the Honorable, the Assembly:

The following bills, originating in the assembly, have been approved, signed and deposited in the office of the Secretary of State:

Assembly Bill	Act No.	Date Signed
290 -----	103 -----	December 13, 1991
535 (partial veto)-----	104 -----	December 13, 1991
587 -----	105 -----	December 13, 1991

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

December 13, 1991

To the Honorable Members of the Assembly:

I have approved **Assembly Bill 535** as 1991 Wisconsin Act 104 and have deposited it in the Office of the Secretary of State. I have exercised the partial veto authority in Sections 12 and 20.

Assembly Bill 535 increases the state's ability to both plan for and respond to hazardous substance releases. This legislation extends efforts of the federal government in a nation-wide program to improve the training and readiness of first-line responders. In giving the State Emergency Response Board (SERB) new responsibilities to form partnerships with regional emergency response teams, the health and safety of firefighters and the general public will receive greater protection.

Training dollars available to Wisconsin counties will be doubled by this bill through the use of the Environmental Repair Fund and the Environmental Transportation Fund. All costs of this legislation will be paid by sources other than the general taxpayer, and particularly by those whose activities pose the greatest risk of an environmental emergency.

In addition, the bill repeals the current exemption for businesses that employ ten or fewer persons from paying Superfund Amendment and Reauthorization Act (SARA) fees. While I understand that, with its new administrative rule powers, the SERB could reinstate lower fees or an outright exemption, I object to making small businesses the subject of additional state regulation. This provision is not central to the response team concept and is not needed to maintain the programs's financial viability. Therefore I have partially vetoed the bill to ensure that current law is maintained in this area.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

COMMUNICATIONS

State of Wisconsin
Department 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 or Res. No.	Act No.	Publication date
Assembly Bill 128 -----	81 -----	December 10, 1991
Assembly Bill 299 -----	82 -----	December 10, 1991
Assembly Bill 496 -----	83 -----	December 10, 1991

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Assembly Bill 559-----84 ---- December 10, 1991
Assembly Bill 571-----85 ---- December 10, 1991

Sincerely,
DOUGLAS La FOLLETTE
Secretary of State

State of Wisconsin
Department of Health and Social Services
Office of Health Care Information
Madison

November 1991

To the Honorable, the Legislature:

I am pleased to submit to the Governor and to the Legislature the 1990 "Guide to Wisconsin Hospitals," which provides summary and detailed information about utilization, staffing and fiscal data from Wisconsin hospitals.

The inclusion of hospital revenue and expense information in the "Guide" fulfills the statutory requirement contained in s. 153.35 (2), Wis. Stats., to provide "*comparisons, among hospitals, of increases or decreases in gross revenue, net revenues, revenues and expenditures.*"

I wish to express my appreciation to all Wisconsin hospitals that were part of the reporting process. Please contact OHCI if you or your staff would like additional copies of this report, or have any questions.

Sincerely,
DAVID J.W. KLAUSER
Director, OHCI

DATE: November 13, 1991
TO: Thomas T. Melvin, Assembly Chief Clerk
Donald J. Schneider, Senate Chief Clerk
FROM: Katherine C. Lyall, Acting President
University of Wisconsin System
RE: Report Under Section 36.25 (3m)(e)
Wis. Stats.

Pursuant to action taken by the University of Wisconsin System Board of Regents during its regular meeting on November 8, 1991, I am transmitting the Report on Solid Waste Experiment Center, required under s. 36.25(3m)(e) of the Wisconsin Statutes.

1989 Wisconsin Act 31 created section 36.25(3m)(b) of the statutes which provides that:

"The board may establish one or more solid waste experiment centers for the purpose of developing, demonstrating, promoting and assessing the costs and environmental effects of alternatives to solid waste disposal. The board shall determine the location of the solid waste experiment centers. In

making the determination, the board shall consider the solid waste disposal needs of the various regions of the state. The board may establish, through cooperative agreements, solid waste experiment centers at existing publicly owned or privately owned storage, treatment or disposal facilities."

Section 35.25(3m)(e) provides that:

"Annually, the board shall submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172(3) on all activities undertaken under this subsection."

State of Wisconsin
Department of Public Instruction
Madison

November 21, 1991

To the Honorable, the Assembly:

As required by Wis. Stat. 119.23, enclosed for distribution to the appropriate standing committees is the first year report of the Milwaukee Parental Choice Program. Prepared by John Witte, professor with The Robert M. La Follette Institute of Public Affairs and the Department of Political Science, University of Wisconsin-Madison, the report is comprehensive, pointing out both positive and negative aspects of the program. Witte suggests that one year is too short a period to evaluate this program and recommends that the program be continued for at least several years to provide for a more adequate evaluation. However, he calls for a number of safeguards even with its being continued on the limited basis. He also acknowledges that this one program does not offer the solution to the Milwaukee problem.

The report did not address the effect the program has had on:

- * The Milwaukee Public Schools, including the loss of revenue without an equal decrease in costs.
- * The 63 Choice students (18 percent of the total Choice participants) who had their education disrupted in the middle of the year with the closing of the Juanita Virgil Academy
- * The 35 percent of all students who did not re-enroll in the program this current year (nearly half returned to the Milwaukee Public Schools).

The report raises concerns about the program, including the following:

- * Only seven private schools participated in the program, and at year's end, only 249 students were participating.
- * One school, Juanita Virgil Academy, had severe difficulties, and closed in the middle of the year,

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leaving 63 students having to make other arrangements.

- * Staff turnover was high, probably due to low pay.
- * The schools had difficulty hiring minority teachers. Fifteen percent were African American, 13 percent Hispanic, and 72 percent white. Only 12 percent of teachers were male.
- * The schools are not well equipped to meet the needs of learning disabled or emotionally disabled students.

- * Achievement test scores showed as many students gained as declined; generally higher on reading; lower on math.
- * Attrition was high: Of 249 students, 86 (35 percent) did not return in September. (40 of those returned to MPS.)

Professor Witte's recommendations to provide safeguards within the program are not surprising. They are similar to the concerns I raised about the program from the beginning. More accountability is needed to assure that these children are receiving an adequate education.

I continue to oppose this program and believe this report provides evidence that a private choice program is not the answer.

Sincerely yours,
HERBERT J. GROVER
State Superintendent