

STATE OF WISCONSIN
Assembly Journal

Ninetieth Regular Session

MONDAY, December 30, 1991

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

AMENDMENTS OFFERED

Assembly amendment 1 to **AB 664** offered by Representatives Porter and Boyle.

INTRODUCTION AND REFERENCE
OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 104

Relating to designating April 26 to May 2, 1992, as "Wisconsin Science and Technology Education Week".

By Representatives Klusman, Young, Rosenzweig, Grobschmidt, Porter, Schneiders, Duff, Lehman, Musser, Prosser, Moore, Turba, Panzer, Nass, Ourada, Hahn, Ott, Ladwig, Loucks, Underheim, Brandemuehl, Kaufert, Rohan, Van Gorden, Silbaugh, Zien, Hisrich, Urban, Vrakas, Robson, Darling and Van Dreel, cosponsored by Senators Potter, Schultz, Ulichny, Huelsman, Buettner, Farrow, Lorman, Petak and Cowles.

To committee on Trade, Science and Technology.

Assembly Bill 827

Relating to prohibiting the expenditure of public funds by the lottery board for promotional activities relating to the state lottery.

By Representatives Bell, Lehman, Wineke, Stower, Hahn, Vergeront, Wood, Notestein, Bock, Lorge, Young, Van Dreel, Duff and Panzer, cosponsored by Senators Decker and Petak.

To committee on State Affairs.

Assembly Bill 828

Relating to the center for urban land economics research at the university of Wisconsin-Madison and making an appropriation.

By Representatives Clarenbach, Gruszynski, Ladwig, Medinger, Radtke, Rohan and Welch, cosponsored by Senators Potter, Berndt and Rude.

To committee on Colleges and Universities.

Assembly Bill 829

Relating to annual fishing licenses issued to residents who are 16 years of age.

By Representatives Baumgart, Reynolds, Kaufert, Lorge, Hough, Gruszynski, Hamilton, Harsdorf, Barca, Baldus, Brandemuehl, Bolle, Bock, Schwartz, Turba, Ott, Underheim, Vergeront, Young, Ladwig, Hisrich,

Holschbach, Gronemus, Van Dreel, Van Gorden, Lehman and Gard, cosponsored by Senators Potter, Leraan, Breske, Cowles, Petak, Lorman and Lasee.

To committee on Tourism and Recreation.

Assembly Bill 830

Relating to limitations upon contributions to candidates for legislative office and to individuals and committees solely supporting or opposing such candidates.

By Representative Baumgart.

To committee on Elections and Constitutional Law.

Assembly Bill 831

Relating to administrative joint tenancy and life estate termination for certain property.

By Representatives Young, Deininger, Hisrich, Bock, Vanderperren, Ott, Huber, Ourada, Hamilton, Hauke, Lorge, Rohan, Schneiders, Silbaugh, Stower, Van Dreel and Welch, cosponsored by Senators Chvala, Huelsman, Lasee and Buettner.

To committee on Judiciary.

Assembly Bill 832

Relating to hospital lien filing date and the notice of filing of a hospital lien.

By Representatives Bock, Krusick and Rosenzweig, cosponsored by Senators Plewa and Barrett.

To committee on Health.

Assembly Bill 833

An act relating to a feasibility study of an exhibit on the Black Hawk War and making an appropriation.

By Representatives Johnsrud, Boyle, Porter, Grobschmidt, Carpenter, Zien, Rohan, Medinger, Brandemuehl, Stower, Hahn, Ott and Freese, cosponsored by Senators Rude and Schultz.

To committee on State Affairs.

Assembly Bill 834

Relating to waiver of the driver's license renewal fee for persons age 55 or older who complete a driver and traffic safety course and granting rule-making authority.

By Representatives Foti, Grobschmidt, Vanderperren, Lorge, Stower, Klusman, Zien and Ott.

To committee on Highways.

Assembly Bill 835

Relating to exempting certain members of the armed forces from nonresident tuition at the university of Wisconsin system.

By Representatives Barca, Hisrich, Antaramian, Porter, Reynolds, Coleman, Lorge, Musser, Fortis, Holperin, Ladwig, Stower, Lautenschlager, Zien, Gard,

Baldus and Darling cosponsored by Senators Moen, Van Sistine, Weeden, Huelsman and Andrea.

To committee on Colleges and Universities.

Assembly Bill 836

Relating to assuring financial responsibility for motor vehicle accidents.

By Representatives Lehman, Bolle, Baldus, Radtke, Ourada, Ott, Turba, Musser, Duff, Urban, Ladwig, Ainsworth, Lorge and Goetsch, cosponsored by Senators Buettner and Schultz.

To committee on Financial Institutions and Insurance.

Assembly Bill 837

Relating to requiring physicians to accept assignment of certain medicare benefits, requiring a legislative audit bureau audit and providing penalties.

By Representatives Carpenter, Krusick, Bock, Seery, Fortis and Potter, cosponsored by Senators Chvala and Plewa.

To committee on Aging.

Assembly Bill 838

Relating to the type of experience required to qualify for registration as a professional engineer.

By Representatives Porter, Baldus, Klusman, Bolle, Silbaugh, Hisrich, Lehman and Ladwig, cosponsored by Senators Andrea, Farrow and Petak.

To committee on Consumer Affairs.

Assembly Bill 839

Relating to limiting punitive damage awards in cases where a patient consents in writing to an unapproved use of a drug or device.

By Representatives Loucks, Clarenbach, Carpenter, Rosenzweig, Bock, Notestein, Van Gorden, Potter, Ourada, Hisrich, Underheim, Baldus, Darling, Musser and Vergeront, cosponsored by Senator Huelsman.

To Special Committee on Reform of Health Insurance.

Assembly Bill 840

Relating to bag limits for certain types of fish taken from inland waters and granting rule-making authority.

By Joint Committee for Review of Administrative Rules.

To committee on Tourism and Recreation.

Assembly Bill 841

Relating to creating refundable residential and farmland property tax credits for individuals based on income and property taxes, increasing the farmland tax relief credit, eliminating the school property tax credit, repealing the lottery credit and making appropriations.

By Representatives Ladwig, Wood, Musser, M. Cogg, Lorge, Bolle, Hahn, Baldus, Radtke, Moore, Ainsworth, Antaramian, Turba, Boyle and Holschbach, cosponsored by Senator Schultz.

To committee on Ways and Means.

Assembly Bill 842

Relating to floodplain and shoreland zoning ordinances regulating improvements to nonconforming buildings or buildings with nonconforming uses.

By Representatives Harsdorf, Brancel, Brandmuehl, Goetsch, Hahn, Coleman, Silbaugh, Hisrich, Musser, Freese, Van Gorden, Radtke, Klusman, Duff, Hamilton, Bolle, Panzer and Underheim, cosponsored by Senators Berndt and Rude.

To committee on Environmental Resources, Utilities and Mining.

Assembly Bill 843

An act relating to abolishing the position of economic development liaison in the department of transportation.

By Representatives Notestein, Springer, Hinkfuss, Black, Plache, Young, Seery, Fortis, Van Dreef, Vander Loop, Hough, Schwartz, Huber, Bell, Hamilton, Medinger, Lautenschlager, Wineke, Rohan, Robson, Bock, Barca, S. Cogg and Turner, cosponsored by Senators Moen, Chvala, Burke and Barrett.

To committee on Government Operations and Corrections.

Assembly Bill 844

Relating to the elimination of the authority of local units of government to charge fees for recreational boating services other than the use of public boat launching facilities.

By Representative Schneider, by request of Sam Johnson.

To committee on Urban and Local Affairs.

Assembly Bill 845

Relating to creating an income tax deduction for self-employed persons and employes of self-employed persons for health insurance policy premiums.

By Representatives Van Dreef, Hough, Fortis, Gruszynski, Hisrich, Gronemus, Vergeront, Hubler, Van Gorden, Johnsrud, Stower, Hamilton, Musser, Notestein, Schneiders, Plache, Lorge, Lautenschlager, Schwartz, Coleman, Darling, Grobschmidt, Baldus, Carpenter, Holperin, Rohan, Hasenohrl, Loucks, Radtke, Barca and Bock, cosponsored by Senators Barrett, Breske and Berndt.

To Joint Survey Committee on Tax Exemptions.

COMMITTEE REPORTS

The committee on Highways reports and recommends:

Assembly Bill 257

Relating to designating and marking a certain highway route as the "Military Order of the Purple Heart Memorial Highway".

Adoption of assembly substitute amendment 2:

Ayes: (8) Noes: (0)

Passage: Ayes: (6) Noes: (2)

To committee on Rules.

Assembly Bill 294

Relating to special distinguishing registration plates for veterans of Operation Desert Shield and Operation Desert Storm.

Adoption of assembly substitute amendment 1:
Ayes: (8) Noes: (0)

Passage: Ayes: (7) Noes: (1)
To committee on Rules.

Assembly Bill 582

Relating to permitting driver school instructors to administer and certify knowledge tests for applicants for an operator's license and granting rule-making authority.

Adoption of assembly amendment 1:
Ayes: (8) Noes: (0)

Passage: Ayes: (8) Noes: (0)
To committee on Rules.

Assembly Bill 670

Relating to designating and marking a certain highway route as the "Iron Brigade Memorial Highway".

Passage: Ayes: (6) Noes: (2)
To committee on Rules.

Assembly Bill 676

Relating to displaying the certificate of registration or registration plate for certain motor vehicles, vehicle transfer by affidavit, issuing new certificates of title to motor vehicle dealers and changing statutory references from handicapped to disabled (suggested as remedial legislation by the department of transportation).

Adoption of assembly amendment 1:
Ayes: (8) Noes: (0)

Passage: Ayes: (8) Noes: (0)
To committee on Rules.

CLETUS VANDERPERREN
Chairperson

The committee on Judiciary reports and recommends:

Assembly Bill 366

Relating to the child support receiving and disbursing fee.

Adoption of assembly substitute amendment 1:
Ayes: (10) Noes: (0)

Passage: Ayes: (9) Noes: (1)
To Joint Committee on Finance.

Assembly Bill 657

Relating to increasing the fees received by court commissioners for supplementary examinations.

Passage: Ayes: (10) Noes: (0)
To committee on Rules.

Senate Bill 232

Relating to payment to the clerk of court of income withheld under a notice of assignment concerning an order for support.

Concurrence: Ayes: (10) Noes: (0)
To committee on Rules.

JAMES RUTKOWSKI
Chairperson

The committee on Natural Resources reports and recommends:

Assembly Bill 421

Relating to recreational boating facilities for the Great Lakes, the estimated motorboat gas tax payment, lake management grants, granting rule-making authority and making appropriations.

Adoption of assembly amendment 1 to assembly substitute amendment 2:
Ayes: (13) Noes: (0)

Adoption of assembly substitute amendment 2:
Ayes: (13) Noes: (0)

Passage: Ayes: (13) Noes: (0)
To Joint Committee on Finance.

SPENCER BLACK
Chairperson

The Joint Survey Committee on Tax Exemptions reports and recommends:

Assembly Bill 135

Relating to creating an income tax deduction for self-employed persons for health insurance policy premiums.

Adoption of report: Ayes: (7) Noes: (2)
To committee on Small Business and Education or Training for Employment.

Assembly Bill 376

Relating to continuing the property tax exemption for solar and wind energy systems.

Adoption of report: Ayes: (5) Noes: (4)
To committee on Ways and Means.

Assembly Bill 445

Relating to expanding the sales tax exemption for coin-operated laundry services to include all self-service laundry services.

Adoption of report: Ayes: (6) Noes: (3)
To committee on Ways and Means.

LOUIS FORTIS
Assembly Chairperson

VETO REFERRALS

Read first time and referred:

Assembly Bill 211

Relating to referendum ballot form.

By Representatives Huber, Zweck, Holschbach, Schwartz, Roberts, Reynolds, Grobschmidt, Hasenohrl, Vander Loop, Bock, Stower, Robson, Plache, Baldus, Bolle, Lautenschlager, Travis, Van Dreel, Krug, Swoboda, Notestein, Moore, M. Coggs, Vanderperren, Hamilton, Rohan, Ladwig, Lorge, Schultz and Ainsworth, cosponsored by Senators Moen, Breske, Potter, Lorman and Farrow.

To committee on Rules.

Assembly Bill 364

Relating to elector registration with operators' license renewals, distribution of elector registration information and making an appropriation.

By Representatives Hisrich, Carpenter, Young, Krug, Travis, Turba, Notestein, Zweck, Hamilton, Schwartz, Potter, Cullen, Turner, Medinger, Grobschmidt, Stower, Rohan, Baldus, Huber, Bolle, Plache, Bock, Bell, Van Dreel, Robson, Boyle, Black, Duff, Fortis, Gronemus, Gruszynski, S. Coggs, Lorge, Zien and Vander Loop, cosponsored by Senators Chvala, Risser, Moen, Breske, Czarnecki, Barrett and Burke.

To committee on Rules.

Assembly Bill 535

Relating to emergency response to hazardous substance releases, hazardous substances emergency planning and training, granting rule-making authority and making appropriations.

By Representatives Schneider, Medinger, Hough, Johnsrud, Holperin, Baldus, Gard, Van Dreel, Grobschmidt, Roberts, Hisrich, Bell, Winekē, Schultz, Darling, Brancel, Hauke, Antaramian, Rohan, Hasenohrl, Boyle, Hamilton, Seery, Fortis, Harsdorf, Hubler, Young, Stower, Gruszynski, Zweck, Turner, Swoboda, Linton, Travis, Schneiders, Plache, Prosser, Musser and Baumgart, cosponsored by Senators Helbach, Farrow, Andrea, Risser, Breske, Roshell, Potter, Plewa, Feingold, Czarnecki, Buettner and Van Sistine.

To committee on Rules.

Also, enclosed is a copy of the signed official canvass for the election of Representative to the Assembly from the 50th Assembly District.

Sincerely,
KEVIN J. KENNEDY
Executive Director
State Elections Board

CERTIFICATE OF ELECTION

I, Kevin J. Kennedy, Executive Director of the Elections Board of the State of Wisconsin, certify that

SHERYL K. ALBERS

was elected to the office of

REPRESENTATIVE TO THE ASSEMBLY

from the Fiftieth Assembly District of the State of Wisconsin, for the unexpired term of two years commencing on January 7, 1991, and ending on January 4, 1993, to fill the vacancy created by the resignation of Dale W. Schultz, as appears from the official canvass of the votes cast at the Special Election held on December 10, 1991.

IN TESTIMONY WHEREOF,
I have set my hand and affixed the official seal of the State Elections Board. Done in the City of Madison, this 20th day of December 1991.

KEVIN J. KENNEDY
Executive Director
State Elections Board

OATH OF OFFICE

On Thursday, December 26, 1991 Circuit Court Judge Jon P. Wilcox administered the oath of office to Sheryl K. Albers of the 50th Assembly District in a ceremony held at St. Clare Hospital in Baraboo.

COMMUNICATIONS

State of Wisconsin
Elections Board
Madison

December 20, 1991

To the Honorable the Assembly:

Dear Mr. Melvin:

Please be advised that Sheryl K. Albers of E7335 County Highway PF, North Freedom, Wisconsin 53951, was elected Representative to the Assembly at the Special Election held in the 50th Assembly District of the State of Wisconsin on December 10, 1991.

COMMUNICATIONS

December 19, 1991

Speaker Walter Kunicki
Room 211 West, State Capitol
P.O. Box 8952
Madison, WI 53708

Dear Mr. Speaker:

I would like to announce the formation of a subcommittee to the Assembly Ways and Means Committee.

The Ways and Means Subcommittee on Tax Fairness will hold various hearings to discuss the passage of Senate Joint Resolution 12 on tax fairness.

The Subcommittee will consist of the following members:

Rep. Jeannette Bell (Chair)
Rep. Virgil Roberts (Vice-Chair)
Rep. David Prosser
Rep. Rosemary Potter
Rep. Lary Swoboda
Rep. Peggy Rosenzweig

Best wishes,
JEANNETTE BELL
State Representative

State of Wisconsin
Department of Natural Resources
Madison

December 5, 1991

To the Honorable, the Legislature:

When the Managed Forest Law (MFL) was enacted in 1985, a review to determine if the objectives of the program were being met was required. The MFL is an important property tax incentive program to encourage forest stewardship on privately owned woodlands. The law specified that a joint committee from the Department of Natural Resources and UW-Extension conduct the study. Under s 77.91(3), Stats., their findings and recommendations are due to you by January 1, 1992. The report titled "Wisconsin's Managed Forest Law - The First Five Years: 1986-1991" is enclosed.

The recently completed report:

- * Reviews the purposes of the Managed Forest Law.
- * Examines participation in the program.
- * Reviews the impact of the program on land resources management.
- * Looks at the economic impact of the program on taxpayers and administrative costs.
- * Offers sixteen recommendations for improvements or technical corrections to the law and for further studies.

After five years of experience with the Managed Forest Law, the Department of Natural Resources and UW-Extension find the program to be sound and effective. The MFL program is a useful tool for promoting the stewardship ethic needed to produce economic goods in a manner responsible to social needs and the environment.

500 copies of a draft of the report were shared with the public in September. Comments on the draft have been incorporated in the report to the extent possible. The Assembly and Senate are encouraged to seek additional public input if legislation to adopt the recommendations is developed.

Sincerely,
CARROLL D. BESADNY
Secretary, DNR

DATE: December 12, 1991
TO: Assembly Chief Clerk Tom Melvin
FROM: Douglas E. Poole
DNR, Bureau of Finance
SUBJECT: Partner Care

Section 29.095(6)(c) Wisconsin Statutes requires the Department of Natural Resources to report annually to you for distribution to the legislature under s. 13.172(2) concerning the distribution of a pamphlet on the Medicare Assignment Program.

The DNR distributed approximately 11,000 copies of this pamphlet to senior citizens that purchased the senior citizen recreation card or obtained the free senior citizen fishing license in 1991.

Please note that both the senior citizen recreation card and the free fishing license were abolished in the 91-93 budget. Therefore this will be the last report from us.

State of Wisconsin
Department of Health and Social Services
Madison

December 13, 1991

To the Honorable, the Assembly:

Pursuant to s.46.56, Act 39 of the Wisconsin Statutes, I am forwarding this report on Integrated Services to Children with Severe Disabilities to you and the Governor as well as the Chief Clerk of the Senate.

Sincerely,
GERALD WHITBURN
Secretary, DHSS

State of Wisconsin
Department of Health and Social Services
Madison

December 17, 1991

To the Honorable, the Assembly:

As required in Sections 227.485(9) and 814.145(10) of the Wisconsin Statutes, I am submitting the report concerning decisions and resulting payments of costs and attorney fees. Costs and attorney fees are to be paid whenever the other party to an agency's chapter 227 hearing or appeal thereof prevails and it's determined the agency's position was not substantially justified. Payments for 1991 are shown on the attached schedule.

In addition, if the hearing examiner determines that the motion of the other party in any chapter 227 contested case is frivolous, the examiner may award the state agency all reasonable costs in responding to the motion.

JOURNAL OF THE ASSEMBLY [December 30, 1991]

The Department of Health and Social Services did not recover any costs during the fiscal years ending June 30, 1991.

Sincerely,
GERALD WHITBURN
Secretary, DHSS

State of Wisconsin
Department of Administration
Madison

December 16, 1991

To the Honorable, the Legislature:

This report is transmitted as required by ss. 20.002(11)(f) of the Wisconsin Statutes, (for distribution to the appropriate standing committees under section 13.172(3) stats.), and confirms that the Department of Administration has found it necessary to exercise the "temporary reallocation of balances" authority provided by this section in order to meet payment responsibilities and cover resulting negative balances during the month of November, 1991.

On November 21, 1991, the Variable Retirement Fund (Fund 51) balance was \$-523 thousand. This shortfall continued until December 2nd when the Variable Retirement Fund balance reached \$2.3 million. The shortfall was due to an accounting allocation error, which has been corrected.

The Variable Retirement Fund shortfall was not in excess of the \$400 million ceiling and did not exceed the balances of the funds available for interfund borrowing.

The distribution of interest earning to investment pool participants is based on the average daily balance in the pool and each fund's share. Therefore, the monthly calculation by State Finance will automatically reflect the use of these temporary reallocations of balance authority.

Sincerely,
JAMES R. KLAUSER
Secretary, DOA

State of Wisconsin
Ethics Board
Madison

December 17, 1991

To the Honorable, the Legislature:

I am pleased to provide you with the accompanying report of the State of Wisconsin Ethics Board's activities

for the year July 1, 1990 through June 30, 1991. This report contains both the text and a general description of Wisconsin's Ethics Code and identifies the positions to which it applies. You will also find in this volume summaries of the advisory opinions issued by the Board during that period.

Sincerely,
R. ROTH JUDD
Executive Director
Wisconsin Ethics Board

State of Wisconsin
Department of Health and Social Services
Madison

December 19, 1991

To the Honorable, the Assembly:

Section 46.56 of the Wisconsin Statutes (1989 Act 31) instructed the Department of Health and Social Services to establish county pilot programs that would provide integrated services for children with severe disabilities, and to evaluate the outcomes of participating children and their families. Grants were awarded to Kenosha, Marathon, Milwaukee and Waukesha counties in April, 1990.

The attached evaluation report, due January 1, 1992, describes client outcomes, the services provided through the pilots, client satisfaction, and the cost of services. The report also provides information about interagency agreements, goals for diverting children from institutional services, and plans for allocating funding from institutional services to community-based services, as directed in s.46.56. A summary of the findings is presented at the beginning of the report.

Sincerely,
GERALD WHITBURN
Secretary