

STATE OF WISCONSIN
Assembly Journal
Ninetieth Regular Session

MONDAY, March 2, 1992

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

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 34** offered by committee on Agriculture, Aquaculture and Forestry.

Assembly amendment 1 to **Assembly Bill 295** offered by committee on Urban and Local Affairs.

Assembly substitute amendment 1 to **Assembly Bill 557** offered by committee on Urban and Local Affairs.

Assembly substitute amendment 1 to **Assembly Bill 623** offered by committee on Agriculture, Aquaculture and Forestry.

Assembly amendment 1 to **Assembly Bill 931** offered by committee on Trade, Science and Technology.

Assembly substitute amendment 1 to **Assembly Bill 936** offered by committee on Environmental Resources, Utilities and Mining.

Assembly substitute amendment 1 to **Assembly Bill 941** offered by committee on Natural Resources.

Assembly amendment 1 to **Assembly Bill 952** offered by Special Committee on Drug Enforcement, Education and Treatment.

Assembly amendment 1 to **Assembly Bill 1000** offered by committee on Children and Human Services.

Assembly amendment 2 to **Assembly Bill 1000** offered by committee on Children and Human Services.

Assembly substitute amendment 1 to **Assembly Bill 1003** offered by committee on Natural Resources.

**INTRODUCTION AND REFERENCE
OF PROPOSALS**

Read first time and referred:

Assembly Joint Resolution 126

Relating to saluting Gaiashkibos upon his election as president of the National Congress of American Indians.

By Representatives Linton, Boyle, Wineke, Potter, Krug, Johnsrud, Lautenschlager, Young, Lorge, Notestein, Barca, Hisrich, Jensen, Ourada, Schwartz, Roberts, Wood, Van Gorden, Urban, Hahn, Musser, Seery, Stower, Zien, Darling, Underheim, Schneider, Van Dreef, Robson, Travis, Clarenbach, Loucks, Holperin, Turner, Fortis, Huber, Brancel, Porter, Ott,

Goetsch, Hubler, Baldus, Rohan and Hamilton, cosponsored by Senators Jauch, Burke, Chvala, Feingold, Rude, Moen, Risser, Farrow and Lorman.
To committee on Rules.

Assembly Joint Resolution 127

Relating to requesting the legislative council to study lawn care pesticide regulation.

By Representatives Fortis, Musser, Holperin, Radtke, Black, Carpenter, Kaufert, Lautenschlager, Hough, Bock, Hisrich, Porter, S. Coggs, Darling and Huber, cosponsored by Senator Chvala.
To committee on Natural Resources.

Assembly Joint Resolution 128

Relating to declaring Wisconsin safety in the Workplace Week.

By Representatives Van Dreef, Lautenschlager, Ourada, Notestein, Musser, Grobschmidt, Robson, Seery, S. Coggs, Stower, Hahn, Young, Darling, Underheim, Rohan, Hisrich, Boyle, Ott and Silbaugh, cosponsored by Senators Cowles and Breske.
To committee on Labor.

Assembly Joint Resolution 129

Requesting the legislative council to study the local government mediation and arbitration law.

By Representatives Schneider, Carpenter, Wood, Hasenohrl, Hough, Schneiders, Grobschmidt, Robson, Schwartz, Hahn, Lehman, Brandemuehl, Baldus, Rohan, Rutkowski, Darling, Hubler, Musser, Lautenschlager, Hisrich, Holperin, Albers, Duff, Roberts, Klusman, Kaufert, Silbaugh, Holschbach, Foti and Barca, cosponsored by Senators Jauch, Moen, Rude and Lorman.
To committee on Labor.

Assembly Bill 1018

Relating to the use of a flashing white strobe light on highway maintenance equipment and granting rule-making authority.

By Representatives Huber, Hasenohrl, Musser, Lautenschlager, Notestein, Lorge, Hisrich, Kaufert, Bock, Urban, Springer, Baldus and Rohan, cosponsored by Senators Roshell, Lekan, Moen, Chvala, Decker and Farrow.

To committee on Highways.

Assembly Bill 1019

Relating to voiding certain provisions in construction contracts.

By Representatives Grobschmidt, Hamilton, Robson and Silbaugh, cosponsored by Senators Plewa and Stitt.
To committee on Judiciary.

Assembly Bill 1020

Relating to requiring alcohol beverage licensees and permittees to post signs warning against drinking during pregnancy.

By Representatives Robson, Urban, Rohan, Potter, Black, Bock, Moore, Fortis, Rosenzweig, Boyle, Ladwig and Ott, cosponsored by Senator Weeden.

To committee on Excise and Fees.

Assembly Bill 1021

Relating to eligibility for general relief.

By Representatives Welch, Brancel, Klusman, Jensen, Porter, Lorge, Ott, Hahn, Goetsch, Johnsrud, Kaufert, Nass, Lehman, Rosenzweig, Ourada, Zien, Ainsworth, Duff, Urban, Foti, Freese, Turba, Ladwig, Brandemuehl, Coleman, Silbaugh, Schneiders, Radtke and Vrakas, cosponsored by Senator Stitt.

To Special Committee on Welfare Review.

Assembly Bill 1022

Relating to comparative negligence, punitive damage awards, payments to persons who have obtained a judgment in tort actions, limits on noneconomic damages and making appropriations.

By Representatives Loucks and Hubler, cosponsored by Senators Roshell, Andrea, Van Sistine, Huelsman, Farrow, Lasee, Buettner, Lorman and Schultz.

To Special Committee on Reform of Health Insurance.

Assembly Bill 1023

Relating to certain county forestry loans and making appropriations.

By Representatives Schwartz, Linton, Holperin, Ourada, Gronemus, Reynolds, Springer, Hubler, Boyle and Ott, cosponsored by Senators Breske, Jauch and Decker.

To committee on Agriculture, Aquaculture and Forestry.

Assembly Bill 1024

Relating to the appointment to and membership of the board of regents of the university of Wisconsin system and creating a board of regents nominating board.

By Representatives Rohan, Gruszynski, Boyle, Notestein, Bock, Robson, Potter, Reynolds, Hisrich, Turner and Seery, cosponsored by Senator Breske.

To committee on Colleges and Universities.

Assembly Bill 1025

Relating to the operation and local regulation of bicycles, the operation and use of other vehicles, granting rule-making authority and providing penalties.

By Representatives Robson, Black, Seery, Boyle, Potter, Roberts, Holperin, Rosenzweig, Urban, Silbaugh and Radtke, cosponsored by Senators Risser, Burke and Barrett, by request of Governor's Advisory Bicycle Coordinating Council.

To committee on Highways.

Assembly Bill 1026

Relating to redistricting the congressional districts.

By Representative Travis.

To Special Committee on Reapportionment.

Assembly Bill 1027

Relating to public service special prosecutors.

By Representatives Lautenschlager and Prosser, cosponsored by Senators Barrett and Burke.

To committee on Judiciary.

Assembly Bill 1028

Relating to: state and local historic preservation programs; creating a submerged cultural resources council; authorizing cities, villages and towns to create architectural conservancy districts; the transfer of certain state property; requiring cities, villages and counties to regulate historic structures; demolition of historic buildings; regulating the use of abrasives to clean historic buildings; granting rule-making authority; providing a penalty; and making appropriations.

By Representatives Rohan, Lorge, Rosenzweig, Grobschmidt, Johnsrud, Boyle, Radtke, Roberts, Medinger, Hahn, Urban, Holperin, Musser, Potter, Darling, Hisrich, Lautenschlager, Notestein, Robson, Young, Brandemuehl, Vrakas and Hough, cosponsored by Senators Ulichny, Rude, Risser, Stitt, Burke, Plewa and Andrea.

To committee on State Affairs.

Assembly Bill 1029

Relating to the prevention and treatment of compulsive gambling, creating a board on compulsive gambling and making appropriations.

By Representatives Black, Notestein, Carpenter, M. Cogg, Bock, Fortis and Radtke, cosponsored by Senator Burke.

To committee on State Affairs.

Assembly Bill 1030

Relating to exempting certain members of the clergy from the temporary recycling surcharge.

By Representative Black.

To committee on Natural Resources.

Assembly Bill 1031

Relating to requiring the department of revenue to have a toll-free telephone line for the purpose of answering questions about the income tax.

By Representatives Lorge, Porter, Ladwig, Boyle, Musser, Zien, Rosenzweig, Swoboda, Lehman, Johnsrud, Holschbach, Hubler, Baldus, Urban, Rutkowski, Baumgart and Bolle, cosponsored by Senators Breske, Stitt and Adelman.

To committee on Ways and Means.

Assembly Bill 1032

Relating to motor vehicle accidents and providing penalties.

By Representatives Kaufert, Goetsch, Lautenschlager, Schneiders, Radtke, Brandemuehl, Underheim, Klusman, Nass, Vrakas and Zien, cosponsored by Senator Petak.

To committee on Transportation.

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Assembly Bill 1033

Relating to transporting children by school buses and providing a penalty.

By Representatives Ott, Bell, Bock, Kaufert, Freese, Ourada, Duff, Albers, Ainsworth, M. Coggs, Seery, Hough, Gruszynski and Young, cosponsored by Senators Ulichny, Burke and Barrett.

To committee on Highways.

Assembly Bill 1034

Relating to municipalities requiring the use of specified solid waste facilities.

By Representative Harsdorf, cosponsored by Senator Berndt.

To committee on Natural Resources.

Assembly Bill 1035

Relating to affirmative defenses to the crime of failure to provide child, grandchild or spousal support.

By Representatives Harsdorf, Lehman, Rosenzweig, Rohan, Porter, Schneiders, Radtke, Klusman and Silbaugh.

To committee on Children and Human Services.

Assembly Bill 1036

Relating to negligent failure to provide child, grandchild or spousal support.

By Representatives Harsdorf, Lehman, Rosenzweig, Rohan, Porter, Schneiders, Radtke, Freese, Klusman and Silbaugh, cosponsored by Senator Huelsman.

To committee on Children and Human Services.

Assembly Bill 1037

Relating to failure to provide child, grandchild or spousal support.

By Representatives Harsdorf, Musser, Lehman, Krusick, Porter, Schneiders, Rosenzweig, Rohan, Klusman, Zien, Huber and Radtke, cosponsored by Senator Huelsman.

To committee on Children and Human Services.

COMMUNICATIONS

State of Wisconsin
Department of Administration
Madison

February 20, 1992

To the Honorable, the Legislature:

This report in 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 January, 1992.

On January 2, 1992, the Agrichemical Management Fund (Fund 59) balance was \$-45 thousand. This

shortfall continued until January 10, 1992 when the balance reached \$486 thousand. The shortfall was due to the timing of revenues to the fund.

On January 15, 1992, the Petroleum Environmental Clean-up Fund (Fund 72) balance was \$-44 thousand. This shortfall continued until January 27, 1992 when the balance reached \$324 thousand. This shortfall was also due to the timing of revenues to the fund.

The Agrichemical Management Fund, and Petroleum Environmental Clean-up Fund shortfalls were 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 earnings 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
Department of Industry, Labor and Human Relations
Madison

February 21, 1992

To the Honorable, the Assembly:

Pursuant to Chapter 109 of Wisconsin Statutes, I am providing you with the annual report on business closings and/or mass layoffs. The Statute requires that this report is due no later than March 1 annually and that it include the number, type and disposition of all determinations made by the Department under ss. 109.07(5)(N)(6)(b).

The Department in 1991 received 20 complaints. 9 complaints were dismissed for lack of jurisdiction; 4 complaints were dismissed as no violation under the law; 7 complaints from 1991 are still pending as of the date of this report; and one complaint from 1990, affecting the Burger Boat Company in Manitowoc, is still pending. A determination was made in one case that carried over from 1990 that there were less than 50 employees employed by the employer, and, therefore, the complaint was not covered under the Plant Closing law. There have been 2 complaints filed in 1992, both of which are still pending with the Department.

Should you have any questions regarding the information in this report, please contact me immediately.

Sincerely,
CAROL SKORNICKA
Secretary, DILHR

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DATE: February 21, 1992

TO: Thomas Melvin, Assembly Chief Clerk

FROM: Katherine C. Lyall
University of Wisconsin System
Office of the President

RE: 1992 Salary Group/Range Assignment
Report

Section 20.923(5), Wis. Stats., requires that the Board of Regents assign specified titled positions to salary ranges in whatever manner the board determines. The board is required to file a report annually with the Governor and Legislature.

The board has directed that all positions referenced in s. 20.923(5) be assigned to either a State Executive Salary Group or to a UW System salary range based on the following assignment criteria:

I. Positions subject to State Executive Salary Group assignment.

- A. All positions referenced in s. 20.923(5) which carry the following titles regardless of annual salary:

Associate Vice Presidents
Assistant Vice Presidents
Associate Chancellors
Vice Chancellors not designated in
s. 20.923(4m)
Associate Vice Chancellors
Assistant Vice Chancellors

- B. All positions carrying the titles of Assistant to the Chancellor of directors of associate directors with over 50 percent of their activities coded as physical plant, general operations and services, and auxiliary enterprises whose fiscal year annual salary rate exceeds the maximum of pay range 1-17 (1991-92 maximum is \$52,889) of the general non-represented pay schedule #1.

II. Positions subject to UWS Salary Range Assignment:

All Assistants to the Chancellor and directors or associate directors with over 50 percent of their positions assigned to an enumerated activity code in the statute whose annual salary does not exceed the maximum of pay range 1-17.

Part A of the attached report designates those positions assigned to State Executive Salary Groups and Part B provides the minimum and maximum for those positions assigned to a UWS Salary Range. The report is dated February 1, 1992 and serves to fulfill this calendar year's reporting requirement.

State of Wisconsin
Department of Industry, Labor and Human Relations
Madison

March 1, 1992

To the Honorable, the Legislature:

We are pleased to submit the attached joint report on the availability and affordability of private pollution liability insurance for owners and operators of petroleum product storage tank systems. This report was prepared as directed by Wisconsin Act 82 which was recently signed into law by Governor Thompson.

The report contains an analysis of current insurance issues and the factors that will impact the development of a viable market. The Petroleum Environmental Cleanup Council was briefed on the contents of this report at their meeting on February 24.

We hope that this report assists the legislature in its future deliberations on the roles and interrelationships between PECFA and private insurance. Please contact Mr. William Morrissey the Director of DILHR's Bureau of Petroleum Inspection and Fire protection (266-7605) or Mr. Gregory Krohm, Administrator of the Office of the Commissioner's Division of Regulation and Enforcement (266-9892), if you have any questions on the attached report.

Sincerely,

CAROL SKORNICKA
Secretary, DILHR

ROBERT D. HAASE
Commissioner of Insurance

State of Wisconsin
Department of Health and Social Services
Department of Public Instruction
Madison

March 2, 1992

To the Honorable, the Legislature:

The attached report meets the mandates in s. 140.84, Wis. Stats., to provide a yearly report on the implementation of the Joint Youth Alcohol/Drug Abuse Plan 1989-1991. Please note that this report covers the period from July 1, 1989, to June 30, 1991. The plan calls for most activities to be completed over a minimum of two (2) years.

The Department of Public Instruction and the Department of Health and Social Services have worked cooperatively to totally or partially complete the

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established goals and objectives. Your suggestions of
comments regarding this report are welcome.

Sincerely,

HERBERT J. GROVER
State Superintendent, DPI

GERALD WHITBURN
Secretary, DHSS