

STATE OF WISCONSIN
Assembly Journal
Ninetieth Regular Session

10:06 A.M.

FRIDAY, March 20, 1992

The assembly met.
Representative Rutkowski in the chair.
The assembly dispensed with the call of the roll.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 390** offered by committee on Education.

Assembly amendment 1 to assembly substitute amendment 1 to **Senate Bill 6** offered by Representatives Fortis, Schneider and Rutkowski.

Assembly amendment 1 to **Senate Bill 483** offered by Representatives Coleman, Porter and Ladwig.

Assembly amendment 1 to assembly amendment 1 to **Senate Bill 483** offered by Representatives Coleman, Porter and Ladwig.

INTRODUCTION AND REFERENCE
OF PROPOSALS

Read first time and referred:

Assembly Resolution 23

Relating to recognizing the value of milk, promoting actions to ensure higher milk prices and supporting a raw milk marketing agency.

By Representative Gronemus.
To committee on Rules.

Assembly Joint Resolution 139

Relating to proclaiming "River Cleanup Week".
By Representatives Brandemuehl and Harsdorf.
To committee on Environmental Resources, Utilities and Mining.

Assembly Joint Resolution 140

Relating to urging Congress to reduce milk assessments.

By Representatives Gard, Brancel, Klusman, Brandemuehl, Nass, Ainsworth, Hasenohrl, Vander Loop, Ourada, Goetsch, Lehman, Van Gorden, Ladwig, Freese, Duff, Radtke, Musser, Underheim, Darling, Albers, Prosser, Turba, Schneiders, Silbaugh, Coleman, Panzer, Loucks, Kaufert, Johnsrud, Hahn, Ott, Lorge, Deininger, Porter, Jensen, Vrakas and Harsdorf, cosponsored by Senators Cowles, Rude, Lorman and Lasee.

To committee on Agriculture, Aquaculture and Forestry.

Assembly Joint Resolution 141

Relating to adequate funding of school districts to provide equal educational opportunities in all school districts (first consideration).

By Representatives Schneider and Krug, cosponsored by Senator Barrett.
To committee on Education.

Assembly Joint Resolution 142

Relating to expressing appreciation of the wine industry and wine producers of Wisconsin, proclaiming a "Wine Appreciation Month in Wisconsin" and proclaiming a "Wisconsin Wine Appreciation Week".

By Representatives Gronemus and Swoboda, cosponsored by Senators Roshell and Van Sistine.
To committee on Rules.

Assembly Bill 1066

Relating to fuel tax refunds for fuel used in the repair of town roads.

By Representatives Albers, Silbaugh, Kaufert, Porter, Hahn, Zien, Lehman, Goetsch, Johnsrud, Musser, Lorge, Jensen, Ott, Loucks, Freese, Ourada, Gard, Nass, Turba, Ladwig, Brandemuehl, Schneiders, Ainsworth, Springer, Hubler, Schwartz and Gronemus.
To Joint Survey Committee on Tax Exemptions.

Assembly Bill 1067

Relating to reimbursement from the parents or guardian of a child who is alleged to be delinquent or in need of protection or services for legal representation provided by the state or counties to that child.

By Representatives Zien, Schneiders, Jensen, Gard, Van Gorden, Silbaugh, Lehman, Hahn, Musser and Lorge, cosponsored by Senators Roshell, Breske, Huelsman and Lorman.

To committee on Children and Human Services.

Assembly Bill 1068

Relating to establishing aging units, procedures for appointment and requirements of membership of commissions on aging and certain duties of the department of health and social services.

By Representatives Holperin, Krusick, Travis, Ourada, Grobschmidt, Rohan, Stower, Vanderperren, Wineke, Lautenschlager, Gruszynski, Carpenter, Vander Loop, Holschbach, Roberts, Baldus, Hasenohrl, Schneider, Swoboda, Schwartz, Boyle, Seery, Radtke, Lorge, Underheim and Medinger, cosponsored by Senators Feingold, Helbach, Breske, Burke, Andrea, Buettner, Rude, Moen, Van Sistine, Chvala, Barrett and Potter.

To committee on Aging.

Assembly Bill 1069

Relating to certification of tribal police officers as being qualified to be law enforcement officers.

By Representatives Holperin, Schwartz, Boyle, Moore, Rohan, Goetsch, Musser, Ainsworth, Kaufert and Lorge, cosponsored by Senators Breske and Lorman.

To committee on Criminal Justice and Public Safety.

Assembly Bill 1070

An act relating to requesting the legislative council to study the plight of African-American males.

By Representatives Moore, S. Coggs, Turner, M. Coggs, Medinger, Rohan, Boyle, Bock, Lorge, Fortis, Notestein, Rosenzweig, Urban, Hisrich, Zien, Plache and Freese, cosponsored by Senators George, Burke and Petak.

To committee on State Affairs.

Assembly Bill 1071

Relating to the regulation of chiropractors and granting rule-making authority.

By Representatives Carpenter, Welch, Stower, Nass, Ourada, Medinger, Baldus, Underheim and Silbaugh.

To committee on Health.

Assembly Bill 1072

Relating to exempting certain kinds of prescribed medical equipment from the sales and use taxes.

By Representatives Ladwig, Turner, Holperin, Musser, Urban, Holschbach, Ott, Huber and Lorge, cosponsored by Senators Andrea, Petak, Farrow, Lasee, Schultz and Huelsman.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 1073

Relating to the higher education learning program, creating a higher education fund and granting rule-making authority.

By Representatives Ladwig, Nass, Grobschmidt, Zien, Lorge, Rosenzweig and Ott.

To committee on Colleges and Universities.

Assembly Bill 1074

Relating to driving a motor vehicle while under the influence of an intoxicant, drug or a combination of both.

By Representative Lorge.

To committee on Judiciary.

Assembly Bill 1075

Relating to discontinuing the requirement that municipalities buy property tax assessment manuals.

By Representative Lorge, by request of town of Ellington, Outagamie County.

To committee on Ways and Means.

Assembly Bill 1076

Relating to defining "compensation" for purposes of determining the civil immunity of persons who render emergency care.

By Representatives Lorge, Vander Loop and Musser.

To committee on Financial Institutions and Insurance.

Assembly Bill 1077

Relating to investigations regarding deaths of persons who are in law enforcement custody, creating a law enforcement custody death investigation board and making appropriations.

By Representative Zien.

To committee on Criminal Justice and Public Safety.

Assembly Bill 1078

Relating to collective bargaining impasse resolution procedures for local government employees other than law enforcement and fire fighting personnel.

By Representatives Prosser, Brancel, Brandemuehl, Duff, Foti, Goetsch, Hahn, Ladwig, Loucks, Schneiders, Turba, Urban, Van Gorden, Vrakas, Zien, Ott and Swoboda, cosponsored by Senators Stitt, Farrow, Huelsman, Lasee, Lorman and Roshell.

To committee on Labor.

COMMITTEE REPORTS

The committee on Education reports and recommends:

Senate Bill 418

Relating to the determination of necessity for condemnation by a school district.

Concurrence: Ayes: (14) Noes: (1)

To committee on Rules.

MARLIN SCHNEIDER
Chairperson

The committee on Health reports and recommends:

Assembly Bill 993

Relating to expanding eligibility for receipt of telecommunication assistance, making certain terminology changes and making an appropriation.

Adoption of assembly amendment 1:
Ayes: (17) Noes: (0)

Passage: Ayes: (17) Noes: (0)
To Joint Committee on Finance.

TIMOTHY CARPENTER
Chairperson

The committee on Judiciary reports and recommends:

Senate Bill 6

Relating to authority of peace officers to close accident or disaster areas or investigation scenes and providing a penalty.

Adoption of assembly substitute amendment 1:
Ayes: (9) Noes: (1)

JOURNAL OF THE ASSEMBLY [March 20, 1992]

Concurrence: Ayes: (9) Noes: (1)
To committee on Rules.

JAMES RUTKOWSKI
Chairperson

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

Assembly Bill 555

Relating to establishing a single-payer, publicly financed health care system for residents of this state, creating the department of health planning and finance, health policy board and regional health councils and establishing duties of the health policy board.

Adoption of assembly amendment 1:
Ayes: (11) Noes: (0)

Adoption of assembly amendment 2:
Ayes: (9) Noes: (2)

Passage: Ayes: (8) Noes: (3)
To Joint Committee on Finance.

DAVID CLARENBACH
Chairperson

The committee on Urban and Local Affairs reports and recommends:

Assembly Bill 1059

Relating to the leasing of a portion of a water purification plant owned by the city of Milwaukee for use as a cellular site for telecommunication services.

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

Senate Bill 485

Relating to the leasing of a portion of a water purification plant owned by the city of Milwaukee for use as a cellular site for telecommunication services.

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

G. SPENCER COGGS
Chairperson

The Special Committee on Welfare Review reports and recommends:

Assembly Bill 1063

Relating to: aid to families with dependent children payments for individuals who move from other states; evaluation of the standard of assistance in the aid to families with dependent children program; priority for receipt of services under the job opportunities and basic skills program for recipients of aid to families with dependent children; a classification system for participants in the job program for recipients of aid to families with dependent children; declaring general relief as the payer of last resort; and granting rule-making authority.

Passage: Ayes: (9) Noes: (1)
To committee on Rules.

Assembly Bill 1064

Relating to: aid to families with dependent children benefit determination; eligibility for aid to families with dependent children for families with unemployed parents; the aid to families with dependent children emergency assistance program; the aid to families with dependent children earned income disregard; the community work experience program for absent parents; increasing the amount of income earned by recipients of general relief that is exempt for work expenses; ownership of vehicles for purposes of eligibility for general relief; establishing a pilot work opportunities program for persons who are eligible for general relief; providing funding to counties for welfare fraud reduction; providing information about the food stamp program; requiring the department of health and social services to submit a report regarding electronic benefit transfer systems; an allocation formula for county child support collection incentive payments; allowing the parties to a paternity action to waive the 30-day waiting period before the first appearance; school district human growth and development programs; changing the eligibility for, and increasing, the earned income tax credit; assigning a position in the department of revenue the duties of outreach coordinator for the earned income tax credit; requiring the department of revenue to have a toll-free telephone hotline for the purpose of answering questions about the earned income tax credit; requiring that information about the state and federal earned income tax credit be sent out by employers along with the employee's wage and withholding statement; providing information about the state and federal earned income tax credit; and making an appropriation.

Passage: Ayes: (8) Noes: (2)
To committee on Rules.

DAVID CULLEN
Chairperson

COMMUNICATIONS

The chief clerk reports the following proposals correctly enrolled:

Assembly Bill 125
Assembly Bill 388
Assembly Bill 435
Assembly Bill 590
Assembly Bill 743
Assembly Bill 771

Sincerely,
THOMAS T. MELVIN
Assembly Chief Clerk

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 |
|---------------|---------|----------------|
| 289 | 121 | March 20, 1992 |
| 362 | 122 | March 20, 1992 |
| 427 | 123 | March 20, 1992 |
| 464 | 124 | March 20, 1992 |
| 524 | 125 | March 20, 1992 |
| 674 | 126 | March 20, 1992 |

Respectfully submitted,
TOMMY G. THOMPSON
Governor

PETITIONS

Assembly Petition 16

Submitted by Mary Lazich of New Berlin, consisting of 86 signatures of citizens of the state of Wisconsin in opposition to light rail.

By Representative Duff.
To committee on Transportation.

Assembly Petition 17

Submitted by Hubert Schmitz of Norwalk, consisting of 338 signatures of citizens of the state of Wisconsin in opposition to Senate Bill 281, relating to the preparation and adoption of a model livestock exclusion ordinance, the management of priority watersheds, issuance of orders related to nonpoint source pollution, establishing performance standards for drainage districts and the organization and management of drainage districts, construction site erosion control, creating a vehicle title and title transfer fee and highway salt tax to finance nonpoint source pollution abatement, granting bonding authority, granting rule-making authority, providing an exemption from rule-making procedures, providing penalties and making appropriations.

By Representatives Roberts and Musser.
To committee on Environmental Resources, Utilities and Mining.

Assembly Petition 18

Submitted by Hubert Schmitz of Norwalk, consisting of 338 signatures of citizens of the state of Wisconsin in opposition to Senate Bill 281, relating to the preparation and adoption of a model livestock exclusion ordinance, the management of priority watersheds, issuance of orders related to nonpoint source pollution, establishing performance standards for drainage districts and the organization and management of drainage districts, construction site erosion control, creating a vehicle title

and title transfer fee and highway salt tax to finance nonpoint source pollution abatement, granting bonding authority, granting rule-making authority, providing an exemption from rule-making procedures, providing penalties and making appropriations.

By Representative Johnsrud.

To committee on Environmental Resources, Utilities and Mining.

Assembly Petition 19

Submitted by 370 citizens of the state of Wisconsin in support of Assembly Bill 698, relating to an electric transmission line construction moratorium.

By Representative Carpenter.
To committee on Environmental Resources, Utilities and Mining.

Assembly Petition 20

Submitted by 800 citizens of the state of Wisconsin in support of Milwaukee School Superintendent Dr. Howard Fuller's proposals to close failing schools and to reopen them under new administrative leadership and with potentially new teaching staff; and in further support of efforts to contract with groups or individuals to operate "Charter Schools" and to contract with private non profit, nonsectarian schools or agencies located in the city as "Partner Schools" to provide educational programs for pupils enrolled in the school district.

By Representative Notestein.
To committee on Urban Education.

Assembly Petition 21

Submitted by John Szymanski of Owen, consisting of 199 signatures of citizens of the state of Wisconsin in support of Assembly Bill 622, relating to consent for an unemancipated minor's abortion, informed consent and a waiting period for abortion, outreach to low-income pregnant women, the state supplemental food program for women, infants and children, prohibiting abortions based on the gender of a fetus or an unborn child, employment requirements for recipients of public assistance, determination of viability prior to performance of abortion, family leave, use of human organs of a fetus or an unborn child, adoption assistance, making appropriations and providing penalties.

By Representative Van Gorden.
To committee on Children and Human Services.

Assembly Petition 22

Submitted by Frank Czahor of Gilman, consisting of 102 signatures of citizens of the state of Wisconsin in support of Assembly Bill 622, relating to consent for an unemancipated minor's abortion, informed consent and a waiting period for abortion, outreach to low-income pregnant women, the state supplemental food program for women, infants and children, prohibiting abortions based on the gender of a fetus or an unborn child, employment requirements for recipients of public assistance, determination of viability prior to performance of abortion, family leave, use of human

JOURNAL OF THE ASSEMBLY [March 20, 1992]

organs of a fetus or an unborn child, adoption assistance, making appropriations and providing penalties.

By Representative Van Gorden.

To committee on Children and Human Services.

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.

Respectfully submitted,
JAMES R. KLAUSER
Secretary, DOA

COMMUNICATIONS

State of Wisconsin
Department of Administration
Madison

March 16, 1992

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 February, 1992.

On February 5, 1992, the Recycling Fund (Fund 79) balance was \$-4.2 million. This shortfall continued through February 28, 1992 when the balance was \$-4.0 million. The shortfall is due to the timing of revenues to the fund.

The Recycling 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

Representative Travis asked unanimous consent that the assembly stand recessed until 5:00 P.M. Granted.

The assembly stood recessed.

10:06 A.M.

RECESS

5:00 P.M.

The assembly reconvened.

Representative Travis moved that the assembly stand adjourned until 10:00 A.M. on Monday, March 23.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

5:00 P.M.