

STATE OF WISCONSIN
Assembly Journal
Ninety-First Regular Session

10:05 A.M.

THURSDAY, February 4, 1993

The assembly met.

Speaker Kunicki in the chair.

The prayer was offered by Representative Schneiders.

Representative Prosser led the membership in reciting the pledge of allegiance to the flag of the United States of America.

Representative Travis asked unanimous consent that all members of the assembly be recorded as being present for the roll call. Granted.

The roll was taken.

The result follows:

Present — Representatives Ainsworth, Albers, Baldus, Baldwin, Barca, Baumgart, Beal, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Coggs, Coleman, Cullen, Deininger, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grobschmidt, Gronemus, Gruszynski, Hahn, Hanson, Harsdorf, Hasenohrl, Hinkfuss, Holperin, Huber, Hubler, Jensen, Johnsrud, Kaufert, Klusman, Kreibich, Krosnicki, Krug, Krusick, La Fave, Ladwig, Lazich, Lehman, Linton, Lorge, Meyer, Morris-Tatum, Musser, Nass, Notestein, Ott, Otte, Ourada, Owens, Panzer, Plache, Porter, Potter, Prosser, Reynolds, Riley, Roberts, Robson, Rosenzweig, Rutkowski, Ryba, Schneider, Schneiders, Seratti, Silbaugh, Springer, Stower, Swoboda, Travis, Turner, Underheim, Urban, Vander Loop, Vergeront, Vrakas, Ward, Welch, Wilder, Williams, Wineke, Wirch, Wood, Young, L. Young, R. Ziegelbauer, Zien, Zukowski and Speaker Kunicki — 99.

Absent — None.

Absent with leave — None.

Vacancies — None.

INTRODUCTION AND REFERENCE
OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 5

Relating to prohibiting any electronic participation by a player, from a location other than the facility in which the game is lawfully conducted or a track facility for which pari-mutuel betting is authorized, in any bingo or raffle game, pari-mutuel betting or a game conducted as part of the state lottery in this state, and prohibiting pari-mutuel betting and state lottery games beginning on January 1, 2000 (first consideration).

By Representative Schneider.

To Special Committee on Gambling Oversight.

Assembly Joint Resolution 6

Relating to prohibiting any electronic participation by a player, from a location other than the facility in which the game is lawfully conducted or a track facility for which pari-mutuel betting is authorized, in any bingo or raffle game, pari-mutuel betting or a game conducted as part of the state lottery in this state (first consideration).

By Representative Schneider.

To Special Committee on Gambling Oversight.

Assembly Joint Resolution 7

Relating to prohibiting pari-mutuel betting and state lottery games beginning on January 1, 2000 (first consideration).

By Representative Schneider.

To Special Committee on Gambling Oversight.

Assembly Joint Resolution 8

Relating to proclaiming May 14, 15 and 16, 1993, Syttende Mai Weekend.

By Representatives Silbaugh, Johnsrud, Hahn, Turner, Zien, Ward, Coleman, Lorge, Grobschmidt, Black, Nass, Wineke, Brandemuehl, Rosenzweig, Musser, Dobyns, Boyle, Hanson, Urban, Kaufert and Stower, cosponsored by Senators Chvala, Rude, Moen, Breske, Lorman, Schultz, Huelsman, Leean, Andrea, Farrow and Burke.

To committee on Rules.

Assembly Bill 52

Relating to exempting from income taxation certain employer-paid fringe benefits for mass transit expenses.

By Representatives Black, Baumgart, Carpenter, Grobschmidt, Plache, Krug, Riley, Duff, Bock, R. Young, Lorge, Baldus, Notestein, Ainsworth, Bell, Hahn, Vrakas, Barca, Roberts, Boyle, Gruszynski and Hinkfuss, cosponsored by Senators Burke, Chvala, Farrow, Buettner, Cowles, Moore, Risser and Schultz.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 53

Relating to tear gas and providing penalties.

By Representative Schneider.

To committee on Criminal Justice and Public Safety.

Assembly Bill 54

Relating to the amount of the farmland preservation credit available for land subject to a farmland preservation agreement or a transition area agreement or initial farmland preservation agreement that is not in an area subject to certain restrictive agricultural zoning ordinances.

By Representatives Brandemuehl, Harsdorf, Deininger, Ott, Bolle, Ainsworth, Otte, Lehman, Silbaugh, Zukowski, Freese, Schneiders, Zien, Lorge, Musser, Hahn, Ward and Goetsch, cosponsored by Senators Andrea, Lasee, Moen, Schultz, Farrow, Buettner and Stitt.

To committee on Ways and Means.

Assembly Bill 55

Relating to a school district's use of state school aid attributable to debt service costs.

By Representatives Brandemuehl, Hahn, Bolle, Otte, Goetsch, Ott, Lehman and Zukowski, cosponsored by Senators Petak, Schultz and Lorman.

To committee on Education.

Assembly Bill 56

Relating to creating the medical assistance services council and making an appropriation.

By Representatives Rosenzweig, Ourada, Carpenter, Robson, Holperin, Boyle, Porter, Schneiders, Ladwig, Harsdorf, Dobyms, Urban, Underheim, Klusman, Lehman, Ainsworth, Hahn, Vrakas, Gard and Ott, cosponsored by Senators Rude, Farrow, Darling, Cowles and Buettner.

To committee on Children and Human Services.

Assembly Bill 57

Relating to conflicts of interest by local public officials.

By Representatives Travis, Dobyms, Notestein, Bock, Duff, Jensen, R. Young, Freese, Krosnicki, Boyle, La Fave, Carpenter and Hanson, cosponsored by Senators Adelman, Moen and Burke.

To committee on Elections, Constitutional Law and Corrections.

Assembly Bill 58

Relating to adoption of codes of ethics by local governmental units and granting rule-making authority.

By Representatives Travis, Dobyms, Notestein, Duff, Jensen, R. Young, Freese, Krosnicki, Boyle, La Fave, Carpenter and Hanson, cosponsored by Senators Adelman and Moen.

To committee on Elections, Constitutional Law and Corrections.

Assembly Bill 59

Relating to battery to school district officers or employes and providing penalties.

By Representatives Silbaugh, Wineke, Deininger, Prosser, Welch, Porter, Vergeront, Schneiders, Musser, Zien, Ott, Lehman, Urban, Underheim, Duff, Hahn, Panzer, Vrakas, Ainsworth, Kaufert, Freese, Brandemuehl, Klusman, Ourada, Brancel, Coleman, Foti, Lorge, Goetsch, Green, Ladwig, Lazich, Otte, Owens, Seratti, Ward, Gruszynski, Gronemus, Vander Loop, Roberts, Swoboda and Turner, cosponsored by Senators Petak, Leman, Weeden, Schultz, Breske, Rude, Darling, Drzewiecki, Farrow, Cowles and Huelsman.

To committee on Criminal Justice and Public Safety.

Assembly Bill 60

Relating to corporate income and franchise tax rates and a minimum corporate tax and granting rule-making authority.

By Representatives Bell, Turner, Black, Carpenter, Boyle and Reynolds.

To committee on Ways and Means.

Assembly Bill 61

Relating to creating a new category in the standard income tax deduction for heads of households.

By Representatives Bell, Roberts, Bock, Turner, Notestein, Hinkfuss, Boyle and Lorge, cosponsored by Senator Plewa.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 62

Relating to the requirement that certain recipients of aid to families with dependent children attend school and aid to families with dependent children payments to certain parents.

By Representatives Gard, Zien, Rosenzweig, Goetsch, Ladwig, Freese, Ott, Green, Duff, Hahn, Underheim, Klusman, Lorge, Ainsworth and Schneiders, cosponsored by Senators Petak, Lasee, Breske, Cowles and Stitt.

To Special Committee on Welfare Reform.

Assembly Bill 63

Relating to battery.

By Representatives Baldus, Bell, Notestein, Carpenter, Porter, Roberts, Ladwig, Riley, Brandemuehl, Bock, Musser, Ryba, Dobyms, Stower, Boyle, Hahn, Underheim, Bolle, Zien and Nass, cosponsored by Senators Moen, Breske, Buettner and Clausing.

To committee on Criminal Justice and Public Safety.

Assembly Bill 64

Relating to job shifting requirements for industrial development revenue bond projects.

By Representatives Plache, Vander Loop, Carpenter, Grobschmidt, Wineke, Holperin, Wood, Krug, R. Young, Kaufert, Musser, Huber, Bock, Potter, Bell, Robson, Springer, L. Young, Black, Notestein, Stower, Barca and Bolle, cosponsored by Senators Andrea, Decker, Burke, Moen, Petak and Cowles.

To committee on Labor and Job Training.

Assembly Bill 65

Relating to placing educational materials about the parking privileges of physically disabled persons on vehicles.

By Representatives Stower, Krug, Baldus, Musser, Schneiders, Duff, Ott, Cullen, Brandemuehl, Potter, Ainsworth, Boyle and Brancel, cosponsored by Senators Breske, Drzewiecki, Buettner, Schultz, Risser, Farrow and Cowles.

To committee on Transportation.

Assembly Bill 66

Relating to annual or consecutive month permits for 3-vehicle combinations.

By Representatives Ourada, Musser, Ainsworth, Freese, Underheim and Lorge, cosponsored by Senators Breske and Schultz.

To committee on Highways.

COMMITTEE REPORTS

The committee on Agriculture, Forestry and Rural Affairs reports and recommends:

Assembly Bill 37

Relating to extending the agricultural production loan guarantee program.

Passage: Ayes: (10) Noes: (0)

To Joint Committee on Finance.

BARBARA GRONEMUS
Chairperson

PETITIONS

Assembly Petition 1

Submitted by Joan M. Gradinjan of Iola, consisting of approximately 457 signatures of citizens of the state of Wisconsin in support of mandatory HIV testing for certain groups of persons.

By Representative Lorge.

To committee on Health.

COMMUNICATIONS

State of Wisconsin
Legislative Audit Bureau
Madison

January 26, 1993

To the Honorable the Legislature:

We have completed a review of staffing needs at the Centers for the Developmentally Disabled, requested as a result of a January 1992 emergency appropriations request to the Joint Finance Committee. At that time, the Department of Health and Social Services requested funding and authorization for 65 additional staff for Central Wisconsin Center, one of the State's three centers for the care and treatment of developmentally disabled residents.

Although the Department was aware during the preparation of its 1991-93 biennial budget request that staffing ratios at the centers might not be adequate to maintain federal approval for reimbursement under the Medical Assistance program, the Department delayed requesting any positions until its Bureau of Quality Compliance's independent review, conducted under the direction of the federal Health Care Financing Administration, confirmed the need for additional staff.

This review appeared inconsistent with earlier reviews and with findings at the other two centers in 1991, which

were approved although they had staffing ratios similar to that at Central. We found that the inconsistency with the previous annual reviews was a direct result of federal instructions implemented in 1991, which affected the conduct of the Bureau's reviews. The inconsistent results among the centers reflected the needs of Central Wisconsin Center's population, which is more physically disabled and has more serious medical problems than that of the other two centers. Although staff turnover rates and overtime usage have been higher at Central Wisconsin Center than at the other two centers, management actions at that center have reduced these problems.

The Department has proposed reducing the centers' population by approximately one-quarter in the 1993-95 biennium through increased community placements, which would allow the Department to increase staffing ratios. However, achievement of such an unprecedented number of community placements is uncertain, since it will depend upon counties' cooperation and successful implementation of new, untested departmental activities.

We appreciate the courtesy extended to us by the staff of the Department of Health and Social Services. A response from the Department is the appendix.

Respectfully submitted,
DALE CATTANACH
State Auditor

JOINT CONVENTION

The assembly was called to order by the speaker.

The sergeant-at-arms announced the arrival of the members of the senate.

The houses went into joint convention.

Senate president Risser presiding.

The assembly sergeant-at-arms announced the arrival of Governor Thompson.

Escorted by Senators George and Lekan, and Representatives Hahn and Hubler, Governor Thompson took his place at the rostrum to deliver his state budget address.

Pursuant to Joint Rule 73, the governor's message is printed in the senate journal only.

Representative Travis moved that the joint convention arise.

The question was: Shall the joint convention arise?

Motion carried.

10:42 A.M.

The assembly reconvened.

Speaker Kunicki in the chair.

JOURNAL OF THE ASSEMBLY [February 4, 1993]

The assembly stood informal. 10:43 A.M.

Representative Travis asked unanimous consent that the assembly stand recessed for ten minutes. Granted.

The assembly reconvened. 11:07 A.M.
Speaker Kunicki in the chair.

The assembly stood recessed. 11:20 A.M.

RECESS

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Bill 31** be withdrawn from the committee on Rules and referred to the Special Committee on Welfare Reform. Granted.

Due to the renovation of the west wing of the State Capitol during the entire 1993-94 legislative session, the assembly officially vacated the State Capitol assembly chamber and transferred the assembly proceedings to the temporary assembly chamber located at 119 Martin Luther King Blvd. The members were led in a procession by Major Norm Johnson, a volunteer member of the 8th Wisconsin Infantry, a re-enactment group, who carried "Old Abe" to his new perch in the rear of the chamber.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 1** be withdrawn from the committee on Rules and taken up at this time. Granted.

Assembly Joint Resolution 1

Relating to the life and public service of Leland Mulder.

11:25 A.M.

The question was: Shall **Assembly Joint Resolution 1** be adopted?

The assembly reconvened in the temporary assembly chamber located at 119 Martin Luther King Blvd.

Motion carried.

Speaker Kunicki in the chair.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 2** be withdrawn from the committee on Rules and taken up at this time. Granted.

SEAT ASSIGNMENTS

(Assembly Chamber - 119 Martin Luther King Blvd.)

February 4, 1993

Assembly Joint Resolution 2

Relating to the life and public service of Ed McClain.

To the Honorable Assembly:

The question was: Shall **Assembly Joint Resolution 2** be adopted?

Pursuant to Assembly Rule 2 (4), for the 1993-94 session in the temporary assembly chamber located at 119 Martin Luther King Blvd., Democratic members will be seated in all rows on the west (gallery) side of the west aisle; the first five rows of the center section; plus seats 64, 66 and 67 of the sixth row in the center section; seat 65 will be unassigned; and Republican members will be seated in the last three rows of the center section, plus all rows on the east (window) side of the east aisle.

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 4** be withdrawn from the committee on Rules and taken up at this time. Granted.

WALTER KUNICKI

Speaker

Assembly Joint Resolution 4

Relating to the life and public service of Hallie Rowe.

The question was: Shall **Assembly Joint Resolution 4** be adopted?

<u>Member</u>	<u>Seat No.</u>
Ainsworth.....	89
Albers.....	97
Baldus.....	23
Baldwin.....	41
Barca.....	9
Baumgart.....	46
Beal.....	74
Bell.....	16
Black.....	32
Bock.....	44
Bolle.....	71
Boyle.....	69
Brancel.....	24
Brandemuehl.....	62

Motion carried.

Representative Welch asked unanimous consent that all members of the assembly to be made coauthors of **Assembly Joint Resolution 1, Assembly Joint Resolution 2 and Assembly Joint Resolution 4**. Granted.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 1, Assembly Joint Resolution 2 and Assembly Joint Resolution 4** be immediately messaged to the senate. Granted.

JOURNAL OF THE ASSEMBLY [February 4, 1993]

Carpenter.....	6	Ryba.....	66
Coggs.....	59	Schneider.....	91
Coleman.....	14	Schneiders.....	27
Cullen.....	52	Seratti.....	88
Deininger.....	15	Silbaugh.....	39
Dobyns.....	50	Springer.....	21
Duff.....	48	Stower.....	22
Foti.....	36	Swoboda.....	100
Freese.....	86	Travis.....	8
Gard.....	37	Turner.....	64
Goetsch.....	83	Underheim.....	38
Green.....	87	Urban.....	76
Grobschmidt.....	56	Vander Loop.....	67
Gronemus.....	20	Vergeront.....	13
Gruszynski.....	70	Vrakas.....	75
Hahn.....	61	Ward.....	96
Hanson.....	29	Weich.....	1
Harsdorf.....	95	Wilder.....	34
Hasenohrl.....	99	Williams.....	81
Hinkfuss.....	55	Wineke.....	35
Holperin.....	68	Wirch.....	53
Huber.....	57	Wood.....	11
Hubler.....	80	Young, L.....	17
Jensen.....	3	Young, R.....	28
Johnsrud.....	72	Ziegelbauer.....	42
Kaufert.....	82	Zien.....	79
Klusman.....	51	Zukowski.....	26
Kreibich.....	78		
Krosnicki.....	49		
Krug.....	19		
Krusick.....	10		
Kunicki.....	5		
La Fave.....	58		
Ladwig.....	62		
Lazich.....	73		
Lehman.....	60		
Linton.....	31		
Lorge.....	93		
Meyer.....	54		
Morris-Tatum.....	33		
Musser.....	92		
Nass.....	77		
Notestein.....	7		
Ott.....	85		
Otte.....	84		
Ourada.....	25		
Owens.....	98		
Panzer.....	2		
Plache.....	43		
Porter.....	94		
Potter.....	40		
Prosser.....	4		
Reynolds.....	45		
Riley.....	18		
Roberts.....	90		
Robson.....	30		
Rosenzweig.....	12		
Rutkowski.....	47		

MOTIONS

Representative Stower asked unanimous consent to be recorded as voting "Aye" on the questions of adoption of **Assembly Resolution 14** and **Assembly Resolution 15** taken on Tuesday, January 26. Granted.

Representative Klusman asked unanimous consent that the assembly adjourn in honor of her father, Eugene Anderson, who will celebrate his sixty-second birthday on February 11. Granted.

Representative Prosser asked unanimous consent that the assembly adjourn in honor of the Appleton West High School Terrors football team, who won the WIAA Division I State Football Championship. Granted.

Representatives Baumgart and Otte asked unanimous consent that the assembly adjourn in honor of Heather Hanson from Cascade, and of Representative Wineke's staff, who won the Miss Wisconsin-USA pageant in November and will compete in the Miss USA pageant in Wichita, Kansas on February 19. Granted.

Representative Morris-Tatum asked unanimous consent that the assembly adjourn in honor of her staffperson, Melva Darrough, who has her article entitled, "True Love" published in the February edition of The Ladies Home Journal magazine. Granted.

Representative Hinkfuss asked unanimous consent that the assembly adjourn in honor of the Green Bay Packers football team and their Head Coach, Mike Holmgren for making Wisconsin proud through their successful and winning season. Granted.

Representative Urban asked unanimous consent that the assembly adjourn in honor of the Brookfield East High School swim team who became the number one ranked swimming team in Wisconsin. Granted.

Representative Wood asked unanimous consent that the assembly adjourn in honor of the Janesville Parker Girls Basketball team, who defeated the number one ranked teams in Wisconsin and the United States and went on to be recognized as the 11th ranked girls basketball team in the nation. Granted.

Representative Ott asked unanimous consent that the assembly adjourn in honor of the designers, contractors and builders of the new, temporary assembly chamber located at 119 Marting Luther King Blvd. for doing an outstanding job. Granted.

Representative Silbaugh asked unanimous consent that the assembly adjourn in honor of Sun Prairie's "Jimmy the Groundhog", who has made accurate predictions about the change of the seasons since 1948. Granted.

Representative Vrakas asked unanimous consent that the assembly adjourn in honor of Bradley Binkowski, of Urban Land Interests Corporation, for the renovation of the building at 119 Martin Luther King Blvd., which houses the temporary assembly chamber, as well as many other historical buildings in Wisconsin's central cities. Granted.

Representative Barca asked unanimous consent that the assembly adjourn in honor of Representative Hahn, for his excellent musicianship playing the trombone during the ceremonial procession to the temporary assembly chamber at 119 Martin Luther King Blvd. Granted.

Representative Owens asked unanimous consent that the assembly adjourn in honor of the heritage of her great grandchild, Kayla. Granted.

Representative Travis moved that the assembly stand adjourned until 10:00 A.M. on Tuesday, February 9.

The question was: Shall the assembly stand adjourned?

The roll was taken.

The result follows:

Ayes — Representatives Ainsworth, Albers, Baldus, Baldwin, Barca, Baumgart, Beal, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Coggs, Coleman, Deininger, Dobyms, Duff, Foti, Freese, Gard, Goetsch, Green, Grobschmidt, Gronemus, Gruszynski, Hanson, Harsdorf, Hinkfuss, Holperin, Huber, Hubler, Jensen, Johnsrud, Kaufert, Klusman, Kreibich, Krosnicki, Krug, Krusick, La Fave, Ladwig, Lazich, Lehman, Linton, Lorge, Meyer, Morris-Tatum, Musser, Nass, Notestein, Ott, Otte, Ourada, Owens, Panzer, Plache, Porter, Potter, Prosser, Reynolds, Riley, Roberts, Robson, Rosenzweig, Rutkowski, Ryba, Schneiders, Seratti, Silbaugh, Springer, Stower, Swoboda, Travis, Turner, Underheim, Urban, Vander Loop, Vergeront, Vrakas, Ward, Welch, Wilder, Williams, Wineke, Wirch, Wood, Young, L., Young, R., Ziegelbauer, Zien, Zukowski and Speaker Kunicki — 95.

Noes — Representatives Hahn and Schneider — 2.

Absent or not voting — Representatives Cullen and Hasenohrl — 2.

Motion carried.

The assembly stood adjourned.

11:43 A.M.