

STATE OF WISCONSIN
Assembly Journal

Ninety-First Regular Session

10:00 A.M.

TUESDAY, February 23, 1993

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

Speaker Kunicki in the chair.

The assembly dispensed with the call of the roll.

INTRODUCTION AND REFERENCE
OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 13

Providing for an advisory referendum on the question of phasing out most authorized gambling in this state.

By Representatives Baldus, Gruszynski and Stower.
To Special Committee on Gambling Oversight.

Assembly Joint Resolution 14

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, Bolle, Baldus, Jensen, Ryba, Potter, Lehman, Boyle, Panzer, Ziegelbauer and Rosenzweig, cosponsored by Senators Breske, Schultz and Farrow.

To committee on Agriculture, Forestry and Rural Affairs.

Assembly Joint Resolution 15

Relating to the constitutional authority of the states to regulate traffic and motor vehicle safety within their respective boundaries.

By Representatives Lorge, Barca, Zien, Musser, Bolle and Dobyns.

To committee on Transportation.

Assembly Joint Resolution 16

Relating to equitable social security payments.

By Representatives Lorge, Krusick, Zien, Ladwig, Holperin, Musser, Lehman, Bolle, Ourada, Porter, Nass, Freese, Barca, Hahn, Urban, Ryba, Boyle, Silbaugh, Dobyns, Green, Brandemuehl, Harsdorf and Zukowski, cosponsored by Senators Risser, Andrea, Schultz and Lasee.

To committee on Aging and Long Term Care.

Assembly Bill 115

Relating to information contained in the files on licensees maintained by the department of transportation.

By Representative Schneider.

To committee on Transportation.

Assembly Bill 116

Relating to extending the balancing test, administrative procedures and penalties of the open records law to requests for certain records that are kept by certain county officers.

By Representatives Carpenter, Goetsch, Hanson, Porter, Schneiders, Lehman, Hahn, Otte, Kaufert, Ladwig, Bolle and La Fave, cosponsored by Senators Breske, Farrow, Lorman and Plewa.

To committee on State Affairs.

Assembly Bill 117

Relating to annual fishing licenses issued to residents who are 16 or 17 years of age.

By Representatives Baumgart, Reynolds, Gruszynski, Lorge, Potter, Baldus, Gard, Boyle, Kaufert, Plache, Musser, Ladwig, Gronemus and LaFave, cosponsored by Senators Potter, Schultz, Farrow and Drzewiecki.

To committee on Tourism and Recreation.

Assembly Bill 118

Relating to pupils' right to freedom of expression in public schools.

By Representatives Bock, Musser, Huber, Baldus, Lorge, Gruszynski, Duff, Roberts, Plache, R. Young, Carpenter, Wineke, Notestein and Boyle, cosponsored by Senators Adelman, Chvala, Moen and Risser.

To committee on Urban Education.

Assembly Bill 119

Relating to firearms and providing penalties.

By Representatives Welch, Zien, Vergeront, Foti, Freese, Kaufert, Musser, Porter, Silbaugh, Beal, Brandemuehl, Goetsch, Ladwig, Nass, Schneiders, Seratti and Vrakas, cosponsored by Senators Ellis, Lasee, Schultz and Farrow.

To committee on Criminal Justice and Public Safety.

Assembly Bill 120

Relating to substitution of judges.

By Representatives Welch, Krusick, Vergeront, Foti, Freese, Kaufert, Musser, Porter, Silbaugh, Zien, Beal, Brandemuehl, Goetsch, Hahn, Ladwig, Nass, Schneiders, Seratti and Vrakas, cosponsored by Senators Ellis, Lasee, Schultz and Farrow.

To committee on Judiciary.

Assembly Bill 121

Relating to termination of parental rights of a parent convicted of murdering the other parent of a child.

By Representatives Welch, Seratti, Beal, Foti, Freese, Kaufert, Musser, Porter, Silbaugh, Vergeront, Zien, Brandemuehl, Goetsch, Hahn, Krug, Ladwig, Nass,

Schneiders and Vrakas, cosponsored by Senators Ellis, Lasee, Schultz, Farrow, Buettner and Weeden.

To committee on Children and Human Services.

Assembly Bill 122

Relating to kidnapping and taking hostages and providing a penalty.

By Representatives Welch, Porter, Ladwig, Foti, Freese, Kaufert, Musser, Silbaugh, Vergeront, Zien, Brandemuehl and Seratti, cosponsored by Senators Ellis, Lasee, Schultz and Farrow.

To committee on Criminal Justice and Public Safety.

Assembly Bill 123

Relating to providing a penalty of either death or life imprisonment for first-degree intentional homicide, affecting parole eligibility and granting rule-making authority.

By Representatives Welch, Vergeront, Freese, Foti, Kaufert, Musser, Porter, Silbaugh, Zien, Brandemuehl and Ladwig, cosponsored by Senators Ellis, Lasee, Schultz and Buettner.

To committee on Criminal Justice and Public Safety.

Assembly Bill 124

Relating to sexual assault and providing a penalty.

By Representatives Welch, Vergeront, Zien, Foti, Freese, Kaufert, Musser, Porter, Silbaugh, Goetsch, Nass and Seratti, cosponsored by Senators Ellis, Lasee, Schultz, Farrow and Buettner.

To committee on Criminal Justice and Public Safety.

Assembly Bill 125

Relating to sexual assault and providing a penalty.

By Representatives Welch, Vergeront, Zien, Foti, Freese, Kaufert, Musser, Porter, Silbaugh, Brandemuehl, Nass and Seratti, cosponsored by Senators Ellis, Lasee, Schultz, Farrow and Buettner.

To committee on Criminal Justice and Public Safety.

Assembly Bill 126

Relating to allowing all individual taxpayers a full tax deduction for certain amounts paid into an individual retirement account.

By Representatives Lorge, Porter and Musser, cosponsored by Senator Drzewiecki.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 127

Relating to CN devices and providing penalties.

By Representatives Zien, Baldus, Nass, Vergeront, Ott, Kaufert, Musser, Underheim, Schneiders, Brandemuehl, Rosenzweig, Lorge and Silbaugh, cosponsored by Senators Lasee, Buettner, Leean, Huelsman and Plewa.

To committee on Criminal Justice and Public Safety.

Assembly Bill 128

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 to that child by the state or by a county.

By Representatives Zien, Schneiders, Brancel, Kreibich, Lehman, Rosenzweig, Jensen, Silbaugh, Goetsch, Dobyns, Musser, Underheim, Duff and Lorge, cosponsored by Senators Farrow, Weeden, Leean and Huelsman.

To committee on Children and Human Services.

Assembly Bill 129

Relating to charges for insufficient checks, detention of persons involved in retail theft, increasing the damages and fees allowed in retail theft and worthless check civil actions and allowing civil actions against any individual 14 years of age or older or the minor's parents for retail theft.

By Representatives Holperin, Panzer, Wineke, Hahn, Baldus, Grobschmidt, Stower, Ryba, Ourada, Porter, Hanson, Silbaugh, Underheim, Dobyns, Ladwig, Green, Deininger, Lehman, Ziegelbauer, Ott, Musser, Kaufert, Roberts, Brandemuehl, Vrakas, Nass, Rosenzweig, Schneiders, Zien, Goetsch, Beal and Barca, cosponsored by Senators Jauch, Leean, Breske, Decker, Potter, Moen, Lorman, Buettner, Schultz, Cowles, Farrow, Huelsman and Drzewiecki, by request of Attorney General James Doyle; Wisconsin Civil Recovery Council; Wisconsin Merchants Federation; Midwest Retail Hardware Association; Wisconsin Restaurant Association; Wisconsin Grocers Association; Wisconsin Automotive Parts Association; National Federation of Independent Business (Wisconsin Chapter); Wisconsin Automobile and Truck Dealers Association; Wisconsin Jewelers Association; Wisconsin Alliance of Hearing Professionals; Wisconsin Beverage Licensees Association; Wisconsin Innkeepers Association; Wisconsin Independent Business, Inc.; Wisconsin Financial Services Association; Tavern League of Wisconsin; and Wisconsin Association of Convenience Stores.

To committee on Small Business and Economic Development.

Assembly Bill 130

Relating to comparative negligence in cases with multiple tort-feasors.

By Representatives Ainsworth, Lehman, Duff, Ladwig, Brancel, Hahn, Goetsch, Urban and Underheim, cosponsored by Senators Lorman, Weeden, Leean, Petak, Drzewiecki Buettner, Huelsman and Farrow.

To committee on Insurance, Securities and Corporate Policy.

Assembly Bill 131

Relating to exemptions from requirements for the renewal or reinstatement of a motor vehicle operating privilege or registration revoked for failure to deposit security and granting rule-making authority.

By Representatives Wood, Baldus, Musser, Holperin, Bolle, Bock, Huber, Lorge, Springer, Gronemus, Boyle, Zien, Hasenohrl, Roberts, Ziegelbauer and Underheim, cosponsored by Senators

Cowles, Breske, Rude, Schultz, Huelsman, Petak and Farrow.

To committee on Transportation.

Assembly Bill 132

Relating to making a grant to impact acceptance corporation, inc., and making an appropriation.

By Representatives Baldus, Stower, Hubler, Linton, Musser, Reynolds, Boyle, Roberts, Lorge and Wilder, cosponsored by Senator Clausing.

To committee on Small Business and Economic Development.

Assembly Bill 133

Relating to the conversion of lands that are entered on the tax roll as forest croplands to lands that are entered on the tax roll as managed forest lands.

By Representatives Ainsworth, Johnsrud, Musser, Ott, Lorge, Albers, Turner and Holperin, cosponsored by Senator Schultz.

To committee on Agriculture, Forestry and Rural Affairs.

STATUTORY APPOINTMENTS

Alcohol and Other Drug Abuse, State Council on

Spencer Coggs
Kathleen Krosnicki

Building Commission

Lary Swoboda
Robert Turner
Lolita Schneiders

Child Abuse and Neglect Prevention Board

Jeannette Bell

Child Labor, Council on

Rebecca Young
Sheryl Albers

Education Commission of the States - Compact Commission Delegation

Lary Swoboda

Educational Communications Board

Marlin Schneider
Sheila Harsdorf

Environmental Education Board

Stan Gruszynski
Tom Ourada

Highway Safety, Council on

Donald Hasenohrl
John Ryba
Rudy Silbaugh

Housing and Economic Development Authority, Wisconsin

Rosemary Potter
Mark Green

Information Technology, Council on

Marlin Schneider
Stephen Freese

Judicial Council

James Rutkowski

Low-Level Radioactive Waste Council

Spencer Black
Tom Ourada

Migrant Labor, Council on

Peter Bock
Robert Welch

Minnesota-Wisconsin Boundary Area Commission - Wisconsin Legislative Advisory Committee

Mark Meyer
Al Baldus
Frank Boyle
Barbara Gronemus
Sheila Harsdorf
DuWayne Johnsrud

Radioactive Waste Review Board

Spencer Black
Joseph Strohl (Public member)

Retirement Research Committee

Richard Grobschmidt (cochairperson)
Tom Springer
Marc Duff

Rural Economic Development Board

Michael Wilder
Tom Ourada

Rustic Roads Board

Donald Hasenohrl

State Capitol and Executive Residence Board

Rosemary Hinkfuss
Marlin Schneider
Lolita Schneiders

State Historical Society of Wisconsin Board of Curators

Joseph Wineke
Peggy Rosenzweig

State Supported Programs Study and Advisory Committee, Joint Legislative

- Lary Swoboda
- Marlin Schneider
- Donald Hasenohrl
- Joesph Wineke
- Robert Goetsch
- Gregg Underheim

Senator Lasee
Senator Farrow

Rep. Vergeront
Rep. Gard

During 1991 and 1992, the Audit Bureau completed audits and evaluations of a wide range of programs and issues affecting state and local government. This report includes a description of the Bureau and its responsibilities, and a summary of our work during this period.

Respectfully submitted,
DALE CATTANACH
State Auditor

State of Wisconsin
Department of Administration
Madison

February 15, 1993

To the Honorable the Legislature:

Chapter 34, Laws of 1979, requires that when the Department of Administration maintains an office in Washington, DC, for the purpose of promoting federal/state cooperation, it should submit a report detailing the activities of the office and reporting the status of federal legislation of concern to the Legislature and other state agencies (Wis. Stats. 16.548(2)).

The report for the period October 1, 1992, through December 31, 1992, is attached.

Respectfully submitted,
JAMES R. KLAUSER
Secretary, DOA

State of Wisconsin
Department of Justice
Madison

February 9, 1993

To the Honorable the Legislature:

Section 165.90 of the Wisconsin Statutes requires the Department of Justice to submit an annual report on the progress of county-tribal law enforcement programs which are funded under this section. This letter constitutes the report for 1992.

In 1992, 14 counties submitted requests for county-tribal law enforcement funding, totaling \$966,502. A total of \$614,200 was provided to 13 counties through a series of awards. This amount was awarded based upon the revenue available and the desire to sustain a stable funding level in future years. All of the counties received as much or more than they received in the prior year.

Submerged Cultural Resources Council

- Barbara Linton
- Charles Coleman

Tourism, Council on

- Harvey Stower
- Ben Brancel

Traffic Law Enforcement, Council on

- Marlin Schneider
- Michael Lehman

COMMUNICATIONS

State of Wisconsin
Legislative Audit Bureau
Madison

January 15, 1993

To the Honorable the Legislature:

This is the biennial report of the operations and performance of the Legislative Audit Bureau for the period January 1, 1991, to December 31, 1992, as required by s. 13.94(1)(j), Wis. Stats.

The Legislative Audit Bureau is a nonpartisan service agency of the Wisconsin Legislature and is responsible for conducting financial and program evaluation audits to assist the Legislature in its oversight of executive branch agencies. The Bureau's reports are received and reviewed by the Joint Legislative Audit Committee, whose 1991-92 members included.

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|-------------------------|---------------------|
| Senator Burke, Co-Chair | Rep. Krug, Co-Chair |
| Senator George | Rep. Barca |
| Senator Roshell | Rep. Linton |

The funds awarded to counties were used for a variety of law enforcement services on tribal lands, including additional sheriff patrols; full-time tribal police deputized by sheriffs; workshops on DARE and other alcohol and drug abuse programs; criminal investigations; purchase of law enforcement equipment and squad cars; cultural sensitivity training for officers; and youth outreach programs.

For the first time since the program began, the Department of Justice conducted a field review of the program during 1992. Staff from the Office of Policy Analysis visited with the sheriff and tribal members of each participating county and tribe. Staff reviewed what was accomplished with the funding provided by the programs in 1991. In all but two cases, the field review concluded that the county-tribal law enforcement program has resulted in the substantial enhancement of law enforcement services to tribal areas. Two of the local programs were experiencing problems with accountability and program design but have since resolved those problems. The Department of Justice intends to continue some level of field review on an annual basis in the future.

The county-tribal law enforcement program continues to progress in providing needed law enforcement services to residents of tribal lands in Wisconsin. I think you will agree that cooperation between the counties and the tribes has resulted in a successful program and one which is tailored to the needs of each tribal community.

Sincerely,
JAMES E. DOYLE
Attorney General

Representative L. Young moved that the assembly stand adjourned until 10:00 A.M. on Thursday, February 25.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

10:01 A.M.