

STATE OF WISCONSIN
Assembly Journal
Ninety-First Regular Session

WEDNESDAY, November 17, 1993

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

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 350** offered by committee on Natural Resources.

ADMINISTRATIVE RULES

Read and referred:

Assembly Clearinghouse Rule 92-163

Relating to elevators.

Submitted by Department of Industry, Labor and Human Relations.

To committee on Labor and Job Training.

Referred on November 17, 1993.

Assembly Clearinghouse Rule 93-132

Relating to life insurance held by charitable organizations.

Submitted by Office of the Commissioner of Insurance.

To committee on Insurance, Securities and Corporate Policy.

Referred on November 17, 1993.

Assembly Clearinghouse Rule 93-184

Relating to standardized remittance advice and explanation of benefits formats for use by health insurers.

Submitted by Office of the Commissioner of Insurance.

To committee on Insurance, Securities and Corporate Policy.

Referred on November 17, 1993.

INTRODUCTION AND REFERENCE
OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 101

Relating to memorializing Congress to appropriate funds to permit more flexible use of substance abuse and mental health services administration funds.

By Legislative Council.

To committee on Children and Human Services.

Assembly Joint Resolution 102

Relating to requesting the department of health and social services to apply for a federal waiver to include

persons with mental illness in community integration programs under the medical assistance program.

By Legislative Council.

To committee on Children and Human Services.

Assembly Joint Resolution 103

Relating to the establishment of a local government postal rate.

By Representatives Lorge, Ladwig, Turner and Vander Loop.

To committee on State Affairs.

Assembly Joint Resolution 104

Relating to the designation of Popple, Pine, Peshtigo, South Fork Flambeau, East Fork Chippewa and Brule Rivers as National Wild and Scenic Rivers.

By Representatives Seratti, Gard, Ainsworth and Ourada, cosponsored by Senators Drzewiecki and Breske.

To committee on Natural Resources.

Assembly Bill 899

Relating to deleting the age criterion from the definition of a medicare supplement policy (suggested as remedial legislation by the office of the commissioner of insurance).

By Law Revision Committee.

To committee on Insurance, Securities and Corporate Policy.

Assembly Bill 900

Relating to: requiring the department of health and social services to develop a model community mental health plan; expanding requirements for community mental health plans; requiring the council on mental health to review community mental health plans; requiring the department of health and social services to enter into an agreement for the development of a mental health client survey prototype; requiring counties to periodically conduct mental health client surveys; patients' rights for certain persons; establishing a pilot program for protection and advocacy services for community mental health clients; requiring the department of health and social services to establish standards for patient grievance procedures; certification of community mental health programs; requiring the secretary of health and social services to designate a departmental subunit to supervise the grievance process for clients of mental health services; requiring, unless waived, counties to establish certified community support programs; providing funding for state payment of the local matching funds to secure federal funds for certified community support programs; maltreatment of vulnerable adults; the abuse and neglect of certain patients and residents; requiring consumer

representation on county human services boards and county community programs boards; appointment of receivers for county departments of community programs and related programs; certification and review of community mental health programs; funding for staff of the council on mental health; intentional destruction, damage, concealment or falsification of patient health care records and treatment records; the exchange of professional services to evaluate community-mental health programs for continuing education credits; designation of county protective services agencies for the investigation of abuse, neglect or misappropriation of property of a vulnerable adult and providing protective services; directing the department of health and social services to develop a training curriculum and provide the curriculum for use in training members of county human services boards and county community services boards; requiring appointment of a complaint examiner in the department of justice; granting rule-making authority; making appropriations; and providing penalties.

By Legislative Council.

To committee on Children and Human Services.

Assembly Bill 901

An act relating to authorizing additional positions for the long-term care ombudsman program of the board on aging and long-term care and making an appropriation.

By Representatives Krusick, Ryba, Baldwin, Bock, Carpenter, Grobschmidt, Holperin, Musser, Notestein, Seratti, Silbaugh, Urban and Wilder, cosponsored by Senators Burke, Clausing and Rosenzweig.

To committee on Aging and Long Term Care.

Assembly Bill 902

Relating to the approval of aerobic private sewage systems and granting rule-making authority.

By Representatives Linton, Holperin, Hasenohrl, Reynolds, Goetsch, Wood, Johnsrud, Musser, Roberts, Baldus, Ourada, Porter, Ott, Lorge, Zukowski, Otte, Boyle, Harsdorf, Swoboda, Brancel, Ainsworth, Riley, Seratti, Plombon, Klusman, Robson, Gronemus and Hubler, cosponsored by Senators Cowles, Petak, Farrow, Lekan, Jauch, Weeden, Lasee, Rude and Wineke.

To committee on Environmental Resources.

Assembly Bill 903

Relating to the disciplinary authority of the pharmacy examining board.

By Representatives Owens, Krusick, Prosser, Schneiders, Musser, Urban, Ladwig, Seratti, Ott, Skindrud, Deininger, Silbaugh, Zukowski and Ourada, cosponsored by Senator Buettner, by request of the Law Revision Committee.

To committee on Health.

Assembly Bill 904

Relating to the size of pole vault landing pads used by public school pupils.

By Representatives Baldus, Hanson, Roberts, Robson, Seratti and Stower, cosponsored by Senators Clausing and Burke.

To committee on Education.

Assembly Bill 905

Relating to foster homes and treatment foster homes, juvenile court dispositions, payment of mental health and developmental disability services for children, the liability of guardians and legal custodians to pay for court-ordered services provided for a child, providing an exemption from and extending the time limit for emergency rule procedures, the expenditure of federal foster care reimbursements and making appropriations.

By Representatives R. Young, Turner, L. Young, Bell, Boyle, Wirch and Riley, cosponsored by Senators Moore and Risser.

To committee on Children and Human Services.

Assembly Bill 906

Relating to requiring disability insurance policies to cover contraceptive articles and services.

By Representatives R. Young, L. Young, Baldwin, Plache, Notestein and Riley, cosponsored by Senators Moore and Risser.

To committee on Insurance, Securities and Corporate Policy.

Assembly Bill 907

Relating to a sales and use tax exemption for precious metal bullion and monetized bullion.

By Representative Lorge, cosponsored by Senators Huelsman, Helbach and Buettner.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 908

Relating to requiring the abandonment of certain private wells.

By Representatives Lorge, Grobschmidt and Gronemus, cosponsored by Senator Breske.

To committee on Environmental Resources.

Assembly Bill 909

Relating to the wildlife damage claim program and making an appropriation.

By Representatives Lorge and Musser, cosponsored by Senator Breske.

To committee on Natural Resources.

Assembly Bill 910

Relating to restricting insurers' practices related to motor vehicle glass repair or replacement.

By Representatives Hubler, Duff, Musser, Holperin, Riley, Schneiders, Gronemus, Goetsch and Bolle, cosponsored by Senators Huelsman, Zien, Buettner, Panzer, Rosenzweig and Drzewiecki.

To committee on Insurance, Securities and Corporate Policy.

Assembly Bill 911

Relating to requiring persons engaged in water skiing or a similar activity to wear personal flotation devices.

By Representatives Kaufert, Baldus, Ott, Meyer, Roberts, Boyle, Brandemuehl, Seratti, Riley, Ainsworth, Bock and Silbaugh, cosponsored by Senators Panzer, Lorman, Darling and Buettner.

To committee on Natural Resources.

Assembly Bill 912

Relating to senior citizen recreation cards and sport fishing by persons who are at least 60 years of age.

By Representatives Lorge, Ryba, Kaufert, Vander Loop and Gronemus, cosponsored by Senator Breske.

To committee on Tourism and Recreation.

Assembly Bill 913

Relating to counseling services and leave for railroad crew members who are involved in an accident resulting in death or serious bodily injury.

By Representatives Ryba, Turner, Meyer, Vander Loop, Hinkfuss, Swoboda and Hasenohrl, cosponsored by Senators Burke and Chvala.

To committee on Transportation.

Assembly Bill 914

Relating to regulation of persons involved in radon mitigation, granting rule-making authority, making an appropriation and providing penalties.

By Representatives Schneider, Roberts, Riley, Turner, Schneiders, Musser, Seratti, Vander Loop, Robson, Kaufert, Gruszynski, Ryba, Notestein, Boyle, Wirch, Ott, Gronemus, Huber and Springer, cosponsored by Senators Burke, Lasee, George, Clausing and Rosenzweig.

To committee on Trade, Science and Technology.

Assembly Bill 915

Relating to the department of justice and the contents of the summons in special proceedings involving certain claims.

By Representatives Wood, Riley, Huber, Turner and Ziegelbauer, cosponsored by Senator Huelsman, by request of Attorney General James Doyle.

To committee on Criminal Justice and Public Safety.

Assembly Bill 916

Relating to the use of in-line skates on roadways and providing a penalty.

By Representatives Beal, Duff, Black, Jensen, Gard, Kaufert, Klusman, Riley, Albers, Otte, Kreibich and Walker, cosponsored by Senators Darling and Buettner.

To committee on Highways.

Assembly Bill 917

Relating to statements of changes of directors or principal officers.

By Representatives Baldus and Deininger, cosponsored by Senator Huelsman.

To committee on Insurance, Securities and Corporate Policy.

Assembly Bill 918

Relating to removal of certain references to lunatics in the statutes regarding bank trust powers (suggested as

remedial legislation by the office of commissioner of banking).

By Law Revision Committee.

To committee on Financial Institutions.

Assembly Bill 919

Relating to credit union operation and authority and reorganizing the credit union chapter, granting rule-making authority and providing a penalty.

By Representatives Grobschmidt, Potter, Ladwig, Wood, Otte, Carpenter, Vander Loop, Holperin, Ainsworth, Huber, Roberts, Musser, Baldus, Hanson, Goetsch, Ourada, Gard, Baumgart, Boyle, Notestein, Kreibich, Beal, Kunicki, Bell, Ryba, Ziegelbauer, Bock and Plombon, cosponsored by Senators Potter, Rude, Jauch, Wineke, Clausing, Plewa, Drzewiecki, Risser, Burke, Andrea and Moen.

To committee on Financial Institutions.

Assembly Bill 920

Relating to fishing excursions for the developmentally disabled and providing an exemption from rule-making procedures.

By Representatives Lazich, Stower, Foti, Kreuser, Wilder, Plombon, Duff, Black, Ryba, Hanson, Green, Ward, Springer, Grobschmidt, Roberts, Ladwig, Ourada, Boyle, Underheim, Kaufert, Gard, Vrakas, Hahn, Silbaugh, Goetsch, Otte, Owens, Ott, Seratti and Lorge, cosponsored by Senators Cowles, Panzer, Rude, Farrow, Buettner, Huelsman, Lorman, Schultz, Breske, Petak and Andrea.

To committee on Natural Resources.

Assembly Bill 921

Relating to the establishment of standards for harvesting timber in state forests, requiring aesthetic management zones in state forests and county forests and granting rule-making authority.

By Representatives Boyle, Krug, R. Young and Bock, cosponsored by Senator Risser.

To committee on Natural Resources.

Assembly Bill 922

Relating to limitation of compensation increases granted by school districts to school district administrators.

By Representatives Gruszynski, Turner, Plombon, Springer and Riley.

To committee on Education.

Assembly Bill 923

An act relating to a distance education project and making an appropriation.

By Representatives Swoboda, Lorge, Ryba, Hanson, Ainsworth and Boyle, cosponsored by Senator Lasee.

To committee on Education.

Assembly Bill 924

Relating to the adjustment to a school district's revenue limits for debt service.

By Representatives Swoboda, Gronemus, Ryba, Grobschmidt, Holperin and Musser, cosponsored by Senator Breske.

To committee on Ways and Means.

Assembly Bill 925

Relating to leaving or storing a loaded firearm within the reach or easy access of a child.

By Representatives Travis, Riley, Urban, Robson, Notestein, Carpenter, Turner, Plache, R. Young, Hanson, Bock, Boyle and Potter, cosponsored by Senators Wineke, Rosenzweig and Risser.

To committee on Criminal Justice and Public Safety.

Assembly Bill 926

Relating to: scheduling preference for actions to revise support orders against reservists called to active duty; respite child care; students enrolled in the university of Wisconsin system or a vocational, technical and adult education district who are called to active duty in the U.S. armed forces; providing information and assistance to imprisoned veterans; providing members of the U.S. armed forces and national guard with relief from certain property tax liabilities and license renewal requirements; termination of residential leases by persons called into active military service and their cotenants; deferring department of development loan repayments for persons ordered to active duty; coordination between the Wisconsin conservation corps, the Wisconsin service corps and certain state departments; use of national guard facilities; information to veterans from state agencies; interest on veterans' escrow accounts; reducing the maximum number of nursing home beds; exempting the Wisconsin veterans home from the nursing home bed limit; establishing a civil and military cooperation council in the department of military affairs; providing health care aid for Vietnam veterans; increasing the minimum pay provided to national guard members; providing for a study; granting rule-making authority; and making an appropriation.

By committee on Veterans and Military Affairs.

To committee on Veterans and Military Affairs.

Assembly Bill 927

Relating to income eligibility for the veterans correspondence courses and part-time classroom study program.

By committee on Veterans and Military Affairs.

To committee on Veterans and Military Affairs.

Assembly Bill 928

Relating to granting national guard members with powers and duties related to preserving the peace.

By committee on Veterans and Military Affairs.

To committee on Veterans and Military Affairs.

Assembly Bill 929

Relating to dispute settlement procedure and compensation and fringe benefit requirements and limitations for aides, assistants and interpreters for hearing-impaired pupils, employed in school district special education programs.

By Representatives Wirch, Kreuser, Ward, Ryba and Baldus, cosponsored by Senators Andrea and Burke.

To committee on Labor and Job Training.

Assembly Bill 930

Relating to classifying ephedrine as a schedule III controlled substance.

By Representatives Seratti, Riley, Ourada, Ainsworth, Zukowski, Musser, Ryba, Duff, Green, Ward, Gruszynski, Urban, Ladwig, Brandemuehl, Holperin, Lorge, Wirch, Silbaugh, La Fave, Goetsch, Walker, Harsdorf, Lehman, Hanson, Owens, Ott, Freese, Albers, Otte, Boyle, Klusman and Ziegelbauer, cosponsored by Senators Drzewiecki, Breske, Cowles, Huelsman, Darling, Buettner, Zien and Lasee.

To committee on Criminal Justice and Public Safety.

COMMITTEE REPORTS

The committee on Excise and Fees reports and recommends:

Assembly Bill 363

Relating to the persons who may serve alcohol beverages.

Passage: Ayes: (8) Noes: (0)

To committee on Rules.

Assembly Bill 550

Relating to permitting underage persons who are at least 18 years of age to be in restaurants that are licensed to sell alcohol beverages.

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

To committee on Rules.

Assembly Bill 563

Relating to requiring applicants for retail liquor licenses to complete responsible beverage server training.

Adoption of assembly amendment 1:

Ayes: (8) Noes: (0)

Passage: Ayes: (8) Noes: (0)

To committee on Rules.

TOM SPRINGER

Chairperson

The committee on Health reports and recommends:

Senate Bill 374

Relating to admission of certain individuals from hospitals to nursing homes or community-based residential facilities.

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

To committee on Rules.

JUDITH ROBSON

Chairperson

The committee on Small Business and Economic Development reports and recommends:

Assembly Bill 375

Relating to consolidating department of development reports into one report.

Passage: Ayes: (11) Noes: (1)
To committee on Rules.

Assembly Bill 469

Relating to responsibility for reports on economic development projects.

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

Passage: Ayes: (11) Noes: (1)
To committee on Rules.

MARTIN REYNOLDS
Chairperson

The Joint Survey Committee on Tax Exemptions reports and recommends:

Assembly Bill 301

Relating to creating a property tax exemption for certain residences of disabled veterans.

Adoption of report: Ayes: (7) Noes: (0)
To committee on Ways and Means.

Assembly Bill 339

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

Adoption of report: Ayes: (6) Noes: (2)
To committee on Ways and Means.

Assembly Bill 458

Relating to exempting university of Wisconsin property from partial taxation.

Adoption of report: Ayes: (5) Noes: (3)
To committee on Ways and Means.

JAMES BAUMGART
Assembly Chairperson

The committee on Urban and Local Affairs reports and recommends:

Assembly Bill 478

Relating to the return of lost money or goods.

Passage: Ayes: (7) Noes: (3)
To committee on Rules.

Assembly Bill 664

Relating to the filing and recording of certain documents with a register of deeds.

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

ROSEMARY HINKFUSS
Chairperson

COMMUNICATIONS

The chief clerk reports the following proposals correctly enrolled:

Assembly Joint Resolution 37
Assembly Joint Resolution 50
Assembly Joint Resolution 52
Assembly Joint Resolution 59
Assembly Joint Resolution 66
Assembly Joint Resolution 87
Assembly Joint Resolution 89
Assembly Joint Resolution 90
Assembly Joint Resolution 91
Assembly Joint Resolution 92

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
28	48	November 10, 1993
261	49	November 10, 1993
841	57	November 15, 1993
509	59	November 15, 1993
513	60	November 15, 1993

Respectfully submitted,
TOMMY G. THOMPSON
Governor

COMMUNICATIONS

State of Wisconsin
Department of State
Madison

To Whom It May Concern:

Acts, joint resolutions and resolutions, deposited in this office, have been numbered and published as follows:

Bill or Res. No.	Act No.	Publication date
Assembly Bill 754	38	November 12, 1993
Assembly Bill 753	39	November 12, 1993
Assembly Bill 886	45	November 12, 1993
Assembly Bill 887	46	November 12, 1993

Sincerely,
DOUGLAS La FOLLETTE
Secretary of State

November 12, 1993

Walter Kunicki
Assembly Speaker
Room 212 North, State Capitol
Madison, WI 53708

Dear Speaker Kunicki:

This letter is to seek your approval of the formation of a subcommittee within the Assembly Excise and Fees Committee.

The purpose of this subcommittee will be to specifically address the issue of lowering Wisconsin's drinking age. I am doing this to address the concerns of members of the committee that will not be able to attend the hearings in Stevens Point and Oshkosh. Therefore, it is my intention to form the subcommittee of those members that will be attending the hearings.

The following members have notified my office that they will be attending the hearings: Representative Hasenohrl, Representative Bolle and Representative Turner.

I thank you for your time and attention in this matter. If you have any questions or concerns please feel free to call.

Sincerely,
TOM SPRINGER
State Representative
86th Assembly District

State of Wisconsin
Department of Health and Social Services
Madison

October 15, 1993

To the Honorable the Assembly:

1983 Wisconsin Act 27, created s. 46.277(5m) of the statutes which required the Department of Health and Social Services to submit an annual report on its federal Medicaid Home and Community-Based Services waiver, the Community Integration Program II (CIP II). The attached report covers calendar year 1992 for the CIP II and COP-W (Community Options Program Waiver).

These waivers are designed to relocate or divert elderly and physically disabled persons from nursing homes and finance their care with Medicaid. The level of Medicaid waiver funding must be no greater than the Medicaid cost for nursing home care. The annual report examines both cost and quality of care in the waiver programs.

Sincerely,
GERALD WHITBURN
Secretary, DHSS

State of Wisconsin
Department of Administration
Madison

October 28, 1993

To the Honorable the Legislature:

This report is transmitted as required by sec. 20.002(11)(f) of the Wisconsin Statutes, (for distribution to the appropriate standing committees under sec. 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 September, 1993.

On September 16, 1993 the University Trust-Income Fund balance was \$-27 thousand. The shortfall was due to an accounting error and was corrected the next day.

The University Trust-Income 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 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 Agriculture,
Trade and Consumer Protection
Madison

November 1, 1993

To the Honorable the Assembly:

The Department of Agriculture, Trade and Consumer Protection has completed a report on the Farmland Preservation Program as directed by a nonstatutory provision of 1991 Wisconsin Act 286.

The Department was required to enumerate the amount of land removed from the program since May 14, 1992 by relinquishment or release of individual farmland preservation agreements, by rezoning and by special uses. In addition, the Department was directed to make recommendations regarding the rate of interest applied to the 10-year tax payback on lands removed from the program.

Since May, 1992, the following changes have occurred to the Farmland Preservation Program:

* Approximately 56,064 acres of land have been removed from the program as a result of

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relinquishment or release of 284 farmland preservation agreements.

The primary reason for relinquishment or release of these farmland preservation agreements was that landowners chose to not extend them.

- * Approximately 10,267 acres of land has been rezoned out of exclusive agricultural districts as a result of 775 individual rezoning requests.

The primary purpose of the rezoning requests was to establish residential uses.

Please feel free to call Dave Jelinski at (608) 273-6411 if you have any questions concerning this report.

Sincerely,
ALAN T. TRACY
Secretary

State of Wisconsin
Department of Employment Relations
Madison

November 5, 1993

To the Honorable the Assembly:

Pursuant to s. 230.04 (13) (e), Wis. Stats., I am pleased to submit the FY 1993 report on employment of recipients of aid to families with dependent children (AFDC). This report includes: 1) a description of each agency's efforts to employ aid recipients and 2) the number of persons receiving aid under s. 49.19, Wis. Stats., employed by each agency and the job title or classification of each position filled from July 1, 1992, through June 30, 1993.

Please contact Kathryn A. Moore at 27-9898 if you have questions or need additional information regarding this report.

Sincerely,
JON E. LITSCHER
Secretary

State of Wisconsin
Department of Natural Resources
Department of Administration
Madison

November 8, 1993

To the Honorable the Assembly:

Attached to this letter is the Clean Water Fund Biennial Report for FY 1991-1993.

Clean Water Fund legislation requires the Department of Natural Resources and the Department of Administration to submit a Biennial Report to the Legislature and to the State Building Commission by November 1 of each odd-numbered year (Section 144.2415(3)(j), Wisconsin Statutes). The purpose of the report is to provide information on the present value subsidy and the operations and activities of the Clean Water Fund program for the previous biennium (1991-1993).

If you have any questions regarding the Biennial Report, please contact Paulette Harder at 266-0836 or Frank Hoadley at 266-2305.

Sincerely,

PAULETTE J. HARDER, Director
Office of Government Relations
DNR

FRANK R. HOADLEY
Capital Finance Director
DOA