



# STATE OF WISCONSIN Assembly Journal

## Ninety–Second Regular Session

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MONDAY, September 25, 1995

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The Chief Clerk makes the following entries under the above date:

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Bill 561**

Relating to: drafts received by members of the legislature and office expenses authorized for members of the legislature.

By Representatives Kreibich, Handrick, Ladwig, Hanson, Lehman, Hasenohrl, Nass, Goetsch, La Fave, Porter, Harsdorf, Grothman, Gunderson, Olsen, F. Lasee, Silbaugh, Hutchison, Zukowski, Ainsworth, Dobyms and Walker; cosponsored by Senator Farrow.

To committee on Government Operations.

#### **Assembly Bill 562**

Relating to: the procedure for filling vacancies in certain elective local offices.

By Representatives Porter, Seratti, Duff, Goetsch, Albers, Ladwig, Urban and Ott.

To committee on Urban and Local Affairs.

#### **Assembly Bill 563**

Relating to: reimbursement of costs incurred because of discharges from heating oil tanks that serve buildings primarily used for religious worship and heating oil tanks that serve nonprofit private schools.

By Representatives Grothman, Ainsworth, Baldus, Freese, Goetsch, Gronemus, Hahn, Ladwig, F. Lasee, Lehman, Musser, Olsen, Ott, Otte, Owens, Plombon, Robson, Ryba, Schneiders, Seratti, Silbaugh, Skindrud, Wilder, Williams, Wood, Ziegelbauer, Zukowski and Springer; cosponsored by Senators C. Potter, Andrea, Burke, Jauch, A. Lasee, Moen and Rosenzweig.

To committee on Environment and Utilities.

#### **Assembly Bill 564**

Relating to: withdrawal of applications for grants from the Wisconsin election campaign fund.

By Representatives Baldus, Meyer, R. Young, Wilder, Grobschmidt, La Fave, Plombon, Gronemus, Hanson, Plache and Bell; cosponsored by Senator Clausing.

To committee on Elections and Constitutional Law.

#### **Assembly Bill 565**

Relating to: school district human growth and development programs and granting rule-making authority.

By Representatives Notestein, Wasserman, Black, Bell, R. Young, Baldwin, Boyle and Bock; cosponsored by Senator Risser.

To committee on Education.

#### **Assembly Bill 566**

Relating to: increasing a school district's revenue limit by the amount necessary to comply with certain orders and excluding that amount from the school district's shared cost.

By Representatives Otte, Grothman, Ryba, F. Lasee, Ziegelbauer, Gunderson and Robson; cosponsored by Senators Rosenzweig and C. Potter.

To committee on Ways and Means.

#### **Assembly Bill 567**

Relating to: disciplinary proceedings against certain therapists convicted of sexual exploitation.

By Representatives Bell, Bock, Boyle, Baldwin, Kaufert, Olsen, Musser, Notestein, Plache, Ryba, Wasserman, Schneiders, Riley and Robson; cosponsored by Senators Burke, Moen, A. Lasee and Darling.

To committee on Consumer Affairs.

#### **Assembly Bill 568**

Relating to: sexual exploitation by a therapist and providing a penalty.

By Representatives Bell, Bock, Boyle, Kaufert, Musser, Notestein, Olsen, Plache, R. Potter, Riley, Robson, Ryba and Wasserman; cosponsored by Senators Clausing, Darling, A. Lasee, Moen and Burke.

To committee on Criminal Justice and Corrections.

#### **Assembly Bill 569**

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

By Representatives Ourada, Grobschmidt, Ainsworth, Baldus, Baldwin, Baumgart, Bell, Bock, Boyle, Carpenter, Goetsch, Gronemus, Hanson, Hasenohrl, Huber, Johnsrud, Kreibich, Kreuser, La Fave, Lehman, Musser, Notestein, Otte, Plombon, Ryba, Springer, Vander Loop, Wilder, Wirsch, Wood and Ziegelbauer; cosponsored by Senators Zien, C. Potter, Andrea, Burke, Chvala, Clausing, Cowles, George, Jauch, Moen, Risser, Rosenzweig, Rude and Drzewiecki.

To committee on Financial Institutions.

**Assembly Bill 570**

Relating to: retention of special motor vehicle registration plates related to the armed services.

By Representatives Musser, Brandemuehl, Gunderson, Albers, Ryba, Green, Turner, Dobyms, Grobschmidt, Goetsch, La Fave, Wirch, Boyle, Kaufert, Freese, Gronemus, F. Lasee, Olsen and Grothman; cosponsored by Senators Zien, Schultz, Breske and Moen.

To committee on Highways and Transportation.

**Assembly Bill 571**

Relating to: creating a lien against vessels to satisfy child support arrearages.

By Representatives Coleman, Schneiders, Walker, Lazich, Wirch, Riley, Porter, Urban, Owens, Wasserman, Ott, Goetsch, Seratti, Plache, Kreibich, Plombon, F. Lasee, Olsen, Springer and La Fave; cosponsored by Senators Petak and Darling.

To committee on Children and Families.

**Assembly Bill 572**

Relating to: school district bonds, promissory notes and revenue limits and excluding certain debt service from a school district's shared cost.

By Representatives Otte and Grothman; cosponsored by Senator C. Potter.

To committee on Ways and Means.

**Assembly Bill 573**

Relating to: insurance coverage of hospital or home care after childbirth and granting rule-making authority.

By Representatives Cullen, Wasserman, Urban, Bock, Robson, Harsdorf, Notestein, Kunicki, Bell, Goetsch, Boyle, Kreuser, Krusick, Baldwin, Carpenter, Grobschmidt, Wirch, Ryba, Plombon, Krug, Black and Brandemuehl; cosponsored by Senators Rosenzweig, Burke and Moen.

To committee on Insurance, Securities and Corporate Policy.

**Assembly Bill 574**

Relating to: the use of weights or body-building or weight-training equipment in state prisons.

By Representatives Freese, Walker, Ainsworth, Albers, Grothman, Hoven, Kreibich, F. Lasee, Ott, Otte, Skindrud, Vrakas and Zukowski; cosponsored by Senators Schultz and Fitzgerald.

To committee on Criminal Justice and Corrections.

**Assembly Bill 575**

Relating to: the management of state forests.

By Representatives Johnsrud, Boyle, Lehman, Black, Baumgart, Baldwin, Plombon, Goetsch, Hahn, Freese, Olsen, Krug, Cullen, Bock, Hutchison, Powers, Porter, Lorge, Wirch, Grobschmidt, Ott, Vrakas, Notestein, Kaufert and Hanson; cosponsored by Senators Cowles, Rude, Clausing, Burke, Darling, Risser, Rosenzweig, Panzer, Decker and Buettner.

To committee on Natural Resources.

**Assembly Bill 576**

Relating to: temporary assistance for applicants for the federal supplemental security income program, eligibility for the general relief program, providing an exemption from emergency rule-making procedures, granting rule-making authority and making an appropriation.

By Representatives Notestein, Wirch, Plache, R. Young, Robson, Riley, Bock, Carpenter, Krug, Williams, Morris-Tatum, L. Young, Boyle and Baldwin; cosponsored by Senators Andrea and Wineke.

To committee on Welfare Reform.

**Assembly Bill 577**

Relating to: use of state funds to question individuals concerning political party affiliation or support.

By Representatives Bell, Baldwin, Grobschmidt, Gronemus, Handrick, Huber, Kaufert, Notestein, Wasserman, Wilder, L. Young and R. Young; cosponsored by Senator Burke.

To committee on Elections and Constitutional Law.

**Assembly Bill 578**

Relating to: the publication of a noxious weeds notice by a city, village or town.

By Representatives Owens, Hahn, Jensen, Grobschmidt, Nass, Green, Goetsch, Powers, Lehman, Zukowski, F. Lasee, Musser, Grothman, Ainsworth, Olsen, Johnsrud and Ott; cosponsored by Senators Rude and A. Lasee.

To committee on Urban and Local Affairs.

**Assembly Bill 579**

Relating to: a redemption period for land contracts.

By Representatives Reynolds, Musser, Powers, Albers, Wasserman, Plache, Olsen, Goetsch, Gronemus, Baldus, R. Young, Ott, Hahn, Plombon, L. Young, F. Lasee, Robson, Grothman and Wilder; cosponsored by Senators Panzer, Buettner and Zien.

To committee on Judiciary.

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**COMMITTEE REPORTS**

The committee on *Agriculture* reports and recommends:

**Assembly Bill 546**

Relating to: restricting the remedies available and requiring awards of costs in actions against agricultural uses.

Assembly amendment 1 to Assembly substitute amendment 1 adoption:

Ayes: 14 – Representatives Ott, Ward, Ainsworth, Zukowski, Otte, Skindrud, Hahn, Olsen, Gronemus, Baldus, Reynolds, Springer, Wilder and Dueholm.

Noes: 0.

Assembly substitute amendment 1 adoption:

Ayes: 13 – Representatives Ott, Ward, Ainsworth, Zukowski, Otte, Skindrud, Hahn, Olsen, Gronemus, Baldus, Reynolds, Springer and Wilder.

Noes: 1 – Representative Dueholm.

Passage as amended:

Ayes: 13 – Representatives Ott, Ward, Ainsworth, Zukowski, Otte, Skindrud, Hahn, Olsen, Gronemus, Baldus, Reynolds, Springer and Wilder.

Noes: 1 – Representative Dueholm.

To committee on Rules.

**Assembly Bill 556**

Relating to: a loan guarantee program for the acquisition or improvement of farm assets.

Assembly substitute amendment 1 adoption:

Ayes: 10 – Representatives Ott, Ward, Ainsworth, Zukowski, Otte, Hahn, Olsen, Baldus, Springer and Wilder.

Noes: 3 – Representatives Skindrud, Reynolds and Dueholm.

Passage as amended:

Ayes: 10 – Representatives Ott, Ward, Ainsworth, Zukowski, Otte, Hahn, Olsen, Baldus, Springer and Wilder.

Noes: 3 – Representatives Skindrud, Reynolds and Dueholm.

To Joint Committee on Finance.

ALVIN OTT  
Chairperson  
Committee on Agriculture

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The committee on *Criminal Justice and Corrections* reports and recommends:

**Assembly Bill 295**

Relating to: creating a plea and verdict of guilty but mentally ill in criminal cases.

Assembly amendment 1 adoption:

Ayes: 15 – Representatives Goetsch, Wood, Dobyms, Brandemuehl, Lehman, Kaufert, Owens, Walker, Handrick, Gunderson, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 0.

Assembly amendment 2 adoption:

Ayes: 15 – Representatives Goetsch, Wood, Dobyms, Brandemuehl, Lehman, Kaufert, Owens, Walker, Handrick, Gunderson, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 0.

Passage as amended:

Ayes: 15 – Representatives Goetsch, Wood, Dobyms, Brandemuehl, Lehman, Kaufert, Owens, Walker, Handrick, Gunderson, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 0.

To Joint Committee on Finance.

**Assembly Bill 405**

Relating to: child sex offenders working or volunteering with children and providing a penalty.

Assembly amendment 1 adoption:

Ayes: 15 – Representatives Goetsch, Wood, Dobyms, Brandemuehl, Lehman, Kaufert, Owens, Walker, Handrick, Gunderson, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 0.

Assembly amendment 2 adoption:

Ayes: 15 – Representatives Goetsch, Wood, Dobyms, Brandemuehl, Lehman, Kaufert, Owens, Walker, Handrick, Gunderson, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 0.

Passage as amended:

Ayes: 15 – Representatives Goetsch, Wood, Dobyms, Brandemuehl, Lehman, Kaufert, Owens, Walker, Handrick, Gunderson, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 0.

To Joint Committee on Finance.

ROBERT GOETSCH  
Chairperson  
Committee on Criminal Justice and Corrections

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The committee on *Elections and Constitutional Law* reports and recommends:

**Assembly Bill 254**

Relating to: publication or dissemination of false information pertaining to a response to certain questions and providing a penalty.

Assembly amendment 1 adoption:

Ayes: 7 – Representatives Walker, Handrick, Freese, Huber, Travis, Black and Kreuser.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Walker, Handrick, Freese, Huber, Travis, Black and Kreuser.

Noes: 0.

To committee on Rules.

**Assembly Bill 326**

Relating to: conflicts of interest by local public officials.

Assembly amendment 1 adoption:

Ayes: 7 – Representatives Walker, Handrick, Freese, Huber, Travis, Black and Kreuser.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Walker, Handrick, Freese, Huber, Travis, Black and Kreuser.

Noes: 0.

To committee on Rules.

**Assembly Bill 375**

Relating to: scheduling of referenda by local governments.

Assembly amendment 1 adoption:

Ayes: 7 – Representatives Walker, Handrick, Freese, Huber, Travis, Black and Kreuser.  
Noes: 0.

Assembly amendment 2 adoption:

Ayes: 6 – Representatives Walker, Handrick, Freese, Huber, Travis and Black.  
Noes: 1 – Representative Kreuser.

Assembly amendment 3 adoption:

Ayes: 4 – Representatives Huber, Travis, Black and Kreuser.  
Noes: 3 – Representatives Walker, Handrick and Freese.

Passage as amended:

Ayes: 6 – Representatives Walker, Handrick, Freese, Huber, Travis and Black.  
Noes: 1 – Representative Kreuser.

To committee on Rules.

*SCOTT WALKER*  
Chairperson  
Committee on Elections and  
Constitutional Law

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The committee on *Government Operations* reports and recommends:

**Assembly Bill 261**

Relating to: the definition of “meeting” under the open meetings law.

Assembly substitute amendment 1 adoption:

Ayes: 7 – Representatives Dobyns, Olsen, Powers, La Fave, Schneider, Williams and Bock.  
Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Dobyns, Olsen, Powers, La Fave, Schneider, Williams and Bock.  
Noes: 0.

To committee on Rules.

*JOHN DOBYNS*  
Chairperson  
Committee on Government Operations

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The committee on *Health* reports and recommends:

**Assembly Bill 480**

Relating to: authorizing technicians to remove donated human body parts.

Assembly substitute amendment 1 adoption:

Ayes: 12 – Representatives Underheim, Johnsrud, Freese, Walker, Lazich, Jensen, F. Lasee, Carpenter, Bock, Huber, Springer and Wirch.

Noes: 3 – Representatives Robson, Meyer and Wasserman.

Passage as amended:

Ayes: 12 – Representatives Underheim, Johnsrud, Freese, Walker, Lazich, Jensen, F. Lasee, Carpenter, Bock, Huber, Springer and Wirch.

Noes: 3 – Representatives Robson, Meyer and Wasserman.

To committee on Rules.

*GREGG UNDERHEIM*  
Chairperson  
Committee on Health

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The committee on *Rural Affairs* reports and recommends:

**Assembly Bill 437**

Relating to: changes in the rural economic development program.

Assembly amendment 1 adoption:

Ayes: 10 – Representatives Ainsworth, F. Lasee, Ott, Seratti, Albers, Powers, Wilder, Hasenohrl, Plombon and Dueholm.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Ainsworth, F. Lasee, Ott, Seratti, Albers, Powers and Hasenohrl.

Noes: 3 – Representatives Wilder, Plombon and Dueholm.

To committee on Rules.

**Assembly Bill 446**

Relating to: the preparation of agricultural impact statements by the department of agriculture, trade and consumer protection.

Passage:

Ayes: 6 – Representatives Ainsworth, F. Lasee, Ott, Seratti, Albers and Powers.

Noes: 4 – Representatives Wilder, Hasenohrl, Plombon and Dueholm.

To Joint Committee on Finance.

*JOHN AINSWORTH*  
Chairperson  
Committee on Rural Affairs

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The committee on *Ways and Means* reports and recommends:

**Assembly Joint Resolution 39**

Relating to: memorializing Congress to amend the internal revenue code to allow intrafamily transfers of property under the first-time farmer bond program.

Adoption:

Ayes: 14 – Representatives Lehman, Kelso, Klusman, Coleman, Underheim, Seratti, Gard, Goetsch, Wood, Travis, Robson, Turner, Hanson and Ziegelbauer.

Noes: 1 – Representative Bell.

To committee on Rules.

**Assembly Bill 195**

Relating to: creating a sales tax and use tax exemption for bottled water.

Passage:

Ayes: 15 – Representatives Lehman, Kelso, Klusman, Coleman, Underheim, Seratti, Gard, Goetsch, Bell, Wood, Travis, Robson, Turner, Hanson and Ziegelbauer.

Noes: 0.

To committee on Rules.

MICHAEL LEHMAN  
Chairperson  
Committee on Ways and Means

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**MESSAGE FROM THE SENATE**

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the Senate has adopted and asks concurrence in:

- Senate Joint Resolution 32**
- Senate Joint Resolution 36**
- Senate Joint Resolution 37**

Concurred in:

**Assembly Bill 247**

Concurred in as amended:

**Assembly Bill 130** (Senate substitute amendment 1 as amended by Senate amendments 1, 2, 3, 5, 6, 1 to 19 and 19, adopted)

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**ACTION ON THE SENATE MESSAGE**

**Assembly Bill 130**

Relating to: creating a juvenile justice code, granting rule-making authority, making appropriations and providing penalties.

By Representatives Ladwig, Krug, Gunderson, Dobyms, Goetsch, Huebsch, Seratti, Nass, Grothman, Walker, Green, Handrick, Zukowski, Kreibich, Owens, Gard, Underheim, Lehman, Musser, Duff, Hahn, Silbaugh, Brancel, F. Lasee, Ainsworth, Vrakas, Ourada, Foti, Coleman, Powers, Klusman, Ott, Johnsrud, Brandemuehl, Kaufert, Freese, Porter, Urban, Olsen, Jensen, Otte, Schneiders, Harsdorf,

Ward, Lazich, Skindrud, Kelso, Hutchison, Hoven, Lorge, Murat, Ziegelbauer, Ryba, Plache, Baumgart, Krusick, Robson, Vander Loop, Linton, Meyer, Reynolds, La Fave, Boyle, Kreuser, Grobschmidt, Carpenter, Notestein; cosponsored by Senators Panzer, C. Potter, Huelsman, Petak, Drzewiecki, Rude, Weeden, Farrow, Rosenzweig, Buettner, Fitzgerald, Schultz, Andrea, Breske, Clausing.

Referred to committee on Rules.

**Senate Joint Resolution 32**

Relating to: designating the first Sunday after the first Saturday in October of each year as Wisconsin’s “Ethnic Trail Day”.

By Senators C. Potter, Panzer, Rude, Burke, Huelsman, Plewa, Andrea, Darling, Cowles, Moen, Clausing; cosponsored by Representatives Hoven, Hahn, Otte, Grobschmidt, Hanson, Dobyms, Owens, Wirsch, Kreuser, Porter, Turner, Ryba, by request of Wisconsin’s Ethnic Settlement Trail, Inc..

To committee on Rules.

**Senate Joint Resolution 36**

Relating to: the life, public service of Donald Hanaway.

By Senators Cowles, Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Darling, Decker, Drzewiecki, Ellis, Farrow, Fitzgerald, George, Huelsman, Jauch, A. Lasee, Moen, Moore, Panzer, Petak, C. Potter, Risser, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Welch, Wineke, Zien; cosponsored by Representatives Green, Prosser.

To calendar.

**Senate Joint Resolution 37**

Relating to: the life, public service of John Plewa.

By Senators Jauch, Rude, Ellis, Farrow, Risser, Schultz, Fitzgerald, Panzer, Huelsman, Moen, Decker, Chvala, Shibilski, Cowles, Rosenzweig, Weeden, Buettner, A. Lasee, Adelman, George, Drzewiecki, Zien, Darling, Breske, Petak, C. Potter, Clausing, Welch, Wineke, Burke, Moore, Andrea.

To calendar.

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**COMMUNICATIONS**

September 20, 1995

The Honorable David Prosser  
Wisconsin State Assembly  
Room 211 West – State Capitol  
Madison, Wisconsin 53708

Dear Speaker Prosser:

The Assembly Education Committee, under the chairmanship of Representative Chuck Coleman, has appointed a Subcommittee to further deliberate Assembly Bill 400. This topic has brought a variety of issues before the Education Committee, discussion which would be most effectively considered through the creation of a Subcommittee. This Subcommittee will be comprised of

three members, with Representative Luther Olsen serving as Chairman.

If you have any further questions concerning the creation of such a Subcommittee, please call 266-9650.

With Best Regards,  
*CHUCK COLEMAN*  
State Representative  
Chair, Committee on Education

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State of Wisconsin  
Legislative Audit Bureau  
Madison

September, 1995

To the Honorable, the Legislative:

We have completed a review of the investments and investment practices of local governments, as requested by the Joint Legislative Audit Committee. The value of investments held on December 31, 1994, by the 672 local governments that responded to our survey was approximately \$3.3 billion. Of these funds, approximately \$2.5 billion was invested in the State Investment Fund and in financial institutions. The remainder was invested primarily in government and corporate securities.

We found the investment strategies used by most local governments to be conservative, emphasizing safety of public funds and investment liquidity. The level of risk in the investments typically being made by most local governments is reasonable.

Wisconsin currently appears to have few problems with local governments' investment practices. While the Legislature could consider a number of strategies that might limit potential problems in the future, including restricting allowable investments and limiting undesignated fund balances available for investing, devising restrictions that apply appropriately to all local units may be difficult.

Some local officials would oppose legislative changes that restrict investment alternatives or require certain actions because they expect the State to provide them maximum flexibility in managing local affairs. However, it is important that all local government entities establish investment policies and procedures to ensure that public funds are kept safe and readily available for public purposes.

We appreciate the courtesy and cooperation extended to us by local officials and staff.

Respectfully submitted,  
*DALE CATTANACH*  
State Auditor