



STATE OF WISCONSIN Assembly Journal

Ninety–Second Regular Session

10:10 A.M.

TUESDAY, November 7, 1995

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker Prosser in the chair.

The prayer was offered by Pastor Bruce Jones from United Methodist Church in Fennimore.

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

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Brancel, Brandemuehl, Carpenter, Coggs, Coleman, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Grobschmidt, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Plache, Plombon, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Schneiders, Seratti, Silbaugh, Skindrud, Springer, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wilder, Williams, Wirsch, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Prosser – 98.

Absent with leave – Representative Notestein – 1.

LEAVES OF ABSENCE

Representative Green asked unanimous consent for a leave of absence for part of today's session for Representative Skindrud. Granted.

Representative R. Potter asked unanimous consent for a leave of absence for part of today's session for Representatives Morris–Tatum and Notestein. Granted.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Resolution 29** offered by committee on Veterans and Military Affairs.

Assembly substitute amendment 2 to **Assembly Resolution 29** offered by committee on Veterans and Military Affairs.

Assembly substitute amendment 1 to **Assembly Joint Resolution 37** offered by committee on Elections and Constitutional Law.

Assembly amendment 1 to **Assembly Joint Resolution 38** offered by committee on Elections and Constitutional Law.

Assembly substitute amendment 1 to **Assembly Joint Resolution 38** offered by committee on Elections and Constitutional Law.

Assembly substitute amendment 1 to **Assembly Bill 112** offered by committee on Criminal Justice and Corrections.

Assembly amendment 1 to **Assembly Bill 217** offered by committee on Criminal Justice and Corrections.

Assembly amendment 1 to **Assembly Bill 590** offered by committee on Natural Resources.

Assembly amendment 2 to **Assembly Bill 590** offered by committee on Natural Resources.

Assembly amendment 1 to Assembly amendment 1 to **Senate Bill 356** offered by committee on Agriculture.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 31

Relating to: suspension of the 8 p.m. ending time of the daily sessions of the Assembly, creation of and rereferral of proposals to special committees, and subsequent reference of proposals.

By Representative Prosser.

To calendar.

Assembly Joint Resolution 65

Relating to: the life and public service of Yitzhak Rabin.

By Representatives Jensen, Wasserman, Green and Notestein.

To calendar.

Assembly Bill 661

Relating to: shared revenue payments for former utility property.

By Representatives Plombon, Wilder and F. Lasee; cosponsored by Senator C. Potter.

To committee on Ways and Means.

Assembly Bill 662

Relating to: an exemption from housing equal rights requirements.

By Representatives Grothman, Albers, Duff, Foti, Goetsch, Green, Gunderson, Kreibich, Ladwig, F. Lasee, Lazich, Lorge, Nass, Olsen, Otte, Owens, Schneiders, Silbaugh, Skindrud and Urban; cosponsored by Senators Welch, Huelsman, Petak and Schultz.

To committee on Housing.

Assembly Bill 663

Relating to: removable prosthodontic services under medical assistance and making an appropriation.

By Representatives Plombon, Silbaugh, Baldus, Lehman, Robson, Musser, Bock, Boyle, Baumgart, Wirch, Williams, Springer, Black, Kreuser, R. Potter, Notestein, Wasserman, Plache, Huber, Baldwin and Seratti; cosponsored by Senators Moen, Chvala, Clausing, C. Potter, Burke, Andrea and Breske.

To committee on Welfare Reform.

Assembly Bill 664

Relating to: legislative oversight of the investment board, structure and composition of the investment board, regulation of certain investments by the investment board, granting rule-making authority and making an appropriation.

By joint committee on Audit .
To joint committee on Audit.

Assembly Bill 665

Relating to: extensions of juvenile dispositional orders.
By Representatives Ladwig, Krug and Gunderson; cosponsored by Senators Panzer, Huelsman and C. Potter.
To committee on Children and Families.

COMMITTEE REPORTS

The committee on *Agriculture* reports and recommends:

Senate Bill 356

Relating to: the exemption of certain farm-raised deer and venison from regulation by the department of natural resources, fencing of farm-raised deer, liability for damages caused by dogs, licensing of establishments that slaughter certain deer and the duties and authority of the department of agriculture, trade and consumer protection concerning domestic animals.

Concurrence:

Ayes: 12 – Representatives Ward, Ainsworth, Zukowski, Otte, Skindrud, Hahn, Gronemus, Baldus, Reynolds, Springer, Wilder and Dueholm.
Noes: 1 – Representative Ott.

To calendar.

ALVIN OTT
Chairperson
Committee on Agriculture

The committee on *Education* reports and recommends:

Assembly Bill 609

Relating to: disclosure of certain law enforcement agency records relating to a child to the child's school district administrator.

Assembly amendment 1 to Assembly substitute amendment 1 adoption:

Ayes: 8 – Representatives Nass, Brandemuehl, Duff, Ward, Schneider, Ziegelbauer, Plombon and Dueholm.

Noes: 6 – Representatives Coleman, Otte, Ainsworth, Lehman, Olsen and Baldwin.

Assembly substitute amendment 1 adoption:

Ayes: 14 – Representatives Coleman, Nass, Brandemuehl, Duff, Otte, Ward, Ainsworth, Lehman, Olsen, Schneider, Ziegelbauer, Baldwin, Plombon and Dueholm.

Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Coleman, Nass, Brandemuehl, Duff, Otte, Ward, Ainsworth, Lehman, Olsen, Schneider, Ziegelbauer, Baldwin, Plombon and Dueholm.

Noes: 0.

To calendar.

CHARLES COLEMAN
Chairperson
Committee on Education

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

Assembly Joint Resolution 37

Relating to: 4-year terms of office for, and the restriction on holding any other office by, sheriffs (first consideration).

Assembly substitute amendment 1 adoption:

Ayes: 7 – Representatives Walker, Duff, Freese, Nass, Huber, Travis and Kreuser.

Noes: 1 – Representative Black.

Adoption:

Ayes: 7 – Representatives Walker, Duff, Freese, Nass, Huber, Travis and Kreuser.

Noes: 1 – Representative Black.

To calendar.

Assembly Joint Resolution 38

Relating to: 4-year terms of office for certain county officers (first consideration).

Assembly substitute amendment 1 adoption:

Ayes: 7 – Representatives Walker, Duff, Freese, Nass, Huber, Travis and Kreuser.

Noes: 1 – Representative Black.

Adoption:

Ayes: 7 – Representatives Walker, Duff, Freese, Nass, Huber, Travis and Kreuser.

Noes: 1 – Representative Black.

To committee on Rules.

SCOTT WALKER
Chairperson
Committee on Elections and
Constitutional Law

The committee on *Insurance, Securities and Corporate Policy* reports and recommends:

Assembly Bill 581

Relating to: coverage of service corporations under the patients compensation fund.

Without recommendation pursuant to s. 227.19 (6) (b) of the Wisconsin Statutes.

To calendar.

SHERYL ALBERS
Chairperson
Committee on Insurance, Securities
and Corporate Policy

The committee on *Urban and Local Affairs* reports and recommends:

Assembly Bill 410

Relating to: publication requirements for changes to county budgets.

Passage:

Ayes: 13 – Representatives Urban, F. Lasee, Johnsrud, Goetsch, Dobyms, Lehman, Kelso, Riley, Grobschmidt, Turner, La Fave, Ziegelbauer and Wasserman.

Noes: 0.

To calendar.

FRANK URBAN
Chairperson
Committee on Urban and Local Affairs

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Office of the Commissioner of Insurance
Madison

August 1995

To the Honorable the Legislature:

Pursuant to section 153.10(1), Wis. Stat., we are pleased to submit to the Governor and to the Legislature the quarterly Health Care Data Report. This report is based on hospital inpatient discharge data reported to the Office of Health Care Information by all operating general medical–surgical and specialty hospitals in Wisconsin for the third quarter of 1994. It also contains selected ambulatory surgery utilization and

charge data from general medical–surgical hospitals and freestanding ambulatory surgery centers in Wisconsin during the same quarter.

This report fulfills the statutory requirement to report “*in a manner that permits comparisons among hospitals... the charges for up to 100 health care services or diagnostic–related groups selected by the office.*”

Sincerely,
JOSEPHINE W. MUSSER
Commissioner of Insurance

TRUDY A. CARLSON, Ph.D., Director
Office of Health Care Information

Referred to committee on **Health**.

State of Wisconsin
Office of the Commissioner of Insurance
Madison

September 1995

To the Honorable the Legislature:

Pursuant to section 153.10(1), Wis. Stat., we are pleased to submit to the Governor and to the Legislature the quarterly **Health Care Data Report**. This report is based on hospital inpatient discharge data reported to the Office of Health Care Information by all operating general medical–surgical and specialty hospitals in Wisconsin for the fourth quarter of 1994. It also contains selected ambulatory surgery utilization and charge data from general medical–surgical hospitals and freestanding ambulatory surgery centers in Wisconsin during the same quarter.

This report fulfills the statutory requirement to report “*in a manner that permits comparisons among hospitals... the charges for up to 100 health care services or diagnostic–related groups selected by the office.*”

Sincerely,
JOSEPHINE W. MUSSER
Commissioner of Insurance

TRUDY A. CARLSON, Ph.D., Director
Office of Health Care Information

Referred to committee on **Health**.

State of Wisconsin
Department of Health and Social Services
Madison

October 4, 1995

To the Honorable, the Assembly:

1993 Wisconsin Act 251, Section 19(2)(a)(2), requires the Department of Health and Social Services to submit to the chief clerk of each house of the Legislature a report that sets forth recommendations for a uniform data collection system for emergency medical services. Attached is the Department’s report.

Department staff are available if you have any questions or desire additional information.

Sincerely,
JOE LEEAN
Secretary, DHSS

Referred to committee on **Health**.

State of Wisconsin
Department of Health and Social Services
Madison

September 30, 1995

To the Honorable, the Assembly:

The attached report is submitted in accordance with s. 49.45(2)(a)21 of the Wis. Stats., which directs the Department of Health and Social Services to report annually on Wisconsin Medicaid recipient access to obstetric and pediatric services. The report outlines the variety of federal and state mandates and initiatives that have been established to encourage increased provision of these important services by physicians and other professions. It also outlines the increased use of medical services by Medicaid eligible children and pregnant women.

As this report indicates, at least 50 percent of the total number of primary care physicians in each of the 12 regions developed for State Plan Amendment report provided pediatric and obstetric services to Wisconsin Medicaid recipients, in compliance with the federal standards.

Access to pediatric and obstetric care for Medicaid recipients will continue as a focus of Departmental efforts.

Sincerely,
JOE LEEAN
Secretary, DHSS

Referred to committee on **Health**.

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

October 31, 1995

To the Honorable, the Legislature:

We have completed an evaluation of the Department of Corrections' inmate transportation system. Each month, the Department transports 37 percent of all inmates in its custody, primarily for reassignment from one institution to another and to provide inmates with off-site medical services. We estimate annual costs for vehicles and actual staff time spent transporting inmates are approximately \$2.26 million.

The Department has an excellent safety record in transporting inmates, with only one serious escape incident in the last ten years. Nevertheless, as the number of inmates has grown and the State has built more correctional facilities, managing transportation services has become more complex and costly. The Department has taken some actions to increase efficiency by attempting to reduce staff overtime and by partially centralizing transportation services. However, further efficiencies are possible by establishing standard transportation systems for both interfacility and medical transfers. By scheduling trips in advance and following standard routes, we estimate the Department could reduce interfacility trip costs by between 34.1 and 38.0 percent and medical trip costs by between 20.7 and 22.0 percent, while maintaining current safety levels.

In addition to saving through greater efficiency, the Department can also achieve reduced transportation costs by decreasing the demand for trips. We have identified options for the Department to limit the number of referrals for off-site medical care that require transportation. These include expanded screening and prior approval of off-site referrals, expanded use of currently available tele-medicine technology, and careful exploration of privatization options.

A separate, detailed management letter describing our recommendations and options for restructuring the existing transportation system has been delivered to the Department and is available upon request.

We appreciate the courtesy and cooperation extended to us by Department of Corrections staff. The Department's response is the appendix.

Sincerely,
DALE CATTANACH
State Auditor

MOTIONS

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 64** be withdrawn and taken up at this time. Granted.

Assembly Joint Resolution 64

Relating to: proclaiming November 4 to November 11, 1995, the "Week of National Remembrance and the Closing of the 50th Anniversary of World War II".

Representative Jensen asked unanimous consent that Representative Zukowski be made a coauthor of **Assembly Joint Resolution 64**. Granted.

The question was: Shall **Assembly Joint Resolution 64** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Brancel, Brandemuehl, Carpenter, Coggs, Coleman, Cullen, Dobyns, Dueholm, Duff, Freese, Gard, Goetsch, Green, Grobschmidt, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman,

Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, Lehman, Linton, Lorge, Meyer, Murat, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Plache, Plombon, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Schneiders, Seratti, Silbaugh, Springer, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wilder, Williams, Wirch, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Prosser – 95.

Noes – None.

Absent or not voting – Representatives Foti, Morris–Tatum, Notestein and Skindrud – 4.

Motion carried.

Representative Jensen asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 64**. Granted.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 64** be immediately messaged to the Senate. Granted.

LEAVES OF ABSENCE

Representative Green asked unanimous consent for a leave of absence for part of today’s session for Representative Foti. Granted.

Freese Speaker Pro Tempore Freese in the chair.

Representative Green asked unanimous consent that the Assembly stand recessed for until 1:00 P.M. Granted.

The Assembly stood recessed.

10:50 P.M.

RECESS

4:15 P.M.

The Assembly reconvened.

Freese Speaker Pro Tempore Freese in the chair.

CALL OF THE ASSEMBLY

Representative Jensen requested a call of the Assembly. There were sufficient seconds.

The Sergeant–at–Arms was directed to close the doors and the Chief Clerk to call the roll.

The Chief Clerk called the roll.

Representative Jensen asked unanimous consent that the call of the Assembly be lifted. Granted.

LEAVES OF ABSENCE

Representative Potter asked unanimous consent for a leave of absence for the remainder of today’s session for Representatives Notestein and Reynolds. Granted.

MOTIONS

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 65** be withdrawn and taken up at this time. Granted.

Assembly Joint Resolution 65

Relating to: the life and public service of Yitzhak Rabin.

Representative Robson asked unanimous consent to be made a coauthor of **Assembly Joint Resolution 65**. Granted.

Representative Jensen asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 65**. Granted.

The question was: Shall **Assembly Joint Resolution 65** be adopted?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 65** be immediately messaged to the Senate. Granted.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 606** be withdrawn and taken up at this time. Granted.

Assembly Bill 606

Relating to: a grant for training employes of a food processing plant that has closed and making an appropriation.

Assembly amendment 1 to **Assembly Bill 606** offered by Representatives Freese, Brandemuehl, Powers and Johnsrud.

The question was: Shall Assembly amendment 1 to **Assembly Bill 606** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 606** be ordered engrossed and read a third time?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 606** be given a third reading. Granted.

The question was: **Assembly Bill 606** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Brancel, Brandemuehl, Carpenter, Coggs, Coleman, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Goetsch, Green, Grobschmidt, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, Lehman, Linton, Meyer, Morris–Tatum,

Murat, Musser, Nass, Olsen, Ott, Otte, Owens, Plache, Plombon, Porter, R. Potter, Powers, Riley, Robson, Rutkowski, Ryba, Schneider, Schneiders, Seratti, Silbaugh, Skindrud, Springer, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wilder, Williams, Wirch, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Prosser – 94.

Noes – Representatives Lorge and Ourada – 2.

Absent or not voting – Representatives Gard, Notestein and Reynolds – 3.

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 606** be immediately messaged to the Senate. Granted.

Representative Jensen moved that **Assembly Bill 149** be withdrawn from the committee on Urban and Local Affairs and referred to the committee on Rules.

Representative Carpenter moved that the motion to withdraw **Assembly Bill 149** from the committee on Urban and Local Affairs and refer it to the committee on Rules be laid on the table.

The question was: Shall the motion to withdraw **Assembly Bill 149** from the committee on Urban and Local Affairs and refer it to the committee on Rules be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Foti, Grobschmidt, Gronemus, Grothman, Hanson, Hasenohrl, Huber, Hubler, Kelso, Kreuser, Krug, Krusick, Kunicki, La Fave, F. Lasee, Lehman, Linton, Meyer, Morris–Tatum, Murat, Plache, Plombon, R. Potter, Riley, Robson, Ryba, Schneider, Springer, Travis, Turner, Vander Loop, Wasserman, Wilder, Williams, Wirch, L. Young, R. Young, Ziegelbauer and Speaker Prosser – 50.

Noes – Representatives Ainsworth, Albers, Brancel, Brandemuehl, Coleman, Dobyms, Duff, Freese, Goetsch, Green, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Klusman, Kreibich, Ladwig, Lazich, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Rutkowski, Schneiders, Seratti, Silbaugh, Skindrud, Underheim, Urban, Vrakas, Walker, Ward, Wood and Zukowski – 46.

Absent or not voting – Representatives Gard, Notestein and Reynolds – 3.

Motion carried.

Representative Brandemuehl asked unanimous consent to be withdrawn as a coauthor of **Assembly Bill 375**. Granted.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 580** be withdrawn from the committee on Rules and placed on the calendar of Thursday, November 9. Granted.

Representative Vrakas asked unanimous consent that the Assembly adjourn in honor of Assembly Sergeant-at-Arms John Scocos, on the occasion of his installment as Commander for the 757th Transportation Battalion of the Wisconsin National Guard. Granted.

Representatives Urban and Duff asked unanimous consent that the Assembly adjourn in honor of Brookfield East High School Boy's Soccer Team, who had an undefeated season with a 29–0 record, won the WIAA Division I State Championship, and is ranked as the No. 1 high school team in the nation by the National Soccer Coaches Association of America. Granted.

Representative Robson asked unanimous consent that the Assembly adjourn in honor her granddaughter, Ryanne Nicole Robson, who celebrated her first birthday on October 11. Granted.

Representative Albers asked unanimous consent that the Assembly adjourn in honor of Andrew Stephen Freese, the newborn son of Speaker Pro Tempore Stephen Freese and his wife Dawn. Granted.

Representative Krusick asked unanimous consent that the Assembly adjourn in honor of Bob Schwoch, her chief of staff who is leaving after four years of dedicated service. Granted.

Representative Baumgart asked unanimous consent that the Assembly adjourn in honor of Aldo Leopold, a man of honor whose high ideals on the environment is a Wisconsin legend. Granted.

Representative Kreuser asked unanimous consent that the Assembly adjourn in honor of Jack Rice, who is retiring as director of the Southeast Wisconsin Labor Management Council. Granted.

ADJOURNMENT

Representative Green moved that the Assembly stand adjourned until 1:00 P.M. tomorrow.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

5:48 P.M.