



STATE OF WISCONSIN Assembly Journal

Ninety–Third Regular Session

10:00 A.M.

THURSDAY, January 30, 1997

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

Speaker Brancel in the chair.

The prayer was offered by Representative Otte.

Representative Linton 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, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Cullen, Dobyms, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huesch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schafer, Schneider, Seratti, Skindrud, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Brancel – 97.

Absent with leave – Representatives Coggs and Williams – 2.

LEAVES OF ABSENCE

Representative R. Potter asked unanimous consent for a leave of absence for today's session for Representatives Coggs and Williams. Granted.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 95–206

Relating to use of incapacitating agents and firearms by division of probation, sanctions and parole staff members.

Submitted by Department of Corrections.

Report received from Agency, January 23, 1997.

To committee on **Criminal Justice and Corrections**.
Referred on January 30, 1997.

Assembly Clearinghouse Rule 95–235

Relating to early intervention services for children in the age group birth through 2 who are found to be developmentally delayed or to have a diagnosed condition which will likely result in developmental delay.

Submitted by Department of Health and Social Services.

Report received from Agency, January 21, 1997.

To committee on **Children and Families**.

Referred on January 30, 1997.

Assembly Clearinghouse Rule 96–095

Relating to patient records.

Submitted by Department of Regulation and Licensing.

Report received from Agency, January 22, 1997.

To committee on **Health**.

Referred on January 30, 1997.

Assembly Clearinghouse Rule 96–129

Relating to reimbursement procedures for regional and local hazardous materials emergency response teams when a person responsible cannot be found or when the person responsible is unable or unwilling to pay.

Submitted by State Emergency Response Board.

Report received from Agency, January 23, 1997.

To committee on **Government Operations**.

Referred on January 30, 1997.

Assembly Clearinghouse Rule 96–136

Relating to procedural rules concerning petition to and handling of cases by the labor and industry review commission.

Submitted by Labor and Industry Review Commission.

Report received from Agency, January 22, 1997.

To committee on **Labor and Employment**.

Referred on January 30, 1997.

Assembly Clearinghouse Rule 96–162

Relating to calibration of audiometric equipment and the use of support personnel.

Submitted by Department of Regulation and Licensing.

Report received from Agency, January 23, 1997.

To committee on **Health**.

Referred on January 30, 1997.

Assembly Clearinghouse Rule 96–167

Relating to deadlines to apply for death benefits payable from the Wisconsin retirement system and timing of automatic distribution of these benefits.

Submitted by Department of Employee Trust Funds.
Report received from Agency, January 23, 1997.
To committee on **Government Operations**.
Referred on January 30, 1997.

State of Wisconsin
State Historical Society
Madison

December 18, 1996

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

December 18, 1996

To the Honorable, the Legislature:

We have completed a best practices review of local government operations as required by s. 13.94(8), Wis. Stats. Privatization of local government services was selected as the topic of our review with assistance of the Local Government Advisory Council, which consists of representatives of counties, cities, villages, and towns.

Nearly 50 percent of the local governments responding to our survey reported that within the past seven years, they had initiated at least one contract for services with a private vendor. Survey respondents most often reported contracts for solid waste collection, recycling, building maintenance, building inspection, and road and street repair services.

Local governments commonly consider contracting with private vendors as a way to reduce service costs; however, careful assessment is necessary to ensure desired benefits will be achieved. In particular, before entering a contract, the full costs of government service delivery must be measured and compared to estimated contracting costs. In addition, service delivery decisions need to take into account whether a delivery system is consistent with the local government's goals and objectives for the service, including quality, control, and long-term stability, as well as the requirements of existing laws and legal obligations.

Based on the contracting experiences of several counties and municipalities, as well as professional and academic literature, this report identifies best practices to follow when contracting for public services. Specific practices are identified for local governments to consider in selecting vendors, specifying service expectations and administrative responsibilities, and establishing monitoring procedures.

We thank the Local Government Advisory Council for its assistance in selecting the topic for our review, and we appreciate the courtesy and cooperation extended to us by local government staff.

Respectfully submitted,
DALE CATTANACH
State Auditor

To the Honorable, the Assembly:

I'm pleased to send you the second annual report from the Electronic Records Program at the State Historical Society. The State Legislature established the program with a special appropriation in 1994.

The report includes a Preliminary Preservation Plan for statewide electronic records, a Strategic Plan for the Electronic Records Program, and a report on the attempt to take custody of historical data from the Sentencing Commission. Each of these documents identifies issues that must be addressed to ensure the preservation of Wisconsin's historically significant electronic records.

Information technology can help Wisconsin state and local agencies do more with less. However, they must also consider the responsibilities that come with creating, using, storing, and preserving electronic records. The State Historical Society and the Electronic Records Program look forward to working with state and local government employees to ensure that our valuable electronic resources are properly managed.

Please call me at 264-6480 if you have any questions about our second year report or would like further information on our work.

Sincerely,
PETER GOTTLIEB
State Archivist

State of Wisconsin
Legislative Audit Bureau
Madison

December 20, 1996

To the Honorable, the Legislature:

We have completed a review of the policy and procedures used to reimburse legislators for travel expenses as detailed in the attachment to this letter. The per diem allowance paid for days spent in Madison on legislative business is structured in a manner that takes into account federal tax laws governing legislators who must establish a temporary residence outside their legislative districts.

We have included a series of alternatives that could be considered in any revision to current policy or practice, including establishing guidelines for eligible claims and strengthening oversight of claims by the presiding officer of each house, modifying the amount and form of reimbursement, or converting the current per diem allowance to an increase in salary.

We appreciate the cooperation of the Chief Clerk and the Legislative Reference Bureau in preparing this review.

Sincerely,
DALE CATTANACH
State Auditor

CALL OF THE ASSEMBLY

Representative Freese 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.

All members being present or absent with leave, the Call of the Assembly was lifted.

CALENDAR OF THURSDAY, JANUARY 30

Assembly Joint Resolution 12

Relating to: 4-year terms of office for, appointment of, vacancies in the offices of, and the restriction on holding any other office by, sheriffs (2nd consideration).

Representative Sykora asked unanimous consent to be made a coauthor of **Assembly Joint Resolution 12**. Granted.

The question was: **Assembly Joint Resolution 12** having been read three times, shall the joint resolution be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Black, Bock, Boyle, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Huebsch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krusick, Kunicki, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Murat, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Rutkowski, Ryba, Schafer, Seratti, Skindrud, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, L. Young, Zukowski and Speaker Brancel – 82.

Noes – Representatives Baumgart, Carpenter, Cullen, Dueholm, Hubler, Krug, La Fave, Morris-Tatum, Musser, Robson, Schneider, Urban, Wood, R. Young and Ziegelbauer – 15.

Absent or not voting – Representatives Coggs and Williams – 2.

Motion carried.

Representative Lorge moved reconsideration of the vote by which **Assembly Joint Resolution 12** was adopted.

Entered.

Representative Freese moved that the rules be suspended and that the motion for reconsideration of the vote by which **Assembly Joint Resolution 12** was adopted be taken up at this time.

The question was: Shall the rules be suspended and that the motion for reconsideration of the vote by which **Assembly Joint Resolution 12** was adopted be taken up at this time?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hasenohrl, Hoven, Huebsch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Krusick, Ladwig, F. Lasee, Lazich, M. Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Reynolds, Schafer, Seratti, Skindrud, Sykora, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Zukowski and Speaker Brancel – 56.

Noes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Cullen, Dueholm, Hanson, Hebl, Huber, Hubler, Kreuser, Krug, Kunicki, La Fave, J. Lehman, Linton, Meyer, Morris-Tatum, Murat, Notestein, Plale, Plouff, R. Potter, Riley, Robson, Rutkowski, Ryba, Schneider, Springer, Staskunas, Steinbrink, Travis, Turner, Vander Loop, Wasserman, Wood, L. Young, R. Young and Ziegelbauer – 41.

Absent or not voting – Representatives Coggs and Williams – 2.

Motion failed.

ANNOUNCEMENTS

Representative Meyer asked unanimous consent that the Assembly adjourn in honor of Jennifer Ehlenfeldt of his office staff, for her service to the people of the State of Wisconsin and the 95th Assembly District for the past four years. Granted.

Representative Baumgart asked unanimous consent that the Assembly adjourn in honor of Aldo Leopold. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Jimmy the Groundhog, on the occasion of Groundhog Day in Sun Prairie on February 2. Granted.

Representative Bock asked unanimous consent that the Assembly adjourn in honor of John Lyons Doyne, former County Executive of Milwaukee County who died yesterday, January 29, 1997, at the age of 84. He became the first Milwaukee County Executive in 1960 and held the post for 16 years. He had previously held the offices of State Assembly from 1940-42; Milwaukee County Deputy Treasurer from 1953-54; Milwaukee County Supervisor from 1954-60; and was Chairman of the Board from 1958-60. He retired from the Government in 1976. He is survived by his wife Jacqueline of Hartland; his children, John Jr. of Wauwatosa; William of Winter Haven, FL; Patricia Heinemann of Greenfield; and Mary Doyne of Pewaukee. Granted.

Representative Dueholm asked unanimous consent that the Assembly adjourn in honor of his mother, Hazel Dueholm, on the occasion of her 80th birthday and her dedicated service to her family and community and two generations of State Assemblymen – her husband Harvey (1959-1978) and her son Bob (1995-present). Granted.

Representative Kaufert asked unanimous consent that the Assembly adjourn in honor of Peggy Partenfelder-Moede of his office staff, in recognition of her valuable years of outstanding service to his office from 1992-1996. Granted.

Representative Krusick asked unanimous consent that the Assembly adjourn in honor of Davin Lescohier, her good-natured and conscientious former legislative aide, who is leaving Wisconsin government service. Granted.

SEAT ASSIGNMENTS

Pursuant to Assembly Rule 2 (4), for the 1997-1998 Legislative Session in the Assembly Chamber, Democratic members will be seated on the east (door) side of the center aisle plus seat numbers 96-98. Republican members will be seated in the remaining seats on the west (window) side of the center aisle. Speaker Brancel will occupy seat number 5. Seat number 20 will remain vacant.

<u>Member</u>	<u>Seat No.</u>
Ainsworth	15
Albers	17
Baldwin	40
Baumgart	92
Black	33
Bock	89
Boyle	97
Brancel	5
Brandemuehl	49
Carpenter	95
Coggs	65
Cullen	60
Dobyns	69
Dueholm	31
Duff	23
Foti	4
Freese	2
Gard	28
Goetsch	76
Green	3
Gronemus	35
Grothman	50
Gunderson	74
Hahn	56
Handrick	75
Hanson	14
Harsdorf	19
Hasenohrl	94
Hebl	30
Hoven	22
Huber	88
Hubler	96
Huebsch	55
Hutchison	27
Jensen	24
Jeskewitz	71
Johnsrud	48
Kaufert	21
Kedzie	42
Kelso	46
Klusman	99
Kreibich	53
Kreuser	58
Krug	90
Krusick	11

Kunicki	8
La Fave	68
Ladwig	1
Lasee, F.	51
Lazich	44
Lehman, M.	80
Lehman, J.	39
Linton	93
Lorge	78
Meyer	57
Morris-Tatum	61
Murat	13
Musser	100
Nass	41
Notestein	32
Olsen	47
Ott	84
Otte	79
Ourada	18
Owens	81
Plale	38
Plouff	86
Porter	77
Potter	7
Powers	43
Reynolds	91
Riley	34
Robson	63
Rutkowski	37
Ryba	36
Schafer	54
Schneider	6
Seratti	16
Skindrud	82
Springer	85
Staskunas	66
Steinbrink	59
Sykora	83
Travis	10
Turner	64
Underheim	45
Urban	52
Vander Loop	98
Vrakas	25
Walker	70
Ward	72
Wasserman	12
Wieckert	26
Williams	62
Wood	9
Young, L.	67
Young, R.	29
Ziegelbauer	87
Zukowski	73

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 9:30 A.M. on Wednesday, February 12.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

10:50 A.M.