



# STATE OF WISCONSIN

# Assembly Journal

## Ninety–Third Regular Session

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THURSDAY, April 24, 1997

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

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### AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 30** offered by committee on **Elections and Constitutional Law**.

Assembly amendment 2 to **Assembly Bill 73** offered by Representatives Porter, Otte, Brandemuehl, Duff, Harsdorf, Johnsrud, F. Lasee, Seratti, Grothman, Hahn, Jensen, Musser, Gronemus, Powers, Goetsch and Zukowski.

Assembly substitute amendment 1 to **Assembly Bill 79** offered by committee on **Tourism and Recreation**.

Assembly amendment 1 to **Assembly Bill 131** offered by Representative Schneider.

Assembly substitute amendment 1 to **Assembly Bill 152** offered by joint committee on **Finance**.

Assembly substitute amendment 1 to **Assembly Bill 188** offered by Representative Schneider.

Assembly amendment 1 to **Assembly Bill 266** offered by Representative Krug.

Assembly amendment 1 to **Senate Bill 35** offered by committee on **Consumer Affairs**.

Assembly amendment 2 to **Senate Bill 35** offered by committee on **Consumer Affairs**.

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### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 97–031**

Relating to the certification of private bar attorneys.  
Submitted by State Public Defender.  
Report received from Agency, April 18, 1997.  
To committee on **Judiciary**.  
Referred on April 24, 1997.

#### **Assembly Clearinghouse Rule 97–032**

Relating to the assignment of trial division cases to the private bar.  
Submitted by State Public Defender.

Report received from Agency, April 18, 1997.  
To committee on **Judiciary**.  
Referred on April 24, 1997.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Bill 307**

Relating to: fences as boundaries for certain land occupied or owned by the department of natural resources.

By Representatives Johnsrud, Gronemus, Freese, Albers, Zukowski, Brandemuehl, Owens, Huebsch, Olsen, Goetsch, Seratti, Musser, Powers, Harsdorf and Lorge; cosponsored by Senators Schultz, Rude and Drzewiecki.

To committee on **Natural Resources**.

#### **Assembly Bill 308**

Relating to: sport shooting range immunity and responsibilities.

By Representatives Huebsch, Johnsrud, Albers, Musser, M. Lehman, Schafer, Kreibich, Porter, Handrick, Ott, Powers, Hoven, Jensen, Kaufert, Gunderson, Goetsch, Freese, Sykora, Seratti and Grothman; cosponsored by Senators Zien, Schultz, Drzewiecki, Rude and Panzer.

To committee on **Natural Resources**.

#### **Assembly Bill 309**

Relating to: the use of bicycle helmets and providing a penalty.

By Representatives Wasserman, Handrick, Urban, J. Lehman, Notestein, Riley, Springer and R. Young.

To committee on **Urban and Local Affairs**.

#### **Assembly Bill 310**

Relating to: scheduling of referenda by local governments.

By Representatives Skindrud, Jensen, Duff, Ainsworth, Hahn, Handrick, Gard, Grothman, Freese, Nass, Ladwig, Powers, Seratti, Sykora, Ward and Zukowski; cosponsored by Senators Drzewiecki, Ellis, Cowles, Weeden and Zien.

To committee on **Elections and Constitutional Law**.

#### **Assembly Bill 311**

Relating to: use of fees received from issuing bonus deer hunting permits.

By Representative Baumgart.

To committee on **Natural Resources**.

**Assembly Bill 312**

Relating to: placement of certain stamps or labels on folded state highway maps.

By Representative Baumgart.  
To committee on **State Affairs**.

**Assembly Bill 313**

Relating to: procedures for a civil service commission in a 1st class city to certify persons with disabilities for appointment to certain classified service positions.

By Representatives La Fave, Goetsch, Sykora, Bock, Meyer, Notestein, Ryba, Vander Loop, Williams and R. Young.

To committee on **Labor and Employment**.

**Assembly Bill 314**

Relating to: the eligibility of certain employes of 1st class cities to take general promotional examinations.

By Representatives La Fave, Goetsch, Bock and J. Lehman.

To committee on **Labor and Employment**.

**Assembly Bill 315**

Relating to: excluding from income taxation certain gains derived from the transfer of business or farming assets to family members.

By Representatives Freese, Gronemus, Hahn, Wieckert, Sykora, Huebsch, Hasenohrl, Kreibich, Springer, Musser, Schafer, Dobyns, Gard, M. Lehman, Ainsworth, Powers, Owens, Otte, Hoven, Zukowski, Ladwig, Skindrud, Duff, Gunderson, Lorge, Grothman, Goetsch, Olsen, Ward, Harsdorf, Albers, Ott, Johnsrud, Green and Lazich; cosponsored by Senators Schultz, Rude, Clausing, Panzer and Buettner.

To joint survey committee on **Tax Exemptions**.

**Assembly Bill 316**

Relating to: state reimbursement of cities, villages and towns for fire calls on state or federal highways.

By Representatives Urban, Goetsch, Albers, Turner, Ladwig, Ryba, Sykora, Duff, Springer, Kedzie, Seratti, Grothman, Powers and Vrakas; cosponsored by Senators Grobschmidt, Farrow, Adelman and Huelsman.

To committee on **Ways and Means**.

**Assembly Bill 317**

Relating to: the effect of certain water withdrawals on commercial agriculture operations.

By Representatives Freese, Gronemus, Sykora, Musser, Hasenohrl, M. Lehman, Baumgart, Ainsworth, F. Lasee, Grothman, Albers, Owens, Zukowski, Skindrud and Seratti; cosponsored by Senators Shibilski, Schultz, Plache and Breske.

To committee on **Rural Affairs**.

**Assembly Bill 318**

Relating to: the use of moneys remaining in a fund for the repayment of revenue bonds issued to fund the Wisconsin

health education assistance loan program and permissible expenditures from the capital improvement fund.

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

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**COMMITTEE REPORTS**

The committee on **Highways and Transportation** reports and recommends:

**Assembly Bill 119**

Relating to: special distinguishing registration plates, payments to authorized special groups, granting rule-making authority and making an appropriation.

Assembly amendment 1 adoption:

Ayes: 15 – Representatives Brandemuehl, Otte, Musser, Lorge, Hahn, Zukowski, Huebsch, Sykora, Hasenohrl, Gronemus, Turner, L. Young, Ryba, Riley and Steinbrink.

Noes: 0.

Passage as amended:

Ayes: 15 – Representatives Brandemuehl, Otte, Musser, Lorge, Hahn, Zukowski, Huebsch, Sykora, Hasenohrl, Gronemus, Turner, L. Young, Ryba, Riley and Steinbrink.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 131**

Relating to: load weight limits on trucks registered with the department of transportation as special interest, reconstructed, replica, street modified or homemade vehicles.

Passage:

Ayes: 15 – Representatives Brandemuehl, Otte, Musser, Lorge, Hahn, Zukowski, Huebsch, Sykora, Hasenohrl, Gronemus, Turner, L. Young, Ryba, Riley and Steinbrink.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 136**

Relating to: the use of studded tires on school buses.

Passage:

Ayes: 12 – Representatives Brandemuehl, Otte, Lorge, Huebsch, Sykora, Hasenohrl, Gronemus, Turner, L. Young, Ryba, Riley and Steinbrink.

Noes: 3 – Representatives Musser, Hahn and Zukowski.

To committee on **Rules**.

*DAVID BRANDEMUEHL*

Chairperson

Committee on Highways and  
Transportation

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**COMMUNICATIONS**

State of Wisconsin  
Office of the Secretary of State  
Madison

To Whom It May Concern:

Acts, Joint Resolutions and Resolutions deposited in this office have been numbered and published as follows:

<u>Joint Res. Number</u>	<u>Enrolled Number</u>	<u>Pub. Date</u>
<b>Assembly Joint Res. 13</b>	..... 2 .....	Not published
<b>Assembly Joint Res. 2</b>	..... 3 .....	Not published
<b>Assembly Joint Res. 10</b>	..... 4 .....	Not published
<b>Assembly Joint Res. 32</b>	..... 5 .....	Not published
<b>Assembly Joint Res. 24</b>	..... 6 .....	Not published

Sincerely,  
*DOUGLAS LA FOLLETTE*  
Secretary of State

**COMMUNICATIONS**

April 21, 1997

Speaker Ben Brancel  
Room 211 West, State Capitol  
P.O. Box 8952  
Madison, WI 53708

Dear Speaker Brancel:

On Tuesday, May 6th I will be entering Burlington Memorial Hospital for Prostate operation for cancer. I will be taking pre-test beginning this week as established by my doctor for the operation on May 7th.

Therefore, I'm asking you to replace me on the Joint Committee on Finance effective Monday April 21, 1997. The doctor has informed me that I could be under his direction until the end of May.

Sincerely,  
*CLOYD A. PORTER*  
State Representative  
66th Assembly District

**SPEAKER'S APPOINTMENTS**

April 21, 1997

Representative John Gard  
Room 316 North, State Capitol  
Madison, WI 53702

Dear John:

It is my pleasure as Speaker of the Wisconsin State Assembly to appoint you to the Joint Committee on Finance to fill the vacancy created by Representative Porter's resignation.

This appointment is effective immediately.

Sincerely,  
*BEN BRANCEL*  
Assembly Speaker

**AGENCY REPORTS**

DATE: April 15, 1997

TO: Members of the Legislature

FROM: Alan Tracy, Secretary  
Secretary, DATCP

RE: County and District Fairs, Annual Report

We are pleased to submit to you a copy of the 1996 annual report on the 76 Wisconsin County and District Fairs receiving state aid. This report is prepared by the Department in accordance with the requirements contained in section 93.23(1)(h), Wisconsin Statutes.

This report is a detailed statement showing receipts and disbursements of each fair receiving state aid, together with a classified statement of premiums paid and the amount of state aid claimed.

If you have any questions relative to this report, please call Bob Williams, Fairs Coordinator, at 608/224-5131.

State of Wisconsin  
Legislative Audit Bureau  
Madison

April 22, 1997

We have completed an evaluation of the Milwaukee Metropolitan Sewerage District, as directed by the Joint Legislative Audit Committee. The District, whose 1996 operating expenditures totaled \$118.8 million, recently completed work on the \$2.3 billion Water Pollution Abatement Program, which is the largest public works project in the State's history to date.

Since 1992, the District has maintained a monthly capital fund balance that has averaged \$114 million more than required to meet its cash requirements. We found that this excess balance is primarily the result of two factors: the District's decision to take advantage of favorable interest rates by issuing more bonds than it needed to pay for current construction costs, which appears to have minimized long-term taxpayer costs, and the receipt of more grant revenue than had been projected.

The production of Milorganite, a fertilizer made from heat-dried sludge, is currently the least-costly method available to the District for waste disposal, in part because its sale generates revenue. To ensure that Milorganite production remains a cost-effective disposal option, the District may need to enhance its marketing efforts to address increased competition from other municipalities. Plant modifications

made after a February 1996 explosion appear to have addressed safety concerns.

The District also administers the Minority Business Development and Training Program, created by the Legislature in 1985 to develop the capabilities of minority individuals and businesses to participate in construction and construction-related projects. Through 1996, the program has spent \$21.0 million, of which only \$2.8 million, or 11 percent, was for participant training services, while almost as much, \$2.3 million, was spent for program management. In addition, per capita training costs for participating individuals and firms have been excessive.

Although the District has made some modifications to enhance its contract purchasing and oversight since our prior review in 1991, additional improvements are needed if the District is to be effective in evaluating the performance of its consulting engineers and contractors.

We appreciate the courtesy and cooperation extended to us by the Milwaukee Metropolitan Sewerage District. A response from the District is the Appendix.

Respectfully submitted,  
*DALE CATTANACH*  
State Auditor

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DATE: April 22, 1997

TO: Charles R. Sanders  
Assembly Chief Clerk

FROM: Michael R. Duckett, Executive Director  
Southeast Wisconsin Professional Baseball  
Park District

RE: Miller Park Monthly Progress Report

Enclosed is your copy of the Miller Park Monthly Progress Report, which we are now making available to your office each month.

Please let the district know if you have any questions or comments.

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**REFERENCE BUREAU CORRECTIONS**

**Assembly Bill 155**

1. Page 3, line 15: substitute "7" for "6".

**Assembly Bill 166**

1. Page 11, line 17: delete "under sub. (4m)" and substitute "under sub. (4m)".