



STATE OF WISCONSIN Assembly Journal Ninety–Third Regular Session

11:00 A.M.

TUESDAY, August 26, 1997

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

Representative Ladwig in the chair.

The Assembly dispensed with the call of the roll.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 208** offered by Representative Dobyms.

Assembly amendment 1 to Assembly amendment 2 to **Assembly Bill 319** offered by committee on **Government Operations**.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 484

Relating to: reimbursement of costs incurred because of discharges from certain underground petroleum storage tanks in the village of Mount Calvary.

By Representative Ott; cosponsored by Senator A. Lasee.
To joint committee on **Finance**.

Assembly Bill 485

Relating to: prohibitions against certain practices of insurers with respect to insurance agents.

By Representatives Coggs, L. Young, Morris–Tatum, Turner, Vrakas, Johnsrud, Hasenohrl, R. Young, Hanson, Ziegelbauer, Schneider, Underheim, Plouff and Musser; cosponsored by Senators Chvala and Roessler.

To committee on **Insurance, Securities and Corporate Policy**.

Assembly Bill 486

Relating to: holding juveniles in municipal lockup facilities and granting rule–making authority.

By Representatives Foti, Gunderson, Porter, Musser, Staskunas, Goetsch, M. Lehman, Green, Gard, Owens, Ziegelbauer, Ladwig, Boyle, Powers, Sykora, Hahn, Nass,

Vrakas, La Fave, Hasenohrl, Ward, Brandemuehl, Lazich and Grothman; cosponsored by Senators Fitzgerald, Cowles, Huelsman, Roessler, Welch, Darling and Farrow.

To committee on **Corrections Facilities**.

Assembly Bill 487

Relating to: the sale of a motor vehicle subject to a seizure for a crime related to driving while under the influence of an intoxicant or other drug and providing a penalty.

By Representatives Freese, Goetsch, Green, Grothman, Kelso, Meyer, Musser, Plouff, Schafer, Seratti, Sykora, Travis and Ziegelbauer; cosponsored by Senators Breske, Huelsman, Jauch, A. Lasee, Roessler, Shibilski, Welch and Wirch.

To committee on **Judiciary**.

Assembly Bill 488

Relating to: prospecting and mining fees.

By Representatives Ourada, Olsen, Duff, Harsdorf, Dobyms, M. Lehman, Musser, Ott, Powers, Zukowski, Gunderson, Seratti, Kreibich, Ainsworth, Boyle and Hasenohrl; cosponsored by Senators Cowles, Burke, Roessler and Rosenzweig.

To committee on **Environment**.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

August 21, 1997

To the Honorable Members of the Assembly:

The following bill, originating in the Assembly, has been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Assembly Bill 79	12	August 21, 1997

Respectfully submitted,
TOMMY G. THOMPSON
Governor

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>Bill Number</u>	<u>Act Number</u>	<u>Publication Date</u>
Assembly Bill 79 12 September 5, 1997

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

State of Wisconsin
Joint Legislative Council
Madison

August 21, 1997

Mr. Charles Sanders
Assembly Chief Clerk
1 East Main Street, Suite 402
Madison, WI 53702

Dear Charlie:

I am pleased to transmit to you the following report to the 1997 Legislature on legislation introduced by the Joint Legislative Council:

RL 97-1 Legislation on Public Libraries
(1997 Senate Bills 259 and 269)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available, on request, in the Legislative Council Staff offices, One East Main, Suite 401.

Sincerely,
JANE R. HENKEL
Deputy Director

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Revenue
Madison

August 13, 1997

To the Honorable, the Legislature:

Included with this correspondence, I am submitting the quarterly report of the Wisconsin Lottery for the quarter ending June 30, 1997. As required by s. [565.37\(3\)](#), Wis.

Stats., the attached materials contain Wisconsin Lottery year to date sales and financial information.

If you have any questions or comments regarding this report, please do not hesitate to contact me at (608) 266-6466.

Sincerely,
CATE ZEUSKE
Secretary of Revenue

Referred to committee on **State Affairs**.

State of Wisconsin
Department of Administration
Madison

August 13, 1997

To the Honorable, the Legislature:

[Chapter 34, Laws of 1979](#), requires that when the Department of Administration maintains an office in Washington, DC, for the purpose of promoting federal/state cooperation, it should submit a report detailing the activities of the office and reporting the status of federal legislation of concern to the Legislature and other state agencies (Wis. Stats. 16.548(2)).

The report for the period April 1, 1997, through June 30, 1997, is attached.

Sincerely,
MARK D. BUGHER
Secretary, DOA

Referred to committee on **State-Federal Relations**.

State of Wisconsin
Gaming Board
Madison

August 20, 1997

To the Honorable, the Legislature:

Included with this correspondence, I am submitting the quarterly report of the Wisconsin Gaming Board (Board), for the year ending June 30, 1997. As required by s. [562.02\(1\)\(g\)](#), Wis. Stats., the attached materials contain pari-mutuel wagering and racing statistical information as well as the revenues and expenditures for the Board's Racing, Charitable Gaming and Indian Gaming programs.

If you have any questions or comments regarding this report, please do not hesitate to contact me at (608)266-1645.

Sincerely,
F. SCOTT SCEPANIAC
Executive Director

Referred to committee on **State Affairs**.

State of Wisconsin
Department of Health and Family Services
Madison

August 22, 1997

To the Honorable, the Assembly:

1989 Wisconsin Act 31, Section 1118i, requires the Department of Health and Family Services to submit to the chief clerk of each house of the Legislature a report on the allocation and expenditure of funds for services for homeless individuals. Attached is the Department's seventh annual report.

Departmental staff are available if you have any questions or require any additional information.

Sincerely,
JOE LEEAN
Secretary, DHFS

Referred to committee on **Children and Families.**

State of Wisconsin
Department of Health and Family Services
Madison

August 22, 1997

To the Honorable, the Assembly:

As required in Sections 227.485(9) and 814.245(10) of the Wis. Stats., I am submitting the report concerning decisions and resulting payments of Attorney fees and related legal costs. Attorney fees and other legal costs are to be paid whenever the opposing party to an agency's Chapter 227 hearing prevails and it is determined the agency's position was not substantially justified. Payments for SFY 1997 are shown on the attached schedule.

In addition, the Department is required to report any awards granted to the Department regarding frivolous motions brought against this Department. If the hearing examiner determines that the motion of the opposing party in any Chapter 227 contested case is frivolous, the examiner may award the state agency all reasonable costs in responding to the motion. In SF 1997, no motions of opposing parties were

found to be frivolous. Consequently, the Department has no awards to report.

Sincerely,
JOE LEEAN
Secretary, DHFS

Referred to committee on **Judiciary.**

AGENCY REPORTS

State of Wisconsin
Department of Employee Trust Funds
Madison

July 14, 1997

To the Honorable, the Legislature:

I am pleased to present you with the comprehensive annual financial report (CAFR) of the Wisconsin Department of Employee Trust Funds (ETF) for the year ended December 31, 1996. The management of the Department is responsible for both the accuracy of the data, and the completeness and fairness of the presentation.

This report is intended to provide comprehensive and reliable information about the Department of Employee Trust Funds, the Wisconsin Retirement System, and the other benefit plans and trust funds administered by ETF. I would like to express my appreciation to the Governor, members of the Legislature, members of the boards, staff, employers, participants and all the people whose efforts and interest combine to assure the successful operation of the trust funds.

Sincerely,
ERIC O. STANCHFIELD
ETF Secretary

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 10:00 A.M. on Thursday, August 28.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

11:01 A.M.