



# STATE OF WISCONSIN

# Assembly Journal

## Ninety–Third Regular Session

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THURSDAY, October 9, 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 156** offered by committee on **Government Operations**.

Assembly amendment 1 to **Assembly Bill 275** offered by committee on **Children and Families**.

Assembly amendment 1 to **Assembly Bill 384** offered by Representative Gronemus.

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### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 97–104**

Relating to the department of employe trust funds refunding contributions to the Wisconsin retirement system that exceed the contributions limits set forth in the internal revenue code and the Wisconsin statutes.

Submitted by Department of Employee Trust Funds.  
Report received from Agency, October 2, 1997.  
To joint survey committee on **Retirement Systems**.  
Referred on October 9, 1997.

#### **Assembly Clearinghouse Rule 97–105**

Relating to the department of employe trust funds procedures for locating missing participants and transferring the balances of abandoned accounts to the annuity reserve.

Submitted by Department of Employee Trust Funds.  
Report received from Agency, October 2, 1997.  
To joint survey committee on **Retirement Systems**.  
Referred on October 9, 1997.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Bill 549**

Relating to: issuance of administrative warnings by the medical examining board, disciplinary actions against

physicians, granting rule–making authority and providing a penalty.

By Representatives Urban, Green, Duff, Robson, Porter, Gunderson, Goetsch, Musser, Sykora, Hahn and Olsen; cosponsored by Senators Welch, C. Potter, Huelsman, Rosenzweig, Roessler and Drzewiecki.

To committee on **Judiciary**.

#### **Assembly Bill 550**

Relating to: the annual compensation of volunteer fire fighters and emergency medical technicians who are eligible to hold elective office.

By Representatives Hutchison, Ainsworth, Albers, Baumgart, Boyle, Dobyns, Grothman, Gunderson, Hoven, Huber, Kelso, M. Lehman, Lorge, Musser, Nass, Olsen, Ott, Porter, Powers, Robson, Seratti and Sykora; cosponsored by Senators A. Lasee, Decker and Schultz.

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

#### **Assembly Bill 551**

Relating to: the definition of the internal revenue code for the income tax and the franchise tax.

By Representatives M. Lehman, Wood and Brancel; cosponsored by Senators Burke, Ellis and Chvala.

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

#### **Assembly Bill 552**

Relating to: eliminating the office of health care information and transferring functions related to collection, analysis and dissemination of health care information to the department of health and family services, confidentiality of patient health care records, granting rule–making authority, providing a penalty and making appropriations.

By Joint Legislative Council.

To joint committee on **Information Policy**.

#### **Assembly Bill 553**

Relating to: the adoption of the Uniform Unincorporated Nonprofit Association Act; the authority of nonprofit associations to acquire, hold and transfer property; the liability of nonprofit associations and their members; and the ability of nonprofit associations to sue and to be sued.

By Representatives Cullen and Green; cosponsored by Senators George and Huelsman.

To committee on **Judiciary**.

#### **Assembly Bill 554**

Relating to: transporting children in open cargo areas of certain motor trucks.

By Representatives Kelso, Ladwig, Black, Bock, Dobyms, Hanson, Hasenohrl and Urban.  
To committee on **Highways and Transportation**.

**Assembly Bill 555**

Relating to: the sales tax on electricity used in farming.

By Representatives Ainsworth, Albers, Brandemuehl, Freese, Goetsch, Grothman, Hahn, Harsdorf, Hasenohrl, Johnsrud, Musser, Olsen, Ott, Otte, Owens, Plouff, Seratti, Skindrud, Springer, Sykora and Zukowski; cosponsored by Senators Breske and A. Lasee.

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

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**COMMITTEE REPORTS**

The committee on **Children and Families** reports and recommends:

**Assembly Bill 167**

Relating to: changing the name of a minor.

Assembly amendment 1 adoption:

Ayes: 8 – Representatives Huebsch, Dobyms, Ainsworth, Ladwig, R. Young, Notestein, Krug and Hebl.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Huebsch, Dobyms, Ainsworth, Ladwig, R. Young, Notestein, Krug and Hebl.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 266**

Relating to: substitute care providers of children, termination of parental rights, the appointment of a relative of a child as the guardian of the child, paternity determinations and the duties of juvenile court intake workers.

Assembly amendment 1 adoption:

Ayes: 8 – Representatives Huebsch, Dobyms, Ainsworth, Ladwig, R. Young, Notestein, Krug and Hebl.

Noes: 0.

Assembly amendment 2 adoption:

Ayes: 6 – Representatives Huebsch, Dobyms, Ainsworth, Ladwig, Krug and Hebl.

Noes: 2 – Representatives R. Young and Notestein.

Passage as amended:

Ayes: 8 – Representatives Huebsch, Dobyms, Ainsworth, Ladwig, R. Young, Notestein, Krug and Hebl.

Noes: 0.

To committee on **Rules**.

*MICHAEL HUEBSCH*  
Chairperson  
Committee on Children and Families

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**EXECUTIVE COMMUNICATIONS**

State of Wisconsin  
Office of the Governor  
Madison

October 9, 1997

To the Honorable Members of the Assembly:

The following bills, originating in the Assembly, have 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> |
|------------------------------------|-------------------|----------------------|
| <b>Assembly Bill 520</b> . . . . . | 14 . . . . .      | October 9, 1997      |
| <b>Assembly Bill 521</b> . . . . . | 15 . . . . .      | October 9, 1997      |
| <b>Assembly Bill 522</b> . . . . . | 16 . . . . .      | October 9, 1997      |
| <b>Assembly Bill 523</b> . . . . . | 17 . . . . .      | October 9, 1997      |
| <b>Assembly Bill 524</b> . . . . . | 18 . . . . .      | October 9, 1997      |
| <b>Assembly Bill 525</b> . . . . . | 19 . . . . .      | October 9, 1997      |
| <b>Assembly Bill 526</b> . . . . . | 20 . . . . .      | October 9, 1997      |
| <b>Assembly Bill 527</b> . . . . . | 21 . . . . .      | October 9, 1997      |
| <b>Assembly Bill 528</b> . . . . . | 22 . . . . .      | October 9, 1997      |
| <b>Assembly Bill 529</b> . . . . . | 23 . . . . .      | October 9, 1997      |
| <b>Assembly Bill 530</b> . . . . . | 24 . . . . .      | October 9, 1997      |
| <b>Assembly Bill 531</b> . . . . . | 25 . . . . .      | October 9, 1997      |
| <b>Assembly Bill 534</b> . . . . . | 26 . . . . .      | October 9, 1997      |

Respectfully submitted,  
*TOMMY G. THOMPSON*  
Governor

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**ENROLLED BILLS**

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

- Assembly Joint Resolution 62**
- Assembly Joint Resolution 68**
- Assembly Joint Resolution 69**
- Assembly Joint Resolution 70**

*CHARLES R. SANDERS*  
Assembly Chief Clerk

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**SPEAKER'S APPOINTMENTS**

October 1, 1997

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

Dear John:

This letter serves to praise and thank you for your outstanding work as a member of the Joint Committee on Finance during this long-delayed budget process.

When Representative Cloyd Porter unexpectedly resigned his position in May due to a serious illness, I had to quickly appoint one of our members to take his place. Time was of the essence. The Finance Committee was at the height

of their work on the State budget. Anyone replacing Rep. Porter would have an enormous task ahead of them. No doubt many endless nights of study, reading and whatever else necessary to bring them up to date on the committee's work.

As the person who replaced Rep. Porter on the Finance committee, John, you did just that. You met the challenge head on and went on to distinguish yourself as a legislator of intelligence, integrity and commitment to the people of Wisconsin. Your hard work and understanding of the issues have been extremely valuable to our caucus. Therefore, I want to personally thank you for your service as a member of the Finance committee. Please know all your hard work and the many skills you brought to the table during this unusual lengthy budget process is greatly appreciated.

As you know, your appointment to the Joint Committee on Finance was temporary appointment made with the understanding that once Representative Porter recovered from his operation, he would resume his seat on the committee. Representative Porter has now made a full recovery and is capable of resuming his duties on the Finance committee. Therefore, I am removing you as a member of the Finance committee and will be reappointing Representative Cloyd Porter. This is effective immediately.

Again, thank you for your outstanding work. Please know your removal from this committee in no way reflects a negative connotation. You have served with great distinction and have earned the respect and admiration of your colleagues.

Sincerely,  
*BEN BRANCEL*  
Assembly Speaker

September 30, 1997

Representative Barbara Linton  
Room 212 North, State Capitol  
Madison, WI 53702

Dear Barb:

It is my pleasure as Speaker of the Wisconsin State Assembly to appoint you as a member of the Midwestern Legislative Conference of the Council of State Government's Committee on Midwest-Canada Relations.

This appointment is effective immediately.

Sincerely,  
*BEN BRANCEL*  
Assembly Speaker

**REFERRAL OF AGENCY REPORTS**

State of Wisconsin  
Department of Health and Family Services  
Madison

September 19, 1997

To the Honorable, the Assembly:

In accordance with sec. 1.11(2)(j) Wis. Stats., the Department of Health and Family Services reports that it has not conducted any Environmental Impact Statements during the reporting period of July 1, 1996, through June 30, 1997. During this time period the Department did conduct one Environmental Assessment associated with a facilities project at one of our institutions, but it did not require continuation into a full Environmental Impact Statement process.

An Environmental Assessment was conducted for the following project.

**Wisconsin Resource Center.** This is a 300-bed expansion for treatment of mentally ill correctional inmates, as authorized by the 1995-97 biennial budget.

Sincerely,  
*JOE LEEAN*  
Secretary, DHFS

Referred to committee on **Natural Resources.**

State of Wisconsin  
Department of Commerce  
Madison

September 23, 1997

To the Honorable, the Assembly:

The enclosed report has been sent to you pursuant to sec. 1.11, Stats. This section requires agencies to submit a report to the chief clerk of each house of the legislature, including the number of proposed actions for which the agency conducted an assessment of whether an impact statement was required and the number of impact statements prepared.

This report encompasses the activities of the Department of Commerce for the period from July 1, 1996, to July 1, 1997.

Any questions concerning this report may be directed to Richard Meyer, WEPA Coordinator, at 608-266-3080.

Sincerely,  
*WILLIAM J. MCCOSHEN*  
Secretary, Department of Commerce

Referred to committee on **Natural Resources.**

Supreme Court of Wisconsin  
Director of State Courts  
Madison

October 1, 1997

To the Honorable, the Legislature:

Pursuant to s. 758.19 (5)(i), Wis. Stats., the information reported to the Director of State Courts under s. 758.19 (5)(e),

Wis. Stats., by Wisconsin's counties has been compiled and is herein submitted. Under s. 758.19 (5)(e), Wis. Stats., each county is required to submit an annual report to the Director of State Courts which provides information on the actual amount expended in the previous calendar year for court costs relating to the circuit court support and the guardian ad litem payment programs.

Sincerely,  
*J. DENIS MORAN*  
Director of State Courts

Referred to committee on **Judiciary**.

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State of Wisconsin  
University of Wisconsin Hospital and Clinics  
Madison

September 30, 1997

To the Honorable, the Assembly:

I am pleased to present the enclosed 1996-97 Annual Report of the University of Wisconsin Hospitals and Clinics Authority.

This report is being submitted pursuant to Section 233.04 (1), Wisconsin Statutes, which requires UW Hospitals and Clinics to submit to you annually a report on the patient care, education, research and community service activities and accomplishments of the Authority, along with an audited financial statement. An explanation of the accounting for the transfer of the unencumbered balance in the appropriation account is also included.

We are extremely pleased with the progress we've achieved in our first year as a public authority. I would be happy to furnish additional information or respond to any questions you may have regarding the enclosed reports.

Sincerely,  
*GORDON M. DERZON*  
Chief Executive Officer

Referred to committee on **Health**.

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State of Wisconsin  
Department of Veterans Affairs  
Madison

September 30, 1997

To the Honorable, the Legislature:

In compliance with section 45.35 (3d)(b), Wis. Stats., as created by 1989 Wisconsin Act 36, the Council on Veterans Programs and the Wisconsin Department of Veterans Affairs (WDVA) are jointly submitting the attached general summary report of the activities and membership over the past two years of the Council and the organizations represented on the Council.

Organizations not yet reporting are the American Legion, American Red Cross, Catholic War Veterans, Federation of Culturally Diverse Veterans, National Association of Black Veterans, Polish Legion of American Veterans, Vietnam Veterans Against the War, and Wisconsin Association of Concerned Veterans Organizations.

The information contained in the report was compiled by WDVA staff and the Council Chair from materials submitted by the representative from each organization on the Council.

Sincerely,  
*ROBERT A. COCROFT*  
Deputy Secretary, DVA

*PHYLLIS PERK*  
Chairman, Council on Veterans Programs

Referred to committee on **Veterans and Military Affairs**.

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## AGENCY REPORTS

State of Wisconsin  
Legislative Audit Bureau  
Madison

October 2, 1997

To the Honorable, the Legislature:

We have completed an evaluation of the Milwaukee County General Assistance-Medical Program, as directed by 1995 Wisconsin Act 27. In 1996, the program provided services to 18,916 indigent persons and spent \$34.1 million in local, state, and federal funds. The State will reimburse up to \$17.6 million of the county's total program expenditures, which in 1996 accounted for 92.2 percent of statewide General Assistance expenditures.

Beginning in 1996, Milwaukee County began efforts to address the long-standing concern that nearly all health care services provided to the indigent required patients to travel to Wauwatosa, where they were served at either the county hospital or Froedtert Memorial Lutheran Hospital, a private, nonprofit provider with which the county has had a long working relationship. In 1996, community-based primary care clinics located in the City of Milwaukee accounted for only \$97,235, or 0.3 percent, of total program expenditures. In contrast, Froedtert accounted for \$30.5 million, or 89.5 percent, of program expenditures.

In 1997, community-based clinics began to play a much more significant role, which will expand further in 1998, when clinics will be responsible for coordinating the provision of all health care services to the General Assistance-Medical Program participants. However, if the program is to continue to be effective in providing services in the future, officials in Milwaukee County will need to: 1) address the community-based clinics' increased patient loads and administrative responsibilities; 2) monitor how changes in other public assistance programs affect the General Assistance-Medical Program; 3) monitor the effects of programmatic changes on the educational programs of the Medical College of Wisconsin, which staffs Froedtert; and 4) improve program management by developing appropriate policies and procedures and by improving the availability and usefulness of management information.

We appreciate the courtesy and cooperation extended to us by the Milwaukee County staff. A response from the County is the Appendix.

Sincerely,  
*DALE CATTANACH*  
State Auditor