



STATE OF WISCONSIN

Assembly Journal

Ninety–Third Regular Session

9:45 A.M.

WEDNESDAY, February 11, 1998

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

Speaker Jensen in the chair.

The prayer was offered by Representative Morris–Tatum.

Representative Harsdorf 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, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, 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, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schafer, Schneider, Seratti, Skindrud, Spillner, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Jensen – 97.

Absent with leave – Representative Nass – 1.

Vacancies – 82nd Assembly District – 1.

LEAVES OF ABSENCE

Representative Freese asked unanimous consent for a leave of absence for balance of today's session for Representative Nass. Granted.

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 89** offered by Representative Handrick.

Assembly amendment 1 to **Assembly Bill 322** offered by Representative Baumgart.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 97–137

Relating to HIV testing procedures.

Submitted by Office of the Commissioner of Insurance.

Report received from Agency, February 6, 1998.

To committee on **Health**.

Referred on February 11, 1998.

Assembly Clearinghouse Rule 97–154

Relating to the transportation infrastructure loan program.

Submitted by Department of Transportation.

Report received from Agency, February 9, 1998.

To committee on **Highways and Transportation**.

Referred on February 11, 1998.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 780

Relating to: minimum daily hours of service in nursing homes for certain nursing home residents, requirements for nursing home reports, increasing positions for the board on aging and long-term care, granting rule-making authority and making an appropriation.

By Representatives Krusick, Underheim, Baldwin, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Hanson, Hasenohrl, Hebl, Kunicki, La Fave, Morris–Tatum, Murat, Notestein, Olsen, Plale, Plouff, Porter, R. Potter, Powers, Riley, Robson, Ryba, Skindrud, Springer, Staskunas, Turner, Urban, Walker, Wasserman, L. Young and R. Young; cosponsored by Senators Burke, Grobschmidt and Rosenzweig, by request of American Association of Retired Persons (AARP), Alzheimer's Association, Board on Aging and Long Term Care, Citizen Advocates for Nursing Home Residents, Coalition of Wisconsin Aging Groups, Service Employees

Local 150, Wisconsin Coalition for Advocacy, Wisconsin Coalition of Visiting Nurse Associations, Wisconsin Council of Senior Citizens, Service Employees International and Union Wisconsin State Council.

To committee on **Health**.

Assembly Bill 781

Relating to: bank charges for transactions at automatic teller machines.

By Representatives J. Lehman, Notestein, Bock, Vander Loop and Kreuser; cosponsored by Senator Clausing.

To committee on **Financial Institutions**.

Assembly Bill 782

Relating to: training certificates for barbers, cosmetologists, barbering or cosmetology instructors, aestheticians, electrologists and manicurists and providing a penalty.

By Representatives L. Young, Bock, R. Young and Riley; cosponsored by Senator Moore.

To committee on **Consumer Affairs**.

Assembly Bill 783

Relating to: allowing pupils to possess and use metered dose and dry powder inhalers while in school.

By Representatives Jensen, Harsdorf, Kunicki, Duff and Ward; cosponsored by Senators C. Potter, Burke, Rude, Chvala and Grobschmidt.

To committee on **Education**.

Assembly Bill 784

Relating to: specifying that Huntington's disease is a developmental disability.

By Representatives Albers, Ladwig, Boyle, Plale, Musser, Bock and Owens; cosponsored by Senators Rude, Roessler and Darling.

To committee on **Health**.

Assembly Bill 785

Relating to: the location of refusal hearings, the citation procedure used for certain violations, judgments regarding minors and interference with custody of a nonmarital child (suggested as remedial legislation by the director of state courts).

By Law Revision Committee.

To committee on **Judiciary**.

Assembly Bill 786

Relating to: penalties for certain traffic offenses committed where persons working on a utility facility are at risk from traffic and providing a penalty.

By Representatives Skindrud, Musser, Jensen, Ladwig, Kelso, Porter, Hahn, Ainsworth, Sykora, Seratti, Kedzie, Schafer, Klusman, Olsen, Hutchison, Jeskewitz, Hasenohrl, Plouff, Ryba and Springer; cosponsored by Senators Shibilski, Darling, Decker, Drzewiecki, Risser and Wineke.

To committee on **Highways and Transportation**.

Assembly Bill 787

Relating to: costs related to investigations regarding weights and measures violations, protection for persons reporting weights and measures violations, providing for business and consumer education and making an appropriation.

By Representatives Otte, Huber, Albers, Springer, Harsdorf, Notestein, Porter, Hasenohrl, Hahn, Wasserman, Musser, R. Potter, Kedzie and Seratti; cosponsored by Senators Clausing, Panzer, Decker, Burke and Risser.

To committee on **Consumer Affairs**.

Assembly Bill 788

Relating to: the retention of special counsel to prosecute certain actions with respect to the boundaries of the Indian reservations located in this state and the rights of non-Indians owning property within those reservations.

By Representatives Seratti, Gard, Goetsch, F. Lasee, Albers, Grothman and Jeskewitz.

To committee on **State Affairs**.

Assembly Bill 789

Relating to: fishing licenses issued to disabled residents.

By Representatives Boyle, Hasenohrl, Hoven, Brandemuehl, Dobyms, Zukowski, Baumgart, Springer, Plouff, Bock, Grothman, Notestein, Robson, Ryba, Ladwig, Owens, Musser, R. Young, Powers, Ziegelbauer, Porter, Turner and J. Lehman; cosponsored by Senators Moen, Shibilski, Breske, Darling and Drzewiecki.

To committee on **Natural Resources**.

COMMITTEE REPORTS

The joint committee on **Information Policy** reports and recommends:

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.

Assembly amendment 1 to Assembly substitute amendment 1 adoption:

Ayes: 9 – Representatives Hutchison, Kaufert, Vrakas, Schneider and Hanson; and Senators Jauch, Moore, Panzer and Rosenzweig.

Noes: 0.

Assembly substitute amendment 1 adoption:

Ayes: 9 – Representatives Hutchison, Kaufert, Vrakas, Schneider and Hanson; and Senators Jauch, Moore, Panzer and Rosenzweig.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Hutchison, Kaufert, Vrakas, Schneider and Hanson; and Senators Jauch, Moore, Panzer and Rosenzweig.

Noes: 0.

To committee on **Health**.

DAVID HUTCHISON
Assembly Chairperson
Joint committee on Information Policy

AGENCY REPORTS

State of Wisconsin
Investment Board
Madison

January 30, 1998

To the Honorable, the Legislature:

Section **25.17(14r)** of the Statutes requires that the State of Wisconsin Investment Board (SWIB) submit a report to the Joint Committee on Audit, Joint Committee on Finance, and Chief Clerks of each House summarizing any change in the Board's investment policies, upon adoption of the change.

On January 7, 1998, the Board approved modifications to the Investment Policy Guidelines for the State Investment Fund (SIF) and the domestic equity, venture capital and leverage buyout portfolios of the Wisconsin Retirement System (WRS) Trust Funds. The changes are indicated on the attached copy of the guidelines. Additions to the previous guidelines are shaded and deletions are the stricken material.

State Investment Fund – Wisconsin Certificate of Deposit Program

Under the Wisconsin Certificate of Deposit Program, the SIF purchases up to \$300 million in CDs from Wisconsin financial institutions. The program was expanded last year to encourage greater participation.

The guidelines approved last year limited the amount of CDs we purchase from branches of bank holding companies to no more than \$30 million. The new guidelines permit the \$30 million limit to be exceeded if the total amount outstanding is less than \$300 million. This will help the program reach its intended level while ensuring that holding companies do not dominate the program when other institutions are interested in participating.

The second change removes limits on the amounts of CDs that we may purchase at particular maturity levels. The new guidelines allow the portfolio manager to determine the appropriate maturity profile for the portfolio, as is the case for other investments. Some ambiguity in the old guidelines is also eliminated as a result.

Domestic Equities

Approximately \$21.9 billion of WRS assets are managed in domestic stock portfolios. Close to \$9.2 billion, or 42%, is

actively managed internally. Previous guidelines limited SWIB's ownership of a company's stock to 10% of the outstanding shares. Until recently, ownership of more than 10% required the filing of added information with the Securities and Exchange Commission (SEC) and would have made the shareholder subject to other restrictive trading requirements. The SEC has raised the limit from 10% to 20%. As a result, our guidelines were modified to similarly increase the limit to 20%.

SWIB's small-company stock portfolio is likely to be the primary user of the expanded authority. However, we expect that ownership of more than 10% of a company's stock will only occur in a limited number of cases. Our guidelines continue to limit our overall equity exposure to any one company to no more than 5% of market value of publicly traded stocks owned by the Fixed and Variable Retirement Funds. The assets of the trust funds continue to be well diversified.

The domestic equity guidelines were also modified to provide for a new portfolio that will focus on companies between \$750 million and \$3.0 billion in market capitalization. It will be managed internally by current staff. This new "target" portfolio will bridge between our small- and mid-size company portfolios. We foresee opportunities in this area of the market. The portfolio is subject to the same guidelines presently in effect for SWIB's other domestic equity portfolios.

Venture Capital and Leveraged Buy-Out Portfolios

SWIB invests assets of the Fixed Retirement Fund in leveraged buy-out (LBO) funds that seek superior returns through closely held ownership and leverage. Typically, we invest in limited partnership interests, although the corporate form of ownership may also be used. The LBO portfolio is valued at \$896 million.

We invest assets of the Fixed and Variable Funds in venture capital funds. These entities, in turn, invest in various stages of a new company's development, generally prior to a public offering of the company's stock. Our venture capital portfolio is valued at \$95 million.

The guideline change increases the amount that may be invested in international funds from 10% to 20% of the value of the LBO and venture capital portfolios. "International funds" include any fund with a majority of its investment in non-U.S. instruments. As has been the policy for these portfolios, no such investments may be made in emerging markets. The new authority enables the portfolio manager to take advantage of an expanding international private placement market. We continue to see extensive deal-flow in these international funds and believe that this increased authority will help the fund to remain active in the attractive (developed) international private equity arena.

Please contact me if you have any questions about this report.

Sincerely,
PATRICIA LIPTON
Executive Director, SWIB

State of Wisconsin
Department of Employment Relations
Madison

January 1998

The Written Hiring Reasons Report for Wisconsin State Government is enclosed. The report, covering the periods July 1, 1995, through June 30, 1996 and July 1, 1996, through June 30, 1997, is required under ss. 230.25 (1p) and 230.27 (2k), Wis. Stats., created by 1991 Wisconsin Act 101. Act 101 made several changes in Wisconsin civil service law regarding veterans preference and affirmative action. The law requires "written hiring reasons" for certain hiring transactions and requires the Department of Employment Relations to summarize the hiring reasons and prepare an annual report.

Information for this report came from summary information provided by each agency. Your efforts and cooperation in compiling the summary reports is appreciated. The report includes a summary and information for each state agency and the UW System unit.

If you have any questions, please contact Claire Dehnert, Division of Affirmative Action, at (608) 267-1005.

Sincerely,
JON E. LITSCHER
Secretary

Representative R. Potter asked unanimous consent that the Assembly stand recessed until 1:30 P.M. Granted.

The Assembly stood recessed.

9:50 A.M.

RECESS

1:30 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Representative Foti asked unanimous consent for a quorum call. Granted.

A quorum was present.

Representative Ward asked unanimous consent that his leave of absence be lifted. Granted.

LEAVES OF ABSENCE

Representative R. Potter asked unanimous consent for a leave of absence for balance of today's session for Representative Baumgart. Granted.

CALENDAR OF WEDNESDAY, FEBRUARY 11

Assembly Bill 169

Relating to: the prohibition of certain billing practices for goods and certain services and providing a penalty.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 169** offered by Representative Black.

Representative Otte moved that Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 169** be laid on the table.

Representative Foti asked unanimous consent that **Assembly Bill 169** be laid on the table. Granted.

Assembly Bill 334

Relating to: the regulation of home inspectors, providing an exemption from emergency rule procedures, granting rule-making authority and providing penalties.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 334** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 334** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 334** be given a third reading. Granted.

Representative Foti asked unanimous consent that **Assembly Bill 334** be referred to the joint committee on **Finance**. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 334** be withdrawn from the joint committee on **Finance** and taken up at this time. Granted.

The question was: Shall **Assembly Bill 334** be engrossed and reordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 334** be given a third reading. Granted.

The question was: **Assembly Bill 334** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Black, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton,

Meyer, Morris–Tatum, Murat, Musser, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schafer, Schneider, Seratti, Skindrud, Spillner, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Jensen – 91.

Noes – Representatives Bock, Dueholm, Krug, Lorge and Notestein – 5.

Absent or not voting – Representatives Baumgart and Nass – 2.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 334** be immediately messaged to the Senate. Granted.

Assembly Bill 436

Relating to: operation of snowmobiles in proximity to persons not on snowmobiles.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 436** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 436** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 436** be given a third reading. Granted.

The question was: **Assembly Bill 436** having been read three times, shall the bill be passed?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 436** be immediately messaged to the Senate. Granted.

Assembly Bill 516

Relating to: the specified minimum percentage of postconsumer fiber contained in newsprint.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 516** offered by Representatives Johnsrud and Reynolds.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 516** be adopted?

Motion carried.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 516** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 516** be ordered engrossed and read a third time?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 516** be given a third reading. Granted.

The question was: **Assembly Bill 516** having been read three times, shall the bill be passed?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 516** be immediately messaged to the Senate. Granted.

Assembly Bill 550

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

The question was: Shall **Assembly Bill 550** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 550** be given a third reading. Granted.

Representative Kedzie asked unanimous consent to be made a coauthor of **Assembly Bill 550**. Granted.

The question was: **Assembly Bill 550** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 550** be immediately messaged to the Senate. Granted.

Assembly Bill 621

Relating to: the testimony at trial of child witnesses in certain cases.

The question was: Shall Assembly amendment 1 to **Assembly Bill 621** be adopted?

Motion carried.

Assembly amendment 2 to **Assembly Bill 621** offered by Representative Schafer.

The question was: Shall Assembly amendment 2 to **Assembly Bill 621** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 621** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 621** be given a third reading. Granted.

The question was: **Assembly Bill 621** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, 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, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schafer, Schneider, Seratti, Skindrud, Spillner, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Jensen – 96.

Noes – None.

Absent or not voting – Representatives Baumgart and Nass – 2.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 621** be immediately messaged to the Senate. Granted.

Assembly Bill 626

Relating to: using minors to violate obscenity laws and providing a penalty.

The question was: Shall **Assembly Bill 626** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 626** be given a third reading. Granted.

The question was: **Assembly Bill 626** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, 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, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schafer, Schneider, Seratti, Skindrud, Spillner, Springer,

Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Jensen – 95.

Noes – Representative Dueholm – 1.

Absent or not voting – Representatives Baumgart and Nass – 2.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 626** be immediately messaged to the Senate. Granted.

Assembly Bill 669

Relating to: repealing the rejection of federal preemption over state interest rate provisions.

The question was: Shall **Assembly Bill 669** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 669** be given a third reading. Granted.

The question was: **Assembly Bill 669** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 669** be immediately messaged to the Senate. Granted.

Assembly Bill 688

Relating to: litigation by persons incarcerated, imprisoned, confined or detained in a jail or prison, immunity from civil liability, the time period for the state to respond to an action and limiting access to public records.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 688** be adopted?

Motion carried.

The question was: Shall Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 688** be adopted?

Motion carried.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 688** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 688** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 688** be given a third reading. Granted.

The question was: **Assembly Bill 688** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Black, Bock, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Murat, Musser, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schafer, Schneider, Seratti, Skindrud, Spillner, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Jensen – 89.

Noes – Representatives Baldwin, Boyle, Morris–Tatum, Schneider, Williams, L. Young and R. Young – 7.

Absent or not voting – Representatives Baumgart and Nass – 2.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 688** be immediately messaged to the Senate. Granted.

MOTIONS

Representative Gard asked unanimous consent that the rules be suspended and that **Assembly Bill 285** be withdrawn from the joint committee on **Finance** and referred to the committee on **Rules**. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 39** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Senate Joint Resolution 39

Relating to: commending the Green Bay Packers' team, organization and fans for their accomplishments during the past season.

The question was: Shall **Senate Joint Resolution 39** be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Black, Bock, Boyle, Brandemuehl, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, 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, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schafer, Schneider, Seratti, Skindrud, Spillner, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Jensen – 94.

Noes – Representatives Carpenter and Williams – 2.

Absent or not voting – Representatives Baumgart and Nass – 2.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 39** be immediately messaged to the Senate. Granted.

The Assembly stood informal.

Representative Foti asked unanimous consent that **Assembly Bill 169** be taken from the table. Granted.

Assembly Bill 169

Relating to: the prohibition of certain billing practices for goods and certain services and providing a penalty.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 169** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hasenohrl, Hoven, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, M. Lehman, Lorge, Musser, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schafer, Seratti, Skindrud, Spillner, Sykora, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Zukowski and Speaker Jensen – 52.

Noes – Representatives Baldwin, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Gronemus, Hanson, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, Kunicki, La Fave, J. Lehman, Linton, Meyer, Morris–Tatum, Murat, Notestein, Plale, Plouff, R. Potter, Reynolds, Riley, Robson, Ryba, Schneider, Springer, Staskunas, Steinbrink, Travis, Turner, Vander Loop, Wasserman, Williams, Wood, L. Young, R. Young and Ziegelbauer – 44.

Absent or not voting – Representatives Baumgart and Nass – 2.

Motion carried.

Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 169** offered by Representatives Otte, Hasenohrl and Hoven.

The question was: Shall Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 169** be adopted?

Motion carried.

Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 169** offered by Representative Wood.

Representative Hoven moved that Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 169** be laid on the table.

The question was: Shall Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 169** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Duff, Foti, Freese, Gard, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, M. Lehman, Lorge, Musser, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schafer, Seratti, Skindrud, Spillner, Sykora, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Zukowski and Speaker Jensen – 49.

Noes – Representatives Baldwin, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Goetsch, Gronemus, Hanson, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, Kunicki, La Fave, J. Lehman, Linton, Meyer, Morris–Tatum, Murat, Notestein, Plale, Plouff, R. Potter, Reynolds, Riley, Robson, Ryba, Schneider, Springer, Staskunas, Steinbrink, Travis, Turner, Vander Loop, Wasserman, Williams, Wood, L. Young, R. Young and Ziegelbauer – 47.

Absent or not voting – Representatives Baumgart and Nass – 2.

Motion carried.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 169** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 169** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 169** be given a third reading. Granted.

The question was: **Assembly Bill 169** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson,

Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, 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, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schafer, Schneider, Seratti, Skindrud, Spillner, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Jensen – 96.

Noes – None.

Absent or not voting – Representatives Baumgart and Nass – 2.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 169** be immediately messaged to the Senate. Granted.

ANNOUNCEMENTS

Representative Krusick asked unanimous consent that the Assembly adjourn in honor of her Assembly colleagues – her family at the capitol – for the reception and gift presented to her today and for their kindness and good wishes in sharing the joy of her having a baby. Granted.

Representative Otte asked unanimous consent that the Assembly adjourn in memory of Herbert Baumgart, father of Representative Baumgart, who passed away suddenly this morning. Granted.

Representative Reynolds asked unanimous consent that the Assembly adjourn in honor of Aldo Leopold, an internationally recognized environmentalist and author. Granted.

Representative Reynolds asked unanimous consent that the Assembly adjourn in honor of Jay O’Leary, the publisher and individual responsible behind the drafting of Assembly Bill 516. Granted.

Representative Linton asked unanimous consent that the Assembly adjourn in honor of her grandson, Brandon James Basolo, who is celebrating his 7th birthday. Granted.

Representative Green asked unanimous consent that the Assembly adjourn in memory of C.C.P. Arndt, who was killed during a heated argument during a meeting of the territorial legislature on February 11, 1842 by J.R. Vineyard. Mr. Arndt has a great–great–great–grandson who is still involved with the Wisconsin Republican Party today.

Representative Harsdorf asked unanimous consent that the Assembly adjourn in honor of Karyn Bye from River Falls, who scored the tie–breaking goal in the U.S. Women’s Hockey Team’s victory over Finland today at the 1998 Winter Olympics in Nagano, Japan, and are now tied with Canada for the best record in the standings. Granted.

Representative Morris–Tatum asked unanimous consent that the Assembly adjourn in honor of Barlie Revels, Marv Shivers, Dewey Revels, Jimmie Elliot, Al Shivers and Ed Shivers, who were African American members of the Mount Tabor Baseball Team in 1905. Granted.

Representative Dueholm asked unanimous consent that the Assembly adjourn in honor of Milt Stellrecht, who is retiring from the Burnett County Board after 30 years as a member, serving as chairman the last six years. Granted.

Representative Zukowski asked unanimous consent that the Assembly adjourn in honor of his wife, Delores Zukowski, who is celebrating her birthday today. Granted.

Representative Coggs asked unanimous consent that the Assembly adjourn in honor of the National Association for the Advancement of Colored People (NAACP), which was founded on this date in 1909. Granted.

Representative La Fave asked unanimous consent that the Assembly adjourn in honor of his father, Lloyd La Fave, who will be celebrating his 84th birthday on February 25, 1998. Granted.

Representative Morris–Tatum asked unanimous consent that the Assembly adjourn in honor of Wesley Barton, the founder of Bartons Corners in Rural Vernon County. Granted.

VISITORS

During today's session, the following visitors honored the Assembly by their presence and were welcomed by the presiding officer and the members:

Milt Stellrecht, Burnett County Board Chairman; Merlin Johnson, Burnett County Board member; Herb Josephson, Burnett County Board member; and Myron Schuster, City Administrator, guests of Representative Dueholm.

Former State Representative Lloyd Barbee of Milwaukee, guest of Representative Schneider.

Hugo and Ruby Kettula from Lewis, guests of Representative Dueholm.

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 9:30 A.M. tomorrow.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

2:50 P.M.