



# STATE OF WISCONSIN Assembly Journal

## Ninety-Fourth Regular Session

10:21 A.M.

WEDNESDAY, September 29, 1999

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

Speaker Pro Tempore Freese in the chair.

The prayer was offered by Minister William Mohammed from the Nation of Islam Mohammed Mosque #3 in Milwaukee.

Representative Morris-Tatum 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, Berceau, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Colon, Cullen, Duff, Foti, Freese, Gard, Goetsch, Gronemus, Grothman, Gundrum, Hahn, Handrick, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Meyer, Meyerhofer, Miller, Montgomery, Morris-Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Porter, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Sinicki, Skindrud, Spillner, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Waukau, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 97.

Absent with leave – Representatives Balow and Gunderson – 2.

Vacancies – None.

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### LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for today's session for Representative Gunderson. Granted.

Representative Krug asked unanimous consent for a leave of absence for today's session for Representative Balow. Granted.

### AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 175** offered by Representative Staskunas.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 266** offered by Representatives Schneider and Kreuser.

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### EXECUTIVE COMMUNICATIONS

September 28, 1999

The Honorable Scott Jensen  
Speaker of the Assembly  
211 West, State Capitol  
Madison, WI 53702

#### Re: 1999 Assembly Bill 266

Dear Speaker Jensen:

1999 Assembly Bill 266, introduced by Representatives Huebsch, Hutchison, Ainsworth, Kelso, Owens, Petrowski, Seratti and Vrakas and cosponsored by Senators Welch and Roessler, relates to requiring certain educational agencies to install filtering software on computers connected to the internet and making an appropriation.

1999 Assembly Bill 266 contains a fiscal note in excess of \$10,000. Pursuant to sec. 16.47(2), Stats., I consider this bill an emergency bill, I recommend the bill and I ask that passage of 1999 Assembly Bill 266 be permitted prior to passage of the budget bill.

Thank you for your attention to this matter.

Sincerely,  
*TOMMY G. THOMPSON*  
Governor

September 28, 1999

The Honorable Scott Jensen  
Speaker of the Assembly  
211 West, State Capitol  
Madison, WI 53702

#### Re: 1999 Senate Bill 92

Dear Speaker Jensen:

1999 Senate Bill 92, introduced by Senators Moen and Rude, and cosponsored by Representatives Musser and Huebsch,

relates to proceeds from the sale of forest products at Fort McCoy and making an appropriation.

1999 Senate Bill 92 contains a fiscal note in excess of \$10,000. Pursuant to sec. 16.47(2), Stats., I consider this bill an emergency bill, I recommend the bill and I ask that passage of 1999 Senate Bill 92 be permitted prior to passage of the budget bill.

Thank you for your attention to this matter.

Sincerely,  
*TOMMY G. THOMPSON*  
Governor

Representative Vrakas asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

10:31 A.M.

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### RECESS

12:12 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

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## CALENDAR OF WEDNESDAY, SEPTEMBER 29

### Assembly Bill 84

Relating to: the factors to be considered by a court when sentencing a person convicted of a crime.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 84** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 84** be ordered engrossed and read a third time?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 84** be given a third reading. Granted.

The question was: **Assembly Bill 84** 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 84** be immediately messaged to the Senate. Granted.

### Assembly Bill 104

Relating to: allowing managed forest land to be located in cities.

The question was: Shall Assembly amendment 1 to **Assembly Bill 104** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 104** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 104** be given a third reading. Granted.

The question was: **Assembly Bill 104** 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 104** be immediately messaged to the Senate. Granted.

### Assembly Bill 185

Relating to: the controlled substance flunitrazepam.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 185** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 185** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 185** be given a third reading. Granted.

The question was: **Assembly Bill 185** 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 185** be immediately messaged to the Senate. Granted.

### Assembly Bill 211

Relating to: contributions to crime prevention organizations.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 211** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 211** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 211** be given a third reading. Granted.

The question was: **Assembly Bill 211** 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 211** be immediately messaged to the Senate. Granted.

### **Assembly Bill 226**

Relating to: the disposition of unclaimed funds in a public treasury.

The question was: Shall **Assembly Bill 226** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 226** be given a third reading. Granted.

The question was: **Assembly Bill 226** 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 226** be immediately messaged to the Senate. Granted.

### **Assembly Bill 315**

Relating to: prohibiting the department of transportation from providing information compiled and maintained by the department that contains the personal identifiers of 10 or more people.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 315** offered by Representative Schneider.

Representative Foti moved that Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 315** be laid on the table.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 315** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Duff, Foti, Freese, Gard, Goetsch, Grothman, Gundrum, Hahn, Handrick, Hoven, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Ladwig, F. Lasee, M. Lehman, Leibham, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Porter, Powers, Rhoades, Seratti, Skindrud, Spillner, Stone, Suder, Sykora, Townsend, Underheim, Urban, Vrakas, Walker, Ward, Wieckert and Speaker Jensen – 53.

Noes – Representatives Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gronemus, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyer, Meyerhofer, Miller, Morris–Tatum, Plale, Plouff, Pocan, Reynolds, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Sinicki, Staskunas, Steinbrink, Travis, Turner, Wasserman, Waukau, Williams, Wood, Young and Ziegelbauer – 44.

Absent or not voting – Representatives Balow and Gunderson – 2.

Motion carried.

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## **POINT OF ORDER**

Representative Krug rose to the point of order that Assembly substitute amendment 1 to **Assembly Bill 315** was not germane under Assembly Rule 54.

Speaker pro tempore Freese took the point of order under advisement.

Representative Foti asked unanimous consent that **Assembly Bill 238** be taken from the table. Granted.

### **Assembly Bill 238**

Relating to: causing injury, death or property damage while under the influence of alcohol and providing a penalty.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 238** offered by Representative Kreuser.

Assembly substitute amendment 2 to **Assembly Bill 238** offered by Representatives Huber, Stone, Black, Young and Johnsrud.

Assembly amendment 1 to Assembly substitute amendment 2 to **Assembly Bill 238** offered by Representatives Johnsrud, Stone and Huber.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 2 to **Assembly Bill 238** be adopted?

Motion carried.

Representative Foti asked unanimous consent that **Assembly Bill 238** be laid on the table. Granted.

### **Assembly Bill 343**

Relating to: authorization for electors who are victims of domestic abuse to be listed confidentially on poll and registration lists and providing penalties.

The question was: Shall Assembly amendment 1 to **Assembly Bill 343** be adopted?

Motion carried.

The question was: Shall Assembly amendment 2 to **Assembly Bill 343** be adopted?

Motion carried.

Assembly amendment 3 to **Assembly Bill 343** offered by Representatives Lassa and Kreibich.

The question was: Shall Assembly amendment 3 to **Assembly Bill 343** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 343** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 343** be given a third reading. Granted.

The question was: **Assembly Bill 343** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Berceau, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Colon, Cullen, Duff, Foti, Freese, Gard, Goetsch, Gronemus, Grothman, Gundrum, Hahn, Handrick, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Porter, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Sinicki, Skindrud, Spillner, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Waukau, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 97.

Noes – None.

Absent or not voting – Representatives Balow and Gunderson – 2.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 343** be immediately messaged to the Senate. Granted.

### **Senate Bill 46**

Relating to: disposal of documents containing personal information.

Representative Foti asked unanimous consent that **Senate Bill 46** be placed at the foot of the calendar of Thursday, September 30.

Representative Krug objected.

Representative Foti asked unanimous consent that **Senate Bill 46** be laid on the table.

Representative Schneider objected.

Representative Foti moved that **Senate Bill 46** be laid on the table.

The question was: Shall **Senate Bill 46** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Duff, Foti, Freese, Gard, Goetsch, Grothman, Gundrum,

Hahn, Handrick, Hoven, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Krusick, Ladwig, F. Lasee, M. Lehman, Leibham, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Porter, Powers, Reynolds, Rhoades, Seratti, Skindrud, Spillner, Stone, Suder, Sykora, Townsend, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Wood and Speaker Jensen – 56.

Noes – Representatives Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gronemus, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, La Fave, Lassa, J. Lehman, Meyer, Meyerhofer, Miller, Morris–Tatum, Plale, Plouff, Pocan, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Sinicki, Staskunas, Steinbrink, Travis, Turner, Wasserman, Waukau, Williams, Young and Ziegelbauer – 41.

Absent or not voting – Representatives Balow and Gunderson – 2.

Motion carried.

### **Senate Bill 92**

Relating to: proceeds from the sale of forest products at Fort McCoy and making an appropriation.

The question was: Shall **Senate Bill 92** be ordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 92** be given a third reading. Granted.

The question was: **Senate Bill 92** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Berceau, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Colon, Cullen, Duff, Foti, Freese, Gard, Goetsch, Gronemus, Grothman, Gundrum, Hahn, Handrick, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Porter, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Sinicki, Skindrud, Spillner, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Waukau, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 97.

Noes – None.

Absent or not voting – Representatives Balow and Gunderson – 2.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 92** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that **Assembly Bill 238** be taken from the table. Granted.

### **Assembly Bill 238**

Relating to: causing injury, death or property damage while under the influence of alcohol and providing a penalty.

The question was: Shall Assembly substitute amendment 2 to **Assembly Bill 238** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 238** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 238** be given a third reading. Granted.

The question was: **Assembly Bill 238** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Colon, Cullen, Duff, Foti, Freese, Gard, Goetsch, Grothman, Gundrum, Hahn, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Porter, Powers, Rhoades, Richards, Ryba, Schooff, Spillner, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Waukau, Wieckert, Williams, Wood, Ziegelbauer and Speaker Jensen – 85.

Noes – Representatives Berceau, Gronemus, Handrick, Musser, Reynolds, Riley, Schneider, Seratti, Sherman, Sinicki, Skindrud and Young – 12.

Absent or not voting – Representatives Balow and Gunderson – 2.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 238** be immediately messaged to the Senate. Granted.

Representative Schneider moved that the rules be suspended and that **Assembly Joint Resolution 48** be withdrawn from the committee on **Rules** and taken up at this time.

The question was: Shall the rules be suspended and **Assembly Joint Resolution 48** be withdrawn from the committee on **Rules** and taken up at this time?

The roll was taken.

The result follows:

Ayes – Representatives Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gronemus, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyer, Meyerhofer, Miller, Morris–Tatum, Plale, Plouff, Pocan, Reynolds, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Sinicki, Staskunas, Steinbrink, Travis, Turner, Wasserman, Waukau, Williams, Wood, Young and Ziegelbauer – 44.

Noes – Representatives Ainsworth, Albers, Brandemuehl, Duff, Foti, Freese, Gard, Goetsch, Grothman, Gundrum, Hahn, Handrick, Hoven, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Ladwig, F. Lasee, M. Lehman, Leibham, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Porter, Powers, Rhoades, Seratti, Skindrud, Spillner, Stone, Suder, Sykora, Townsend, Underheim, Urban, Vrakas, Walker, Ward, Wieckert and Speaker Jensen – 53.

Absent or not voting – Representatives Balow and Gunderson – 2.

Motion failed.

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## COMMUNICATIONS

September 29, 1999

Representative Scott Jensen  
Speaker - Wisconsin State Assembly  
Room 211 West, State Capitol  
Madison, WI 53708

Dear Mr. Speaker:

I ask unanimous consent that the *Assembly Journal* of today's date reflect that had I been present on Thursday, September 23, 1999, I would have voted as follows on the noted votes on **Assembly Bill 465**:

- \* Appeal of the ruling of the chair on Assembly amendment 5: **No**
- \* Tabling of Assembly amendment 7: **Aye**
- \* Tabling of Assembly amendment 8: **Aye**
- \* Tabling of Assembly amendment 9: **Aye**
- \* Tabling of Assembly amendment 10: **Aye**
- \* Tabling of Assembly amendment 11: **Aye**
- \* Tabling of Assembly amendment 12: **Aye**
- \* Third Reading and Passage: **Aye**

Respectfully submitted.

Sincerely,  
**BARBARA GRONEMUS**  
State Representative  
91st Assembly District

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Representative Ladwig asked unanimous consent to be recorded on the following questions from Tuesday, September 28 calendar. Granted.

**Assembly Bill 235** having been read three times, shall the bill be passed? **Aye**

**Assembly Bill 240** having been read three times, shall the bill be passed? **Aye**

**Assembly Bill 337** having been read three times, shall the bill be passed? **Aye**

**Assembly Bill 363** having been read three times, shall the bill be passed? **Aye**

**Assembly Bill 416** having been read three times, shall the bill be passed? **Aye**

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Representative Berceau asked unanimous consent to be made a coauthor of **Assembly Bill 477**. Granted.

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## VISITORS

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

Syd and Trish Adams from England, Sharon Gordon and Bill Wood, guests of Representative Wood.

Nicole Bishell from Edgewood College, guest and intern of Representative Cullen.

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## ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 1:00 P.M. tomorrow.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

1:30 P.M.