



STATE OF WISCONSIN Assembly Journal

Ninety-Fourth Regular Session

10:13 A.M.

THURSDAY, February 10, 2000

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

Representative Duff in the chair.

The prayer was offered by Rabbi Jan Brahms from the Temple Beth El in Madison.

Representative Ainsworth 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, Balow, Berceau, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Colon, Cullen, Duff, Foti, Freese, Gard, Goetsch, Gronemus, Grothman, Gunderson, 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, 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, Wood, Young, Ziegelbauer and Speaker Jensen – 97.

Absent with leave – Representatives Miller and Williams – 2.

Vacancies – None.

LEAVES OF ABSENCE

Representative Bock asked unanimous consent for a leave of absence for today's session for Representatives Miller and Williams. Granted.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 453** offered by Representative M. Lehman.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 25

Relating to: declaring February African–American History and Cultural Heritage Month.

By Representative Morris–Tatum.

To committee on **Rules**.

Assembly Bill 735

Relating to: single sales factor apportionment of income for corporate income tax and franchise tax purposes and granting rule–making authority.

By Representatives M. Lehman, Jensen, Ziegelbauer, Gard, Plale, Vrakas, Grothman, Riley, Goetsch, Ainsworth, Albers, Duff, Hoven, Hahn, Jeskewitz, Kaufert, Kelso, Klusman, Kreibich, F. Lasee, Musser, Owens, Stone, Suder, Sykora and Walker; cosponsored by Senators Shibilski, Panzer, Grobschmidt, Rude, Farrow, Darling, Huelsman, Roessler, Welch, Zien and Breske.

To committee on **Ways and Means**.

Assembly Bill 736

Relating to: grants for study abroad.

By Representatives Krug and Kreibich; cosponsored by Senators Darling and Grobschmidt.

To committee on **Colleges and Universities**.

Assembly Bill 737

Relating to: requiring a city, village, town or county to develop a procedure to mitigate the effects on landowners of certain zoning or land use decisions.

By Representatives Albers, Musser, Owens, Ainsworth and Skindrud; cosponsored by Senators Huelsman, Welch and Schultz.

To committee on **Conservation and Land Use**.

Assembly Bill 738

Relating to: property taxation of land adjusted in value by state laws or local ordinances or local resolutions.

By Representatives Albers, Musser, Owens, Ainsworth, Skindrud and Reynolds; cosponsored by Senators Welch and Schultz.

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

Assembly Bill 739

Relating to: requiring notice to persons affected by zoning actions that change the allowable use of their property.

By Representatives Albers, Musser, Owens, Ainsworth and Skindrud; cosponsored by Senators Welch, Schultz and Roessler.

To committee on **Conservation and Land Use**.

Assembly Bill 740

Relating to: awarding or revising maintenance payments on the basis of debt discharge in bankruptcy and approving stipulations waiving maintenance.

By Representatives Albers, Miller, Spillner, Musser, Owens, Hundertmark and Skindrud; cosponsored by Senators Plache, Panzer and Schultz.

To committee on **Family Law**.

Assembly Bill 741

Relating to: requiring bonding or insurance for certain persons who are certified to perform lead hazard reduction, a lead management activity, asbestos abatement or management activity or to supervise the reduction, management or abatement and granting rule-making authority.

By Representatives Sykora, F. Lasee, Urban, Kreibich, Pettis, Suder, Musser, Stone and Kelso; cosponsored by Senator Welch.

To committee on **Housing**.

Assembly Bill 742

Relating to: requiring payment from a ward's estate of reasonable attorney fees and costs for successful petitioners in incompetency and guardianship proceedings.

By Representatives Handrick, La Fave, Owens, Musser, Plale, Porter, Plouff and Sherman; cosponsored by Senators Darling, Panzer, Rosenzweig, Roessler and Schultz.

To committee on **Judiciary and Personal Privacy**.

Assembly Bill 743

Relating to: probation, parole and extended supervision agents responsible for locating absconders.

By Representatives Walker, La Fave, Ainsworth, Duff, Goetsch, Grothman, Gunderson, Handrick, Kaufert, F. Lasee, M. Lehman, Owens, Pettis, Ryba, Spillner, Stone, Ziegelbauer and Nass; cosponsored by Senators Darling, Drzewiecki, A. Lasee, Rosenzweig and Schultz.

To committee on **Corrections and the Courts**.

Assembly Bill 744

Relating to: eliminating the condemnation authority of non-governmental entities.

By Representatives Reynolds, Boyle, Sherman, Black, Petrowski, Williams, Young, Colon, Richards and Pocan.

To committee on **Utilities**.

Assembly Bill 745

Relating to: prescription drug assistance for elderly persons, requiring the exercise of rule-making authority, providing an exemption from rule-making procedures, making appropriations and providing penalties.

By Representatives Huber, Krusick, Underheim, Meyer, Musser, Black, Bock, Boyle, Carpenter, Colon, Cullen, Hasenohrl, Kreuser, Lassa, La Fave, J. Lehman, Meyerhofer, Miller, Plale, Plouff, Reynolds, Ryba, Sherman, Staskunas,

Waukau and Young; cosponsored by Senators Decker, Breske, Moen, Roessler, Plache, Erpenbach, Rosenzweig, Shibilski, Grobschmidt, Baumgart, Risser and Darling.

To committee on **Health**.

Assembly Bill 746

Relating to: eliminating emergency detention under the fifth standard of dangerousness, eliminating termination of involuntary civil commitments under the fifth standard of dangerousness, permitting only petitions approved by the attorney general to be filed for involuntary civil commitment under the fifth standard of dangerousness and providing access by the counsel for the interests of the public to court records and treatment records of persons receiving services for mental illness, developmental disabilities, alcoholism or drug dependence.

By Representatives Rhoades, Bock, Musser, Stone, Huber, Ladwig, Urban, Kelso, La Fave, M. Lehman, Pettis, Handrick, Berceau, Spillner, Albers, Hahn, Ainsworth and Brandemuehl; cosponsored by Senators Rosenzweig, Grobschmidt, Panzer, George, Rude, Jauch, Roessler, Schultz, Darling, Huelsman and Farrow.

To committee on **Health**.

Assembly Bill 747

Relating to: prohibiting cities, villages, towns, counties, school districts, technical college districts and cooperative educational service agencies from providing certain telecommunications services and Internet access services and from making certain transfers of telecommunications transmission facilities.

By Representatives Huebsch, Stone, Musser, Suder, Freese, Goetsch, Handrick, Kelso, Walker and Powers; cosponsored by Senators Shibilski, Breske and Moen.

To committee on **Information Policy**.

MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Amended and concurred in as amended:

Assembly Bill 99 (senate amendment 1 adopted)

Passed and asks concurrence in:

Senate Bill 202

Senate Bill 250

Senate Bill 268

Senate Bill 274

Senate Bill 287

ACTION ON THE SENATE MESSAGE

Assembly Bill 99

Relating to: sex offender registration requirements for persons who are on probation, parole or extended supervision and providing a penalty.

By Representatives Wieckert, Kaufert, Vrakas, Ryba, Porter, Musser, Ladwig, F. Lasee, Staskunas, Ott, Steinbrink, Plouff, Owens, Lassa, Wasserman, Underheim, Gunderson, Kestell, Suder, Skindrud, Klusman, Gundrum and Powers; cosponsored by Senators Ellis, Darling, Schultz, Welch and Roessler.

To committee on **Rules**.

Senate Bill 202

Relating to: jurisdiction in divorces.

By Senator Burke; cosponsored by Representative Bock.

To committee on **Family Law**.

Senate Bill 250

Relating to: an annual report of the racial or ethnic background, gender and salary of each senior level management employe in this state and providing penalties.

By Senator Burke; cosponsored by Representative Berceau.

To committee on **Labor and Employment**.

Senate Bill 268

Relating to: restoration and reinstatement rights of classified employes appointed to unclassified positions; leaves of absence from state employment to seek partisan political office; compensation and employment rights of assistant district attorneys; the salary of the position of Wisconsin veterans museum superintendent; authority of the administrator of the division of merit recruitment and selection in the department of employment relations to appoint local examiners; and solicitation of recommendations for positions in the classified service of the state (suggested as remedial legislation by the department of employment relations).

By Law Revision Committee.

To committee on **Rules**.

Senate Bill 274

Relating to: credit union membership, powers and operation; the application of agriculture, trade and consumer protection statutes to credit unions and providing a penalty.

By Senators Erpenbach, Moen, Grobschmidt, Plache, Baumgart, George, A. Lasee, Risser, Decker, Robson and Zien; cosponsored by Representatives F. Lasee, Young, Carpenter, Ryba, Colon, Huber, Kreibich, Sykora, Pocan, Boyle, Plale, Reynolds, Sinicki, Hasenohrl, Black, Ainsworth, Staskunas, Hebl, Goetsch, Gronemus, Waukau, Travis, Townsend, Meyerhofer, Plouff, Balow, J. Lehman, Musser, Ziegelbauer, Albers, Schneider and Pettis.

To committee on **Financial Institutions**.

Senate Bill 287

Relating to: registration of reductions in certain air emissions and granting rule-making authority.

By Senators Burke, Cowles, Clausing, Rosenzweig, Darling and Roessler; cosponsored by Representatives Kaufert, Bock, Turner, Plouff, Black, J. Lehman, Pocan, Miller and Sinicki.

To committee on **Environment**.

SPEAKER'S COMMUNICATIONS

February 9, 2000

Charles Sanders
Assembly Chief Clerk
1 East Main Street, Suite 402
Madison, Wisconsin 53708

Dear Mr. Sanders:

On February 9, 2000, **Assembly Bill 734** relating to the authority of University of Wisconsin police officers to carry firearms was referred to the Assembly Committee on Colleges and Universities. Pursuant to Assembly Rule **42 (3)(c)**, I hereby withdraw **Assembly Bill 734** from the Assembly Committee on Colleges and Universities and re-refer that bill to the Assembly Committee on Government Operations.

Representative Kreibich has been notified of this change and approves.

Sincerely,
SCOTT R. JENSEN
Assembly Speaker

February 10, 2000

Charlie Sanders
Assembly Chief Clerk
1 East Main, Room 402
Madison, WI 53708

Dear Mr. Sanders:

I hereby appoint Representative Robert Ziegelbauer to serve as vice-chairperson of the Special Assembly Committee on the Renovation of Lambeau Field

Sincerely,
SCOTT R. JENSEN
Assembly Speaker

COMMUNICATIONS

State of Wisconsin
Joint Legislative Council
Madison

February 8, 2000

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

Dear Charles:

I am pleased to transmit to you the following report to the 1999 Legislature on legislation introduced by the Joint Legislative Council:

RL 99-16 Legislation on Incentives for Private
Resource Stewardship
(1999 Assembly Bills 680 and 681)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of

this report are available in the Legislative Council Staff offices, One East Main, Suite 401, or from our web page at www.legis.state.wi.us/lc/jlcrecs.html.

Sincerely,
LAURA D. ROSE
Interim Director

February 10, 2000

Charles Sanders
Assembly Chief Clerk
1 East Main St., Suite 402
Madison, WI 53703

Dear Mr. Sanders:

I was absent from latter portion of the floor session on February 9, 2000 and unable to vote that day. I am writing to inform you on how I would have cast my vote had I been in attendance that day.

On passage of **Assembly Bill 700** relating to: various changes in the election laws; requiring a referendum; and providing penalties. **Yes**

On passage of **Assembly Bill 701** relating to: various changes in the election laws; granting rule-making authority; and providing penalties. **No**

Thank you for your consideration in this matter. If you have questions please call me.

Sincerely,
PEDRO A. COLON
State Representative
8th Assembly District

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

The Assembly stood recessed.

10:20 A.M.

RECESS

12:30 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

CALENDAR OF THURSDAY, FEBRUARY 10

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.

The question was: Shall Senate amendment 1 to **Assembly Bill 315** be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 315** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Resolution 25** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Resolution 25

Relating to: declaring February African-American History and Cultural Heritage Month.

The question was: Shall **Assembly Resolution 25** be adopted?

Motion carried.

Representative Coggs asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Resolution 25**. Granted.

LEAVES OF ABSENCE

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

Assembly Bill 246

Relating to: actions against manufacturers, importers, trade associations or dealers of firearms or firearm ammunition.

The question was: Shall the vote by which **Assembly Bill 246** was passed be reconsidered?

The roll was taken.

The result follows:

Ayes – Representatives Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Kreuser, Krug, Krusick, La Fave, J. Lehman, Morris-Tatum, Pocan, Richards, Riley, Sherman, Sinicki, Staskunas, Travis, Turner, Wasserman and Young – 24.

Noes – Representatives Ainsworth, Albers, Balow, Brandemuehl, Duff, Foti, Freese, Gard, Goetsch, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Handrick, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Ladwig, F. Lasee, Lassa, M. Lehman, Leibham, Meyer, Meyerhofer, Montgomery, Musser, Nass, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Porter, Powers, Reynolds, Rhoades, Ryba, Schneider, Schooff, Seratti, Skindrud, Spillner, Steinbrink, Stone, Suder, Sykora, Townsend, Underheim, Urban, Vrakas, Walker, Ward, Waukau, Wieckert, Wood, Ziegelbauer and Speaker Jensen – 72.

Absent or not voting – Representatives Miller, Olsen and Williams – 3.

Motion failed.

Assembly Bill 41

Relating to: the filing of personal property reports.

The question was: Shall **Assembly Bill 41** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 41** be given a third reading. Granted.

The question was: **Assembly Bill 41** 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 41** be immediately messaged to the Senate. Granted.

Assembly Bill 538

Relating to: minimum standards for life insurance policies in which the proceeds are assigned to funeral directors or funeral establishment operators.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 538** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 538** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 538** be given a third reading.

Representative Krug objected.

Assembly Bill 566

Relating to: employe supervision by real estate brokers and requiring the exercise of rule-making authority.

The question was: Shall **Assembly Bill 566** be ordered engrossed and read a third time?

Motion carried.

Assembly Bill 619

Relating to: the sales tax and the use tax on purchases made with a manufacturer's rebate.

Representative Wasserman asked unanimous consent to be made a coauthor of **Assembly Bill 619**. Granted.

Assembly amendment 1 to Assembly amendment 1 to **Assembly Bill 619** offered by Representatives M. Lehman, Sykora, Ziegelbauer and Wood.

The question was: Shall Assembly amendment 1 to Assembly amendment 1 to **Assembly Bill 619** be adopted?

Motion carried.

The question was: Shall Assembly amendment 1 to **Assembly Bill 619** be adopted?

Motion carried.

Representative M. Lehman asked unanimous consent that Assembly amendment 2 to **Assembly Bill 619** be withdrawn and returned to the author. Granted.

The question was: Shall **Assembly Bill 619** be ordered engrossed and read a third time?

Motion carried.

Assembly Bill 620

Relating to: parental liability for acts of their minor child, recovery of damages for certain criminal actions, increasing the jurisdictional amount in small claims court, powers of court commissioners, garnishment, attorney fees, exemption from execution of accounts, assignment of debt, earnings garnishment retail theft and recovery in actions involving worthless checks.

Assembly amendment 2 to Assembly amendment 6 to **Assembly Bill 620** offered by Representatives Hebl and Montgomery.

Assembly amendment 10 to **Assembly Bill 620** offered by Representative Staskunas.

Representative Montgomery asked unanimous consent that **Assembly Bill 620** be laid on the table. Granted.

ANNOUNCEMENTS

Representative Coggs asked unanimous consent that the Assembly adjourn in honor of former Representative Marcia Coggs who is considered a pioneer in Wisconsin's black political legacy of leadership. Granted.

Representative La Fave asked unanimous consent that the Assembly adjourn in honor of his wife, Andrea Teresa, on the occasion of the anniversary of their first kiss on Valentine's Day, February 14. Granted.

Representative Coggs asked unanimous consent that the Assembly adjourn in honor of Ms. Kathleen McIntosh, whose birthday is on Valentine's Day, February 14. Granted.

Representative Sinicki asked unanimous consent that the Assembly adjourn in honor of National Condom Week. Granted.

Representative Morris-Tatum asked unanimous consent that the Assembly adjourn in honor of Rosa Parks, the mother of the Civil Rights movement. Granted.

REFERENCE BUREAU CORRECTIONS

Assembly Amendment 1 to **Assembly Bill 308**

1. Page 2, line 14: delete "The treatment of".

VISITORS

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

Mr. Ray Dobbs from Fond du Lac, guest of Representative Townsend.

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, March 7, pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

1:05 P.M.