

STATE OF WISCONSIN
Assembly Journal
Eighty-Seventh Regular Session

WEDNESDAY, October 9, 1985.

9:30 A.M.

The assembly met.

Speaker Loftus in the chair.

The prayer was offered by Father Bruce Hennington, Wisconsin Wing chaplain of the Civil Air Patrol, Madison.

Representative Grobschmidt 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 -- Antaramian, Barca, Barrett, Becker, Bell, Berndt, Black, Bolle, Bradley, Brist, Buettner, Byers, Carpenter, Clarenbach, Clements, Coggs, M., Coggs, S., Coleman, Cowles, Crawford, Fergus, Foti, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hasenohrl, Hauke, Hephner, Holperin, Holschbach, Hubler, Huelsman, Jauch, Johnsrud, Kasten, Krug, Krusick, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Looby, McEssy, Magnuson, Manske, Matty, Medinger, Menos, Merkt, Metz, Musser, Nelsen, Neubauer, Notestein, Ourada, Panzer, Paulson, Plizka, Porter, Potter, Prosser, Radtke, Robinson, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schober, Schultz, Seery, Shoemaker, Swoboda, Tesmer, Thompson, R., Thompson, T., Travis, D., Travis, R., Tregoning, Turba, Vanderperren, Van Gorden, Vergeront, Volk, Walling, Weeden, Welch, Williams, Wimmer, Wineke, Wood, York, Young, J., Young, R., Zeuske and Speaker Loftus -- 99.

Absent -- None.

Absent with leave -- None.

Vacancies -- None.

AMENDMENTS OFFERED

Assembly amendment 7 to **Assembly Bill 141** offered by Representative Ladwig.

Assembly substitute amendment 2 to **Assembly Bill 155** offered by Representatives Manske, Rutkowski, Schober, Huelsman, Brist and Wimmer.

Assembly amendment 1 to **Assembly Bill 425** offered by committee on Judiciary.

Assembly amendment 1 to assembly amendment 1 to **Assembly Bill 425** offered by committee on Judiciary.

Assembly amendment 2 to **Assembly Bill 425** offered by committee on Judiciary.

Assembly amendment 1 to **Assembly Bill 433** offered by Representative Mark Lewis.

Assembly amendment 1 to **Assembly Bill 481** offered by committee on Health.

Assembly amendment 1 to **Senate Bill 298** offered by committee on Environmental Resources.

**INTRODUCTION AND REFERENCE
OF PROPOSALS**

Read first time and referred:

Assembly Resolution 9

Relating to memorializing Congress to exempt excess reimbursements for mileage expenses from the income tax.

By Representatives Hephner, Holperin, Goetsch, Buettner, Ourada, Nelsen and Johnsrud.

To committee on Ways and Means.

Assembly Joint Resolution 53

Requesting that the governor of Wisconsin consider the appointment of older citizens to state boards and commissions in equal proportion to their percentage of the population.

By Representatives M. Coggs and Becker.

To committee on Aging.

Assembly Joint Resolution 54

Requesting the legislative council to study the feasibility of establishing a family visitation program at adult correctional institutions.

By Representative M. Coggs, cosponsored by Senator Norquist.

To committee on Criminal Justice and Public Safety.

Assembly Joint Resolution 55

Requesting the legislative council to study the feasibility of complete state funding of the vocational, technical and adult education system.

By Representatives R. Thompson, Shoemaker, Wood, Robinson, Volk, Hubler, Gronemus, R. Young, Vanderperren, Musser, Manske, T. Thompson, Buettner, Plizka, Welch, Turba, York, Van Gorden and

Ladwig, cosponsored by Senators Lee, Czarnecki, Moen, Kincaid, Theno and Feingold.

To committee on Education.

Assembly Joint Resolution 56

Relating to electing the sheriff of any county having a population of 500,000 or more at the nonpartisan spring election for a 4-year term (first consideration).

By Representatives Krusick, Barrett, Carpenter, M. Coggs, Tesmer, Menos, Williams, Seery, Hauke, Krug, S. Coggs, Kunicki, Notestein, Grobschmidt, Becker, Bell and Nelsen, cosponsored by Senators Norquist and Ulichny.

To committee on Criminal Justice and Public Safety.

Assembly Bill 548

Relating to business mentor programs and small business incubators and making an appropriation.

By committee on Economic Development.

To committee on Economic Development.

Assembly Bill 549

Relating to export development loans, granting rule-making authority and making an appropriation.

By committee on Economic Development.

To committee on Economic Development.

Assembly Bill 550

Relating to requiring minority group culture or history courses for teacher certification.

By Representatives M. Coggs, Clarenbach and Becker.

To committee on Education.

Assembly Bill 551

Relating to establishing a chair in the Afro-American studies department at the university of Wisconsin-Milwaukee.

By Representatives M. Coggs, Clarenbach and Becker.

To committee on Education.

Assembly Bill 552

Relating to requiring preparation in human and intergroup relations for certification or licensure as a teacher.

By Representatives M. Coggs, Clarenbach and Becker.

To committee on Education.

Assembly Bill 553

Relating to the income tax exemption for compensation received as a member of the armed forces.

By Representatives M. Coggs and Musser, cosponsored by Senator Van Sistine.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 554

Relating to creating a property tax exemption for senior citizen centers.

By Representatives M. Coggs, Coleman, Welch, Buettner, Holperin, Magnuson and Black, cosponsored by Senator Chilsen.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 555

Relating to transfer of a homestead credit to a son or daughter with whom a parent assumes his or her principal residence.

By Representatives M. Coggs and Musser.

To committee on Ways and Means.

Assembly Bill 556

Relating to prison leaves to attend funerals.

By Representative M. Coggs.

To committee on Criminal Justice and Public Safety.

Assembly Bill 557

Relating to students' rights, granting rule-making authority and providing a penalty.

By Representatives M. Coggs, Clarenbach and Becker.

To committee on Education.

Assembly Bill 558

Relating to renewals of certificates and licenses to teach and granting rule-making authority.

By Representatives M. Coggs and Becker.

To committee on Education.

Assembly Bill 559

Relating to eliminating the statute of limitations for worker's compensation claims and providing the department of industry, labor and human relations with continuing jurisdiction over certain of those claims.

By Representatives M. Coggs and Becker.

To committee on Labor.

Assembly Bill 560

Relating to requiring racial impact statements on certain actions by the department of public instruction and public school boards affecting racial balances within and between school districts.

By Representatives M. Coggs, Clarenbach and Becker.

To committee on Education.

Assembly Bill 561

Relating to development of plans by school boards to prevent, eliminate or reduce excessive racial imbalance in the schools.

By Representatives M. Coggs, Clarenbach and Becker.

To committee on Education.

Assembly Bill 562

Relating to making probation available in all criminal cases.

By Representatives M. Coggs and Clarenbach.

To committee on Criminal Justice and Public Safety.

Assembly Bill 563

Relating to eliminating the expiration date for collective bargaining impasse resolution procedures for local government employees other than law enforcement and fire fighting personnel.

By Representatives M. Coggs and Clarenbach.

To committee on Labor.

Assembly Bill 564

Relating to state aid for school integration, granting rule-making authority and making an appropriation.

By Representatives M. Coggs and Clarenbach.
To committee on Education.

Assembly Bill 565

Relating to removing authority to wiretap and making evidence obtained by a wiretap inadmissible in all actions and special proceedings.

By Representatives M. Coggs and Clarenbach.
To committee on Criminal Justice and Public Safety.

Assembly Bill 566

Relating to discontinuance of the right of tenure for faculty members employed in the university of Wisconsin system.

By Representative M. Coggs.
To committee on Education.

Assembly Bill 567

Relating to inquests for cases involving interactions between a law enforcement officer and another person.

By Representative M. Coggs.
To committee on Criminal Justice and Public Safety.

Assembly Bill 568

Relating to determining sentence credit for convicted offenders.

By Representative M. Coggs.
To committee on Criminal Justice and Public Safety.

Assembly Bill 569

Relating to creating the mid-southeast metropolitan school district in Milwaukee, Ozaukee, Waukesha and Washington counties.

By Representatives M. Coggs, Becker and Medinger, cosponsored by Senator Lee.
To committee on Education.

Assembly Bill 570

Relating to making certain farmland partially exempt from certain property taxes, providing property tax exemptions, providing additional school aid and vocational, technical and adult education aid, farmland preservation credits, exclusive agricultural use zoning ordinances, providing for a study and making appropriations.

By Representatives Porter, Goetsch and Ladwig.
To Joint Survey Committee on Tax Exemptions.

Assembly Bill 571

Relating to reimbursement of veterans for the cost of part-time classroom study as graduate students.

By Representative Merkt.
To committee on Veterans and Military Affairs.

Assembly Bill 572

Relating to administrative costs of agricultural marketing orders affecting milk.

By Representative Hephner, cosponsored by Senator Lasee.

To committee on Agriculture.

Assembly Bill 573

Relating to changes in accounting methods for income tax and franchise tax purposes.

By Representatives Hephner, Buettner and T. Thompson, cosponsored by Senator Roshell.

To committee on Ways and Means.

Assembly Bill 574

Relating to employment discrimination, blood testing, state health risk sharing plan coverage, requirements of confidentiality and insurance coverage for persons tested for presence of an antibody to the virus that causes acquired immunodeficiency syndrome.

By Representatives Hephner, Williams, Menos, Hauke, Antaramian, Swoboda, Schober, Porter, Gronemus, Bolle, Goetsch, Van Gorden, Holschbach and T. Thompson, cosponsored by Senators Andrea, Roshell and Stitt.

To committee on Health.

Assembly Bill 575

Relating to extending the period during which the department of health and social services may pay claims against foster parents.

By Representatives Bell, M. Coggs, R. Young, Holperin, Notestein, Schultz, Hauke, Fergus, Kasten and Panzer, cosponsored by Senators Harsdorf, Van Sistine, Feingold and Lorman.

To calendar.

Assembly Bill 576

Relating to the sale of goods and services to pupils, school districts and cooperative educational service agencies by school district or agency employes and providing a penalty.

By Representative Potter, cosponsored by Senator Czarnecki.

To committee on Education.

Assembly Bill 577

Relating to expungement of juvenile court records.

By Representatives Wimmer, Van Gorden, Merkt, Plizka, Buettner, Manske, Nelsen, Johnsrud, T. Thompson and Schober, cosponsored by Senator Lorman.

To committee on Criminal Justice and Public Safety.

Assembly Bill 578

Relating to discharge of weapons near highways, handicapped hunters permits and creating a handicapped hunters council.

By Representatives Mark Lewis, Shoemaker, Swoboda, Tregoning, Matty, Ladwig, Volk, Zeuske and Ourada, cosponsored by Senators Kincaid and Helbach.

To committee on Tourism, Recreation and Forest Productivity.

Assembly Bill 579

Relating to implementation of the minority business demonstration and training program by the Milwaukee metropolitan sewerage district and providing for a study.

By committee on Economic Development.
To committee on Economic Development.

Assembly Bill 580

Relating to creating an industrial development educational assistance center, providing for a study, granting rule-making authority and making appropriations.

By committee on Economic Development.
To committee on Economic Development.

Assembly Bill 581

Relating to eliminating restrictions on business entertainment, gift and travel deductions.

By committee on Economic Development.
To committee on Economic Development.

Assembly Bill 582

Relating to the exemption from the tax on telephone companies of a share of revenue from reselling telecommunications services.

By Representatives Medinger, Schneider, Johnsrud and Clements, cosponsored by Senators Helbach and Rude.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 583

Relating to milk content requirements.

By Representatives Gronemus, Swoboda and Hephner.

To committee on Agriculture.

Assembly Bill 584

Relating to infant blood tests for metabolic disorders.

By Representative Gronemus.

To committee on Health.

Assembly Bill 585

Relating to creating appropriations to fund overtime pay for department of natural resources employees engaged in forest protection.

By Representative Bell, cosponsored by Senator Feingold.

To committee on Environmental Resources.

COMMITTEE REPORTS

The committee on Criminal Justice and Public Safety reports and recommends:

Assembly Bill 412

Relating to duty to report crimes and providing penalties.

Passage: Ayes: (13) Noes: (2)

To committee on Rules.

LOUISE TESMER
Chairperson

The committee on Environmental Resources reports and recommends:

Senate Bill 298

Relating to grants to the city of Kenosha of certain submerged and filled lands lying along the shore of Lake Michigan on the eastern frontage of the city of Kenosha.

Adoption of assembly amendment 1:

Ayes: (11) Noes: (0)

Concurrence: Ayes: (11) Noes: (0)

To calendar.

JEANNETTE BELL
Chairperson

Representative R. Thompson asked unanimous consent that the assembly stand recessed for thirty minutes. Granted.

The assembly stood recessed.

9:50 A.M.

RECESS

11:40 A.M.

The assembly reconvened.

Speaker pro tempore Clarenbach in the chair.

MOTIONS

Representative Becker asked unanimous consent that the rules be suspended and that vetoed item II-G of **Assembly Bill 85** be withdrawn from the committee on Ways and Means and taken up at this time. Granted.

Assembly Bill 85

Relating to state finances and appropriations, constituting the executive budget bill of the 1985 legislature, and making appropriations.

II-G: Wisconsin Higher Education Corporation [Sections 148m, 153m, 2054m, 3056 (7) and 3204 (56) (c)]

Representative Loftus requested a division of the question. Granted.

The question was: Shall that portion of vetoed item II-G of **Assembly Bill 85** affecting Wis. Stats. 181.79 (1), relating to the definition of a "public purpose corporation" (in section 2054m of the bill), and affecting Wis. Stats. 19.82 (1), relating to the application of the open meetings law to public purpose corporations (section 153m of the bill), pass notwithstanding the objections of the governor?

The roll was taken.

The result follows:

Ayes -- Antaramian, Barca, Barrett, Becker, Bell, Berndt, Black, Bolle, Brist, Buettner, Carpenter, Clarenbach, Clements, Coggs, M., Coggs, S., Coleman,

Cowles, Crawford, Foti, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hauke, Hephner, Holschbach, Hubler, Johnsrud, Kasten, Krusick, Kunicki, Lepak, Margaret Lewis, Mark Lewis, McEssy, Magnuson, Manske, Medinger, Menos, Merkt, Metz, Musser, Neubauer, Notestein, Ourada, Panzer, Paulson, Plizka, Porter, Radtke, Rosenzweig, Rutkowski, Schneider, Schneiders, Schober, Schultz, Seery, Swoboda, Tesmer, Thompson, R., Thompson, T., Travis, D., Travis, R., Tregoning, Turba, Vanderperren, Van Gorden, Volk, Walling, Weeden, Welch, Williams, Wineke, Wood, Young, R., Zeuske and Speaker Loftus -- 77.

Noes -- Bradley, Byers, Fergus, Hasenohrl, Holperin, Huelsman, Jauch, Krug, Ladwig, Larson, Looby, Nelsen, Potter, Prosser, Robinson, Schmidt, Shoemaker, Vergeront, Wimmer, York and Young, J. -- 21.

Absent or not voting -- Matty -- 1.

Motion carried.

The question was: Shall the balance of vetoed item II-G of **Assembly Bill 85** pass notwithstanding the objections of the governor?

The roll was taken.

The result follows:

Ayes -- Antaramian, Barca, Barrett, Becker, Bell, Berndt, Black, Bolle, Brist, Buettner, Byers, Carpenter, Clarenbach, Clements, Coggs, M., Coggs, S., Coleman, Cowles, Crawford, Foti, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hauke, Hephner, Holschbach, Hubler, Johnsrud, Kasten, Krusick, Kunicki, Lepak, Margaret Lewis, Mark Lewis, McEssy, Magnuson, Manske, Matty, Medinger, Menos, Merkt, Metz, Musser, Neubauer, Notestein, Ourada, Panzer, Paulson, Plizka, Porter, Radtke, Rutkowski, Schneider, Schneiders, Schober, Schultz, Seery, Shoemaker, Swoboda, Tesmer, Thompson, R., Thompson, T., Travis, D., Travis, R., Tregoning, Vanderperren, Van Gorden, Volk, Walling, Weeden, Williams, Wineke, Wood, Young, R., Zeuske and Speaker Loftus - 77.

Noes -- Bradley, Fergus, Hasenohrl, Holperin, Huelsman, Jauch, Krug, Ladwig, Larson, Looby, Nelsen, Potter, Prosser, Robinson, Rosenzweig, Schmidt, Turba, Vergeront, Welch, Wimmer, York and Young, J. -- 22.

Absent or not voting -- None.

Motion carried.

Representative Becker asked unanimous consent that the rules be suspended and that vetoed item IV-R of **Assembly Bill 85** be withdrawn from the committee on Ways and Means and taken up at this time. Granted

IV-R: Pay Inequities [Section 3019 (2p)]

Representative Loftus requested a division of the question. Granted.

The question was: Shall section 3019 (2p) (c) of vetoed item IV-R of **Assembly Bill 85** pass notwithstanding the objections of the governor?

The roll was taken.

The result follows:

Ayes -- Antaramian, Barca, Barrett, Berndt, Bolle, Bradley, Buettner, Byers, Clements, Coleman, Cowles, Crawford, Fergus, Foti, Goetsch, Gronemus, Hephner, Holperin, Holschbach, Hubler, Huelsman, Johnsrud, Kasten, Krug, Ladwig, Larson, Lepak, Margaret Lewis, McEssy, Manske, Matty, Menos, Merkt, Musser, Nelsen, Ourada, Panzer, Paulson, Plizka, Porter, Prosser, Radtke, Robinson, Rosenzweig, Rutkowski, Schmidt, Schneiders, Schober, Schultz, Seery, Swoboda, Thompson, R., Thompson, T., Travis, R., Tregoning, Turba, Van Gorden, Vergeront, Walling, Weeden, Welch, Williams, Wimmer, Wineke, Wood, York, Young, J. and Zeuske -- 68.

Noes -- Becker, Bell, Black, Brist, Carpenter, Clarenbach, Coggs, M., Coggs, S., Grobschmidt, Gruszynski, Hasenohrl, Hauke, Jauch, Krusick, Kunicki, Mark Lewis, Looby, Magnuson, Medinger, Metz, Neubauer, Notestein, Potter, Schneider, Shoemaker, Tesmer, Travis, D., Vanderperren, Volk, Young, R. and Speaker Loftus -- 31.

Absent or not voting -- None.

Motion carried.

Representative T. Thompson requested a division of the question. Granted.

The question was: Shall section 3019 (2p) (d) of vetoed item IV-R of **Assembly Bill 85** pass notwithstanding the objections of the governor?

The roll was taken.

The result follows:

Ayes -- Antaramian, Barca, Barrett, Berndt, Bolle, Bradley, Buettner, Byers, Clements, Coleman, Cowles, Crawford, Foti, Goetsch, Gronemus, Hephner, Holperin, Holschbach, Hubler, Huelsman, Johnsrud, Kasten, Krug, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, McEssy, Manske, Matty, Menos, Merkt, Musser, Nelsen, Ourada, Panzer, Paulson, Plizka, Porter, Prosser, Radtke, Robinson, Rosenzweig, Rutkowski, Schmidt, Schneiders, Schober, Schultz, Seery, Thompson, R., Thompson, T., Travis, R., Tregoning, Turba, Van Gorden, Vergeront, Volk, Walling, Weeden, Welch, Williams, Wimmer, Wood, York, Young, J. and Zeuske -- 67.

Noes -- Becker, Bell, Black, Brist, Carpenter, Clarenbach, Coggs, M., Coggs, S., Fergus, Grobschmidt, Gruszynski, Hasenohrl, Hauke, Jauch, Krusick, Kunicki, Looby, Magnuson, Medinger, Metz, Neubauer, Notestein, Potter, Schneider, Shoemaker, Swoboda, Tesmer, Travis, D., Vanderperren, Wineke, Young, R. and Speaker Loftus -- 32.

Absent or not voting -- None.

Motion carried.

The question was: Shall section 3019 (2p) (a) and (b) of vetoed item IV-R of **Assembly Bill 85** pass notwithstanding the objections of the governor?

The roll was taken.

The result follows:

Ayes -- Antaramian, Barca, Crawford, Goetsch, Kasten, Krug, Radtke, Robinson, Schneiders, Schultz, Seery, Walling, Welch, Williams and Wood -- 15.

Noes -- Barrett, Becker, Bell, Berndt, Black, Bolle, Bradley, Brist, Buettner, Byers, Carpenter, Clarenbach, Clements, Coggs, M., Coggs, S., Coleman, Cowles, Fergus, Foti, Grobschmidt, Gronemus, Gruszynski, Hasenohrl, Hauke, Hephner, Holperin, Holschbach, Hubler, Huelsman, Jauch, Johnsrud, Krusick, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Looby, McEssy, Magnuson, Manske, Matty, Medinger, Menos, Merkt, Metz, Musser, Nelsen, Neubauer, Notestein, Ourada, Panzer, Paulson, Plizka, Porter, Potter, Prosser, Rosenzweig, Rutkowski, Schmidt, Schneider, Schober, Shoemaker, Swoboda, Tesmer, Thompson, R., Thompson, T., Travis, D., Travis, R., Tregoning, Turba, Vanderperren, Van Gorden, Vergeront, Volk, Weeden, Wimmer, Wineke, York, Young, J., Young, R., Zeuske and Speaker Loftus -- 84.

Absent or not voting -- None.

Motion failed.

Representative Plizka asked unanimous consent to be made a coauthor of **Assembly Bill 499**. Granted.

Representative Becker asked unanimous consent that the assembly stand recessed until 2:30 P.M. Granted.

The assembly stood recessed.

1:15 P.M.

RECESS

2:30 P.M.

The assembly reconvened.

Speaker Loftus in the chair.

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

A quorum was present.

Representative Becker asked unanimous consent that the assembly stand recessed until 3:00 P.M. Granted.

The assembly stood recessed.

2:45 P.M.

RECESS

3:25 P.M.

The assembly reconvened.

CALENDAR OF WEDNESDAY, OCTOBER 9

Assembly Bill 92

Relating to political party committees.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 92** be adopted?

Motion carried.

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 92** be adopted?

Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 92** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 92** be ordered engrossed and read a third time?

Motion carried.

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

The question was: **Assembly Bill 92** having been read three times, shall the bill be passed?

Motion carried.

Representative Becker asked unanimous consent that the rules be suspended and that **Assembly Bill 92** be immediately messaged to the senate. Granted.

Assembly Bill 387

Relating to product liability insurance reports.

Assembly amendment 1 to **Assembly Bill 387** offered by Representative Seery.

The question was: Shall assembly amendment 1 to **Assembly Bill 387** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 387** be ordered engrossed and read a third time?

Motion carried.

Representative Becker asked unanimous consent that the rules be suspended and that **Assembly Bill 387** be given a third reading. Granted.

The question was: **Assembly Bill 387** having been read three times, shall the bill be passed?

Motion carried.

Representative Becker asked unanimous consent that the rules be suspended and that **Assembly Bill 387** be immediately messaged to the senate. Granted.

Assembly Bill 125

Relating to use of earphones and earplugs while operating a vehicle or snowmobile on a highway or using a highway as a pedestrian and providing a penalty.

The question was: Shall assembly amendment 1 to **Assembly Bill 125** be adopted?

Motion carried.

Representative Vanderperren moved rejection of assembly amendment 2 to **Assembly Bill 125**.

The question was: Shall assembly amendment 2 to **Assembly Bill 125** be rejected?

The roll was taken.

The result follows:

Ayes -- Barca, Becker, Bell, Bolle, Bradley, Clarenbach, Clements, Cowles, Goetsch, Gronemus, Gruszynski, Hasenohrl, Hauke, Johnsrud, Larson, Lepak, Margaret Lewis, Looby, Matty, Medinger, Musser, Porter, Potter, Robinson, Rosenzweig, Rutkowski, Schmidt, Schneider, Schultz, Shoemaker, Tesmer, Turba, Vanderperren, Van Gorden, Volk, Walling, Wood and Young, R. -- 38.

Noes -- Antaramian, Barrett, Berndt, Black, Brist, Buettner, Byers, Carpenter, Coggs, M., Coggs, S., Coleman, Crawford, Fergus, Foti, Grobschmidt, Hephner, Holperin, Holschbach, Hubler, Huelsman, Jauch, Kasten, Krug, Krusick, Kunicki, Ladwig, McEssy, Magnuson, Manske, Menos, Merkt, Nelsen, Neubauer, Notestein, Ourada, Panzer, Paulson, Plizka, Prosser, Radtke, Schneiders, Schober, Seery, Swoboda, Thompson, R., Thompson, T., Travis, D., Travis, R., Tregoning, Vergeront, Weeden, Welch, Williams, Wimmer, Wineke, York, Young, J., Zeuske and Speaker Loftus -- 59.

Absent or not voting -- Mark Lewis and Metz -- 2.

Motion failed.

Representative Vanderperren moved that **Assembly Bill 125** be laid on the table.

The question was: Shall **Assembly Bill 125** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Antaramian, Barca, Becker, Bell, Berndt, Black, Bolle, Bradley, Brist, Buettner, Carpenter, Clarenbach, Clements, Coggs, M., Coggs, S., Coleman, Cowles, Crawford, Fergus, Foti, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hasenohrl, Hauke, Hephner,

Holperin, Holschbach, Hubler, Huelsman, Jauch, Johnsrud, Krusick, Kunicki, Ladwig, Larson, Margaret Lewis, Mark Lewis, Looby, McEssy, Magnuson, Manske, Matty, Medinger, Menos, Merkt, Musser, Nelsen, Neubauer, Notestein, Ourada, Panzer, Paulson, Plizka, Porter, Potter, Prosser, Radtke, Robinson, Rosenzweig, Rutkowski, Schmidt, Schneiders, Schultz, Shoemaker, Swoboda, Thompson, R., Thompson, T., Travis, D., Travis, R., Tregoning, Turba, Vanderperren, Vergeront, Volk, Weeden, Welch, Williams, Wimmer, Wineke, Wood, York, Young, J., Young, R., Zeuske and Speaker Loftus -- 87.

Noes -- Byers, Kasten, Krug, Lepak, Schneider, Schober, Seery, Tesmer, Van Gorden and Walling -- 10.

Absent or not voting -- Barrett and Metz -- 2.

Motion carried.

Representative Barrett asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Assembly Bill 40

Relating to use of governmental resources for a private purpose.

Representative Crawford asked unanimous consent that the rules be suspended to enter and take up a motion for reconsideration of the vote by which assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 40** was adopted. Granted.

The question was: Shall the vote by which assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 40** was adopted be reconsidered?

Motion carried.

Representative Crawford asked unanimous consent that assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 40** be laid on the table. Granted.

Assembly amendment 1 to assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 40** offered by Representative Radtke.

The question was: Shall assembly amendment 1 to assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 40** be adopted?

Motion carried.

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 40** be adopted?

Motion carried.

The question was: Shall assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 40** be adopted?

Motion carried.

Assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 40** offered by Representatives Crawford, Radtke and Hauke.

The question was: Shall assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 40** be adopted?

Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 40** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 40** be ordered engrossed and read a third time?

Motion carried.

Representative Becker asked unanimous consent that the rules be suspended and that **Assembly Bill 40** be given a third reading.

Representative T. Thompson objected.

Representative Becker asked unanimous consent that the assembly stand recessed for five minutes. Granted.

The assembly stood recessed.

3:55 P.M.

RECESS

4:15 P.M.

The assembly reconvened.

LEAVES OF ABSENCE

Representative Becker asked unanimous consent for a leave of absence for this afternoon's session for Representative Metz. Granted.

Representative Becker asked unanimous consent to return to the eighth order of business. Granted.

MOTIONS

Representative Brist moved that the rules be suspended and that vetoed item I-D of **Assembly Bill 85** be withdrawn from the committee on Ways and Means and taken up at this time.

The question was: Shall the rules be suspended and vetoed item I-D of **Assembly Bill 85** be withdrawn from the committee on Ways and Means and taken up at this time?

The roll was taken.

The result follows:

Ayes -- Antaramian, Black, Bolle, Brist, Byers, Clements, Cowles, Fergus, Foti, Gronemus, Hasenohrl, Hephner, Hubler, Krusick, Larson, Lepak, Looby, McEssy, Matty, Medinger, Ourada, Porter, Prosser,

Rutkowski, Schober, Schultz, Shoemaker, Thompson, T., Tregoning, Vanderperren, Van Gorden, Vergeront, Wood and Zeuske -- 34.

Noes -- Barca, Barrett, Becker, Bell, Berndt, Buettner, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Crawford, Goetsch, Grobschmidt, Gruszynski, Hauke, Holperin, Holschbach, Huelsman, Jauch, Johnsrud, Kasten, Krug, Kunicki, Ladwig, Margaret Lewis, Mark Lewis, Magnuson, Manske, Menos, Merkt, Musser, Nelsen, Neubauer, Notestein, Panzer, Paulson, Plizka, Potter, Radtke, Robinson, Rosenzweig, Schmidt, Schneider, Schneiders, Seery, Swoboda, Tesmer, Thompson, R., Travis, D., Travis, R., Turba, Volk, Walling, Weeden, Welch, Williams, Wimmer, Wineke, York, Young, J., Young, R. and Speaker Loftus -- 63.

Absent or not voting -- Bradley and Metz -- 2.

Motion failed.

Representative Berndt moved that the rules be suspended and that sections 1414m and 3056 (10m) of vetoed item II-E of **Assembly Bill 85** be withdrawn from the committee on Ways and Means and taken up at this time.

The question was: Shall the rules be suspended and sections 1414m and 3056 (10m) of vetoed item II-E of **Assembly Bill 85** be withdrawn from the committee on Ways and Means and taken up at this time?

The roll was taken.

The result follows:

Ayes -- Berndt, Bradley, Buettner, Byers, Clements, Coleman, Cowles, Foti, Goetsch, Johnsrud, Kasten, Ladwig, Larson, Lepak, Margaret Lewis, McEssy, Manske, Matty, Menos, Merkt, Musser, Nelsen, Ourada, Panzer, Paulson, Plizka, Porter, Prosser, Radtke, Rosenzweig, Schmidt, Schneiders, Schober, Schultz, Swoboda, Thompson, T., Travis, R., Tregoning, Turba, Van Gorden, Vergeront, Walling, Welch, Wimmer, York, Young, J. and Zeuske -- 47.

Noes -- Antaramian, Barca, Barrett, Becker, Bell, Black, Bolle, Brist, Carpenter, Clarenbach, Coggs, M., Coggs, S., Crawford, Fergus, Grobschmidt, Gronemus, Gruszynski, Hasenohrl, Hauke, Hephner, Holperin, Holschbach, Hubler, Huelsman, Jauch, Krug, Krusick, Kunicki, Mark Lewis, Looby, Magnuson, Medinger, Neubauer, Notestein, Potter, Robinson, Rutkowski, Schneider, Seery, Shoemaker, Tesmer, Thompson, R., Travis, D., Vanderperren, Volk, Weeden, Williams, Wineke, Wood, Young, R. and Speaker Loftus -- 1.

Absent or not voting -- Metz -- 1.

Motion failed.

Representative Robinson asked unanimous consent that the rules be suspended and that vetoed item I-B of **Assembly Bill 85** be withdrawn from the committee on Ways and Means and laid on the table. Granted.

Representative Johnsrud asked unanimous consent that the assembly adjourn in honor of Leif Ericson. Granted.

Representative Turba asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Van Gorden. Granted.

Representative Barca asked unanimous consent that the assembly adjourn in honor of the Kenosha Twins baseball team, champions of the Midwest League. Granted.

Representative Clarenbach asked unanimous consent to be recorded on the following questions from Thursday, September 26. Granted.

The question was: Shall Senate Bill 88 be referred to the committee on Tourism, Recreation and Forest Productivity? Aye

The question was: Shall assembly amendment 3 to Senate Bill 88 be rejected? No

The question was: Shall assembly amendment 4 to Senate Bill 88 be rejected? No

The question was: Senate Bill 88 having been read three times, shall the bill be concurred in? No

Representative R. Travis asked unanimous consent that the following prayer, offered by Reverend Hennington this morning be printed in the journal. Granted.

"I got up early one morning and rushed right into the day. There was so much to accomplish that I didn't have time to pray. Problems just tumbled about me, and heavier came each task. Why doesn't God help me? I wondered. He answered: You didn't ask.

I wanted to see joy and beauty, but the day toiled in gray and bleak. I wondered: Why doesn't God show me? He answered: You didn't seek.

I tried to come into God's presence, I tried all the keys in the lock. God gently chided: Why don't you knock?

I woke up early this morning and paused before entering the day. I had so much to accomplish that I had to take time to pray.

God, grant that all we do this day may begin with Your inspiration, proceed with your guidance, and come to completion with Your approval. Amen."

COMMITTEE REPORTS

The committee on Economic Development reports and recommends:

Assembly Bill 540

Relating to authorizing a position to staff a trade lead program in the department of development and increasing an appropriation.

Passage: Ayes: (14) Noes: (4)
To Joint Committee on Finance.

Assembly Bill 541

Relating to technical assistance for and collection of business surveys.

Passage: Ayes: (15) Noes: (3)
To committee on Rules.

Assembly Bill 545

Relating to establishing a state main street program, creating a council on main street programs and making an appropriation.

Passage: Ayes: (14) Noes: (4)
To Joint Committee on Finance.

MARK LEWIS
Chairperson

The committee on Excise and Fees reports and recommends:

Assembly Bill 544

Relating to issuance of liquor bar licenses by a town.

Passage: Ayes: (9) Noes: (1)
To calendar.

GERVASE HEPHNER
Chairperson

The committee on Health reports and recommends:

Assembly Bill 440

Relating to a preferential rate for veterans for care and services at the university of Wisconsin hospital and clinics and making an appropriation.

Passage: Ayes: (11) Noes: (0)
To Joint Committee on Finance.

Assembly Bill 481

Relating to donation of bone marrow by a minor.

Adoption of assembly amendment 1:
Ayes: (11) Noes: (0)

Passage: Ayes: (11) Noes: (0)
To committee on Rules.

JOHN ROBINSON
Chairperson

The committee on Judiciary reports and recommends:

Assembly Bill 356

Relating to providing local child support agencies with notice and the opportunity to be heard in termination of parental rights proceedings.

Adoption of assembly amendment 1:
Ayes: (13) Noes: (0)

Passage: Ayes: (13) Noes: (0)
To committee on Rules.

Assembly Bill 408

Relating to misconduct or disability of court commissioners.

Passage: Ayes: (12) Noes: (1)
To committee on Rules.

Assembly Bill 425

Relating to videotape statements and depositions by children.

Adoption of assembly amendment 1 to assembly amendment 1: Ayes: (12) Noes: (1)

Adoption of assembly amendment 1:
Ayes: (10) Noes: (3)

Adoption of assembly amendment 2:
Ayes: (13) Noes: (0)

Passage: Ayes: (13) Noes: (0)
To committee on Rules.

Senate Bill 226

Relating to tests for driving while under the influence of an intoxicant or controlled substance or both.

Concurrence: Ayes: (11) Noes: (2)
To committee on Rules.

Senate Bill 34

Relating to operating a motor vehicle while under the influence of an intoxicant.

Concurrence: Ayes: (13) Noes: (0)
To committee on Rules.

Senate Bill 54

Relating to liability for damage done by a dog.

Concurrence: Ayes: (13) Noes: (0)
To committee on Rules.

Senate Bill 237

Relating to powers of court commissioners in county ordinance cases.

Concurrence: Ayes: (13) Noes: (0)
To committee on Rules.

Senate Bill 262

Relating to notice required prior to a termination of parental rights hearing.

Concurrence: Ayes: (13) Noes: (0)
To committee on Rules.

Assembly Bill 463

Relating to hearsay testimony at preliminary examinations.

Passage: Ayes: (9) Noes: (4)
To committee on Rules.

JAMES RUTKOWSKI
Chairperson

The committee on Ways and Means reports and recommends:

Senate Bill 178

Relating to minimum shared revenue payments for decommissioned utility plants, distributions of property

tax collections, real estate transfer fee exemptions, settlement of Wisconsin state property tax relief credits, discontinuing the authorization to counties to make adjustments of real estate transfer fees, revenue bonding for construction and maintenance of joint civic facilities, appeals to the department of revenue of determinations made by a board of review and requiring notice by cities upon termination of a tax incremental district.

Adoption of assembly amendment 1:
Ayes: (13) Noes: (0)

Passage: Ayes: (13) Noes: (0)
To committee on Rules.

JEFFREY NEUBAUER
Chairperson

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

Assembly amendment 1 to **Senate Bill 44**
Assembly Bill 232

Adopted and asks concurrence in:

Senate Joint Resolution 1
Senate Joint Resolution 52

Passed and asks concurrence in:

Senate Bill 9
Senate Bill 217
Senate Bill 220
Senate Bill 266
Senate Bill 352

Concurred in as amended:

Assembly Joint Resolution 16 (senate amendment 1 adopted)
Assembly Joint Resolution 48 (senate substitute amendment 1 adopted)

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 1

Relating to authorizing the creation of a Wisconsin state lottery (first consideration).

By Senators Van Sistine, Kincaid, Roshell, Andrea, Chilsen, Moen, Lasee, Strohl, Theno, George, Rude, Plewa, Otte and Ellis; cosponsored by Representatives Shoemaker, Vanderperren, Hephner, Matty, Crawford, Bolle, Manske, Hasenohrl, Robinson and Gronemus.
To committee on State Affairs.

Senate Joint Resolution 52

Relating to the public service career of Ernest C. Keppler.

By Senators Otte and Stitt; cosponsored by Representatives Potter and Turba.
To committee on Rules.

Senate Bill 9

Relating to the petroleum inspection fee, the administration and enforcement of the unfair sales provisions and making an appropriation.

By Senators Van Sistine, Chilsen and Helbach; cosponsored by Representatives Robinson, Antaramian and Tregoning.

To committee on Commerce and Consumer Affairs.

Senate Bill 217

Relating to mobile home parks.

By Senators Czarnecki, Andrea, Otte, Feingold and Lorman; cosponsored by Representatives Hauke, Seery, Antaramian, Hubler, Holschbach, Manske, Carpenter, Margaret Lewis and Goetsch.

To committee on Agriculture.

Senate Bill 220

Relating to the establishment and expansion of cemeteries.

By Senators Hanaway and Lorman; cosponsored by Representative Zeuske.

To committee on Urban and Local Affairs.

Senate Bill 266

Relating to the duties of the executive secretary of the educational approval board, correcting a definition of "school" and deleting an obsolete grace period for the approval of schools (suggested as remedial legislation by the educational approval board).

By Law Revision committee.

To committee on Education.

Senate Bill 352

Relating to authorizing the disclosure of certain health care provider records in cases of child abuse or neglect.

By Senator Feingold; cosponsored by Representative R. Young.

To committee on Children and Human Services.

Assembly Joint Resolution 16

Requesting a legislative council study of employment disincentives in the aid to families with dependent children program.

By Representatives Schneiders, Ladwig, Panzer, R. Young, Notestein, Schober, Holperin, Nelsen, Carpenter, Radtke, Bell, Buettner, Seery, Zeuske,

Barrett, Merkt, Margaret Lewis, Krug, Huelsman, Magnuson, Mark Lewis, Musser, Turba, Hauke, M. Coggs, Cowles and Bolle, cosponsored by Senators Andrea, Harsdorf, Davis, Roshell, Lorman, Moen, Leraan, Engleiter and Ulichny, by request of Wisconsin Women's Council.

To calendar.

Assembly Joint Resolution 48

Urging Wisconsin residents to make donations to the International Red Cross to assist Mexico in recovering from earthquake damage.

By Representatives Krusick and Carpenter, cosponsored by Senator Plewa.

To calendar.

REFERENCE BUREAU CORRECTIONS

Assembly Bill 101

In enrolling, the following correction was made:
Page 2, line 4: after "(1)" insert "(intro)."

Engrossed Senate Bill 120

Page 38, line 15: after "depository" insert "account".

Senate amendment 2 to Senate Bill 298

Page 1, line 4: delete "1985" and substitute "1983".

VISITORS

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

Alderman and Mrs. Kudela and Alderman and Mrs. Rizzo from Kenosha, guests of Representative Barca.

Representative Becker moved that the assembly stand adjourned until 9:00 A.M. tomorrow.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

4:55 P.M.