

STATE OF WISCONSIN
Assembly Journal
Eighty-Ninth Regular Session

10:00 A.M.

TUESDAY, January 31, 1989

The assembly met.

Speaker Loftus in the chair.

The prayer was offered by Representative Bell.

Representative Kunicki 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 Antaramian, Barca, Barrett, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Duff, Farrow, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Klusman, Krug, Krusick, Kunicki, Ladwig, Lahn, Larson, Lautenschlager, Lehman, Lepak, Lewis, Linton, Lorge, Loucks, Medinger, Moore, Musser, Nelsen, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schultz, Seery, Stower, Swoboda, Thompson, Travis, Tregoning, Turba, Underheim, Van Dreel, Van Gorden, Vanderperren, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus — 97.

Absent -- None.

Absent with leave — Representatives Baldus and Tesmer — 2.

Vacancies — None.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 14** offered by Joint Committee on Finance.

**INTRODUCTION AND REFERENCE
OF PROPOSALS**

Read first time and referred:

Assembly Joint Resolution 13

Relating to conference committee procedures and amendments between the houses.

By Representatives Farrow, Deininger, Radtke, Goetsch, Huelsman, Vergeront, Welch, Porter, Musser,

Van Gorden, Rosenzweig, Lewis, Schneiders, Schultz, Nelsen, Ott and Brancel, cosponsored by Senators Leean, Davis, Buettner and Stitt.

To committee on Rules.

Assembly Joint Resolution 14

Relating to the life and public service of Norman E. "Ole" Anderson.

By Representatives Harsdorf, Baldus and Stower, sponsored by Senator Shoemaker.

To calendar.

Assembly Bill 39

Relating to modifying certain property tax exemptions, allowing municipalities to impose a service fee on certain tax-exempt property and making those fees local purpose revenues for the calculation of shared revenue.

By Representatives Medinger, Roberts, Johnsrud, Carpenter, Musser, Nelsen, Bolle, Zweck, Ladwig, Volk and Zeuske, cosponsored by Senators Rude, Kreul, Roshell and Leean.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 40

Relating to private detectives going armed with dangerous weapons and providing rule-making authority.

By Representatives Holperin, Linton, Bolle, Musser and Tregoning, cosponsored by Senator Roshell.

To committee on Criminal Justice and Public Safety.

Assembly Bill 41

Relating to permitting meetings of boards of directors of corporations to be conducted by telephonic or computer communication.

By Representatives Holperin, Gruszynski, Linton, Roberts, Rohan, Holschbach, Bolle, Prosser, Vergeront, Tregoning, Goetsch, Huelsman and Baldus, cosponsored by Senators Davis, Roshell, Cowles, Risser and Lorman.

To committee on Housing, Securities and Corporate Policy.

Assembly Bill 42

Relating to the amount of intoxicating liquor that may be sold.

By Representatives Holperin, Musser and Bolle, cosponsored by Senator Lee.

To committee on Excise and Fees.

Assembly Bill 43

Relating to creating a council on Lyme disease, allowing an individual income tax checkoff for training, technical support, information and family and caregiver support on Alzheimer's disease and treatment of and research on, Lyme disease and making an appropriation.

By Representatives Krusick, Farrow, Musser, Rosenzweig, Underheim, Vanderperren, Van Dreel and Notestein, cosponsored by Senator Andrea.

To committee on Aging.

Assembly Bill 44

Relating to collective bargaining units consisting of supervisors.

By Representatives Krusick, Grobschmidt, Carpenter, Fortis, Notestein, Bell, Hauke and Bock, cosponsored by Senators Burke and Czarnecki.

To committee on Labor.

Assembly Bill 45

Relating to increasing payment for certain facilities that provide care to medical assistance recipients with respect to certain direct care costs, active treatment and operating deficits, prohibiting discrimination and other actions by nursing homes toward persons eligible for medical assistance, providing penalties and making an appropriation.

By Representatives Krusick, Barrett, Robson, Bock, Fortis, Carpenter, Moore, Young, Rohan, Zweck, Vanderperren, Williams and S. Coggs, cosponsored by Senators Burke, Czarnecki and Andrea.

To committee on Health.

Assembly Bill 46

Relating to an earned income tax credit, offsetting credits and refunds and making an appropriation.

By Representatives Lewis, Young, Barca, Underheim, Nelsen, Rosenzweig, Barrett, Vergeront, Fortis, Tregoning, Schneiders, Schmidt, Welch, Prosser, Goetsch, Brancel, Radtke, Farrow, Musser, Zeuske, Panzer and Klusman, cosponsored by Senators Leean, Buettner and Chilsen.

To committee on Ways and Means.

Assembly Bill 47

Relating to required minimum underinsured motor vehicle liability coverage.

By Representatives Fortis, Hauke and Tregoning, cosponsored by Senators Chvala, Feingold, Ulichny and Davis.

To committee on Financial Institutions and Insurance.

Assembly Bill 48

Relating to short-term detention for juveniles.

By Representatives Tesmer, Grobschmidt, Hauke, Schmidt and Schneiders, cosponsored by Senators Lee, Andrea and Plewa.

To committee on Children and Human Services.

Assembly Bill 49

Relating to committing a crime while using or affected by alcohol or a controlled substance and providing a penalty.

By Representatives Tesmer, Hauke, Krusick, Schmidt, Schneiders and Hamilton, cosponsored by Senators Plewa and Andrea.

To committee on Criminal Justice and Public Safety.

Assembly Bill 50

Relating to sentencing, parole and revising penalties.

By Representatives Tesmer, Krusick, Hauke, Schmidt, Grobschmidt and Schneiders, cosponsored by Senators Andrea and Plewa.

To committee on Criminal Justice and Public Safety.

Assembly Bill 51

Relating to factors used by insurers to set rates and premiums for certain motor vehicle insurance and granting rule-making authority.

By Representatives Barrett, Tesmer, Moore, Bock, Carpenter, Notestein, Krug, Gronemus, S. Coggs, Williams, Young, Fortis, M. Coggs, Van Dreel and Bolle, cosponsored by Senators Lee, Burke, Feingold and Ulichny.

To committee on Financial Institutions and Insurance.

COMMITTEE REPORTS

The Joint Committee on Finance reports and recommends:

Assembly Bill 14

Relating to notification of the release into the environment of genetically engineered organisms and providing penalties.

Adoption of assembly amendment 1:

Ayes: (11) Noes: (3)

Passage with emergency statement attached: Ayes: (13) Noes: (1)

To calendar.

WALTER KUNICKI
Assembly Chairperson

The committee on Natural Resources reports and recommends:

Senate Bill 5

Relating to the membership of the Milwaukee river revitalization council.

Concurrence: Ayes: (10) Noes: (0)

To calendar.

SPENCER BLACK
Chairperson

The committee on State Affairs reports and recommends:

Assembly Bill 6

Relating to disturbing burial sites on public land.

Passage: Ayes: (11) Noes: (0)

To calendar.

Assembly Joint Resolution 5

Relating to designating April 23 to 29, 1989, as "Wisconsin Science and Technology Education Week".

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Adoption: Ayes: (11) Noes: (0)
To calendar.

JOHN MEDINGER
Chairperson

The committee on Ways and Means reports and recommends:

Senate Joint Resolution 9

Relating to state income tax credits or refunds for property or sales taxes due in this state (2nd consideration).

Concurrence: Ayes: (12) Noes: (4)
To calendar.

JOSEPH WINEKE
Chairperson

COMMUNICATIONS

February 1, 1989

Honorable Donald J. Schneider
Honorable Thomas T. Melvin

Dear Chief Clerks:

The following rules have been published:

- Clearinghouse Rule 86-210 effective 2-1-89
- Clearinghouse Rule 87-51 effective 2-1-89
- Clearinghouse Rule 87-52 effective 2-1-89
- Clearinghouse Rule 88-27 effective 2-1-89
- Clearinghouse Rule 88-51 effective 2-1-89
- Clearinghouse Rule 88-52 effective 2-1-89
- Clearinghouse Rule 88-54 effective 2-1-89
- Clearinghouse Rule 88-78 effective 7-1-89
- Clearinghouse Rule 88-85 effective 2-1-89
- Clearinghouse Rule 88-86 effective 2-1-89
- Clearinghouse Rule 88-94 effective 2-1-89
- Clearinghouse Rule 88-99 effective 2-1-89
- Clearinghouse Rule 88-101 effective 2-1-89
- Clearinghouse Rule 88-108 effective 2-1-89
- Clearinghouse Rule 88-123 effective 2-1-89
- Clearinghouse Rule 88-140 effective 2-1-89
- Clearinghouse Rule 88-141 effective 2-1-89
- Clearinghouse Rule 88-142 effective 2-1-89
- Clearinghouse Rule 88-161 effective 2-1-89

Sincerely,
GARY POULSON
Assistant Revisor

LEAVES OF ABSENCE

Representative Hauke asked unanimous consent for a leave of absence for today's session for Representatives Baldus and Tesmer. Granted.

The assembly interrupted its proceedings to honor retiring assembly employees Geneva Rode with 38 years of service, Ruth Schohl with 22 years of service and Junc Quinn with 18 years of service. Speaker Loftus presented each with flowers.

JOINT CONVENTION

The sergeant-at-arms announced the arrival of the members of the senate.

The houses went into joint convention.

Senate president Risser presiding.

Escorted by Senators George and Leean and Representatives Kunicki and Panzer, Governor Thompson took his place at the rostrum to deliver his 1989 budget message.

Pursuant to Joint Rule 73, the governor's message is printed in the senate journal only.

Representative Hauke moved that the joint convention arise.

The question was: Shall the joint convention arise?

Motion carried.

10:55 A.M.

Representative Hauke asked unanimous consent that the assembly stand recessed until 2:00 P.M. Granted.

The assembly stood recessed.

10:56 A.M.

RECESS

2:05 P.M.

The assembly reconvened.
Speaker Loftus in the chair.

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

The assembly stood recessed.

2:06 P.M.

RECESS

2:50 P.M.

The assembly reconvened.
Speaker Loftus in the chair.

CALENDAR OF TUESDAY, JANUARY 31

Assembly Bill 1

Relating to establishing a minimum wage for certain employees.

The question was: Shall the vote by which **Assembly Bill 1** was passed be reconsidered?

The roll was taken.

The result follows:

Ayes -- Representatives Coleman, Duff, Foti, Goetsch, Lahn, Larson, Lewis, Musser, Radtke, Schneiders, Schultz, Tregoning, Van Gorden, Vergeront and Zien -- 15.

Noes -- Representatives Antaramian, Barca, Barrett, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Deininger, Farrow, Fergus, Fortis, Gard, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Klusman, Krug, Krusick, Kunicki, Ladwig, Lautenschlager, Lehman, Lepak, Linton, Lorge, Loucks, Medinger, Moore, Nelsen, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schmidt, Schneider, Seery, Stower, Swoboda, Thompson, Travis, Turba, Underheim, Van Dreel, Vanderperren, Volk, Walling, Welch, Williams, Wimmer, Wineke, Wood, Young, Zeuske, Zweck and Speaker Loftus -- 82.

Absent or not voting -- Representatives Baldus and Tesmer -- 2.

Motion failed.

MOTIONS

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 9** be withdrawn from the calendar of Thursday, February 2 and placed on the calendar of Wednesday, February 1. Granted.

Assembly Bill 36

Relating to employees of the board of school directors of a 1st class city school district.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 36** offered by Representative Williams.

Representative Notestein moved rejection of assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 36**.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 36** be rejected?

The roll was taken.

The result follows:

Ayes -- Representatives Barrett, Bell, Black, Bock, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Duff, Farrow, Fergus, Fortis, Goetsch, Grobschmidt, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hinkfuss, Holperin, Huber, Huelsman, Johnsrud, Klusman, Krug, Krusick, Kunicki, Larson, Lehman, Lewis, Linton, Loucks, Medinger, Nelsen, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Seery, Stower, Travis, Tregoning, Turba, Underheim, Van Dreel, Vanderperren, Volk, Welch, Wimmer, Wineke, Young, Zeuske, Zien and Speaker Loftus -- 71.

Noes -- Representatives Antaramian, Barca, Bolle, Boyle, Foti, Gard, Gronemus, Hauke, Holschbach, Hubler, Ladwig, Lahn, Lautenschlager, Lepak, Lorge, Moore, Musser, Schultz, Swoboda, Thompson, Van Gorden, Vergeront, Walling, Williams, Wood and Zweck -- 26.

Absent or not voting -- Representatives Baldus and Tesmer -- 2.

Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 36** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 36** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 36** be given a third reading.

Representative Williams objected.

Representative Hauke moved that the rules be suspended and that **Assembly Bill 36** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 36** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Representatives Antaramian, Barca, Barrett, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Duff, Farrow, Fergus, Fortis, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Klusman, Krug, Krusick, Kunicki, Ladwig, Larson, Lautenschlager, Lehman, Lewis, Linton, Lorge, Loucks, Medinger, Moore, Nelsen, Notestein, Ott, Ourada,

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Panzer, Plache, Porter, Potter, Prosser, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schneider, Schneiders, Schultz, Seery, Stower, Swoboda, Thompson, Travis, Tregoning, Turba, Van Dreel, Vanderperren, Vergeront, Volk, Walling, Wimmer, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus — 87.

Noes — Representatives Foti, Gard, Lahn, Lepak, Musser, Schmidt, Underheim, Van Gorden, Welch and Williams — 10.

Absent or not voting — Representatives Baldus and Tesmer — 2.

Motion carried.

The question was: **Assembly Bill 36** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Barca, Barrett, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Duff, Farrow, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Klusman, Krug, Krusick, Kunicki, Ladwig, Lahn, Larson, Lautenschlager, Lehman, Lepak, Lewis, Linton, Lorge, Loucks, Medinger, Moore, Nelsen, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schneider, Schneiders, Seery, Stower, Swoboda, Travis, Tregoning, Turba, Underheim, Van Dreel, Van Gorden, Vanderperren, Vergeront, Volk, Walling, Welch, Wimmer, Wineke, Wood, Young, Zeuske, Zien and Speaker Loftus — 90.

Noes — Representatives Hauke, Musser, Schmidt, Schultz, Thompson, Williams and Zweck — 7.

Absent or not voting — Representatives Baldus and Tesmer — 2.

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 36** be immediately messaged to the senate.

Representative Williams objected.

Representative Hauke moved that the rules be suspended and that **Assembly Bill 36** be immediately messaged to the senate.

The question was: Shall the rules be suspended and **Assembly Bill 36** be immediately messaged to the senate?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Barca, Barrett, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach,

Coggs, M., Coggs, S., Deininger, Farrow, Fergus, Fortis, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Krug, Krusick, Kunicki, Ladwig, Larson, Lautenschlager, Lehman, Lewis, Linton, Lorge, Loucks, Medinger, Moore, Nelsen, Notestein, Ourada, Panzer, Plache, Potter, Prosser, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schneider, Schneiders, Seery, Stower, Swoboda, Thompson, Travis, Tregoning, Turba, Van Dreel, Vanderperren, Volk, Wimmer, Wineke, Wood, Young, Zien, Zweck and Speaker Loftus — 74.

Noes — Representatives Brancel, Brandemuehl, Coleman, Duff, Foti, Gard, Goetsch, Klusman, Lahn, Lepak, Musser, Ott, Porter, Radtke, Schmidt, Schultz, Underheim, Van Gorden, Vergeront, Walling, Welch, Williams and Zeuske — 23.

Absent or not voting — Representatives Baldus and Tesmer — 2.

Motion carried.

Representative Gard asked unanimous consent that the assembly adjourn in honor of the birth of Chelsea Ann to Bill and Kelly Rediske. Granted.

Representative Hauke asked unanimous consent that the assembly adjourn in honor of the fiftieth birthday of former Representative Paul Sicula. Granted.

Representative Barrett asked unanimous consent that the assembly adjourn in honor of the twentieth anniversary of the twenty-fifth birthday of his staff member Nadine Gratz. 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:

Jerry and Julie Van Rite from Bellevue, guests of Representative Hinkfuss.

Joan Lillie from Clear Lake, guest of Representative Stower.

Dave Pelton from Mauston, guest of Representative Brancel.

Seventh grade students from Saint Stephens School in Beaver Dam accompanied by their teacher Steve Bielke, guests of Representative Goetsch.

REFERENCE BUREAU CORRECTIONS

Assembly Bill 16

Page 1, line 4: Delete that line and substitute a period.

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Representative Hauke 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.

3:10 P.M.