

STATE OF WISCONSIN
Assembly Journal
Eighty-Ninth Regular Session

9:30 A.M.

THURSDAY, May 18, 1989

The assembly met.

Speaker pro tempore Clarenbach in the chair.

The prayer was offered by Representative Plache.

Representative Loucks 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, Baldus, Barca, Barrett, Bell, Black, Bock, Boile, Boyle, Brancel, Brandmuehl, 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, Wimmer, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus -- 96.

Absent -- None.

Absent with leave -- Representatives Tesmer, Tregoning and Williams -- 3.

Vacancies None.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 43** offered by committee on Aging.

Assembly amendment 1 to **Assembly Bill 217** offered by committee on State Affairs.

Assembly substitute amendment 1 to **Assembly Bill 228** offered by Representative Duff.

Assembly substitute amendment 1 to **Assembly Bill 275** offered by committee on Rural Development and Forestry.

ADMINISTRATIVE RULES

Read and referred:

Assembly Clearinghouse Rule 87-181

Relating to the procedures and criteria for siting noise barriers.

Submitted by Department of Transportation.

To committee on Transportation.

Referred on May 18, 1989.

Assembly Clearinghouse Rule 88-91

Relating to coordination of benefits provisions in group and blanket disability insurance policies.

Submitted by Office of the Commissioner of Insurance.

To committee on Financial Institutions and Insurance.

Referred on May 18, 1989.

Assembly Clearinghouse Rule 88-207

Relating to minimum accelerated earned premiums, when property and casualty insurers may not consider premium 100% earned and using proceeds from one property or casualty insurance policy to pay for the premium of another policy.

Submitted by Office of the Commissioner of Insurance.

To committee on Financial Institutions and Insurance.

Referred on May 18, 1989.

Assembly Clearinghouse Rule 88-211

Relating to panel review of applications and to written and oral examinations administered to applicants for a license as a physician's assistant.

Submitted by Department of Regulation and Licensing.

To committee on Commerce and Consumer Affairs.

Referred on May 18, 1989.

Assembly Clearinghouse Rule 89-7

Relating to a potato marketing order for the levy and payment of assessments for purposes of financing research, market development, industry communication, educational programs and the creation of a marketing board for administration of the marketing order.

Submitted by Department of Agriculture, Trade and Consumer Protection.

To committee on Agriculture.

Referred on May 18, 1989.

Assembly Clearinghouse Rule 89-11

Relating to a guaranteed job training and work experience pilot program for recipients of aid to families with dependent children.

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Submitted by Department of Health and Social Services.

To committee on Children and Human Services.

Referred on May 18, 1989.

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

To committee on Rules.

JOHN MEDINGER
Chairperson

COMMITTEE REPORTS

The committee on Health reports and recommends:

Assembly Joint Resolution 19

Relating to the inequity of medicare payments between rural and urban hospitals.

Adoption of assembly amendment 1:

Ayes: (16) Noes: (0)

Adoption: Ayes: (16) Noes: (0)

To committee on Rules.

Assembly Joint Resolution 44

Relating to the inequity of medicare reimbursements between rural and urban physicians.

Adoption: Ayes: (17) Noes: (0)

To committee on Rules.

THOMAS BARRETT
Chairperson

The committee on Rural Development and Forestry reports and recommends:

Assembly Bill 275

Relating to discharges from underground petroleum product storage tanks and making an appropriation.

Adoption of assembly substitute amendment 1:

Ayes: (12) Noes: (0)

Passage: Ayes: (12) Noes: (0)

To Joint Committee on Finance.

JOHN VOLK
Chairperson

The committee on State Affairs reports and recommends:

Assembly Bill 183

Relating to classification status and collective bargaining of attorneys employed in the office of the state public defender.

Passage: Ayes: (6) Noes: (5)

To Joint Committee on Finance.

Assembly Bill 217

Relating to ensuring that trainers of dogs trained to aid blind, deaf or mobility-impaired will not be denied access to public accommodations because they are accompanied by such a dog.

Adoption of assembly amendment 1:

Ayes: (11) Noes: (0)

LEAVES OF ABSENCE

Representative Radtke asked unanimous consent for a leave of absence for today's session for Representative Tregoning. Granted.

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

Representative Gruszynski asked unanimous consent that the assembly stand recessed for one-half hour. Granted.

The assembly stood recessed.

9:35 A.M.

RECESS

10:15 A.M.

The assembly reconvened.
Representative Carpenter in the chair.

Representative Hauke asked unanimous consent that the assembly stand informal for one-half hour. Granted.

The assembly stood informal.

10:16 A.M.

10:45 A.M.

The assembly reconvened.
Speaker pro tempore Clarenbach in the chair.

CALENDAR OF THURSDAY, MAY 18

Senate Joint Resolution 21

Relating to inviting President George Bush to Wisconsin to present him with a Wisconsin fishing license.

The question was: Shall the assembly recede from its position on assembly amendment 1 to **Senate Joint Resolution 21**?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 21** be immediately messaged to the senate. Granted.

Assembly Joint Resolution 32

Relating to designating "Wisconsin Volunteer Emergency Personnel Week".

The question was: Shall **Assembly Joint Resolution 32** be adopted?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 32** be immediately messaged to the senate. Granted.

Assembly Bill 89

Relating to issuance of permits for the transportation of oversize loads of road construction materials on certain highways.

The question was: Shall **Assembly Bill 89** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 89** be given a third reading. Granted.

The question was: **Assembly Bill 89** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 89** be immediately messaged to the senate. Granted.

Assembly Bill 231

Relating to permitting the transportation of iron ore concentrates and alloyed iron in vehicles exceeding weight and length limitations.

The question was: Shall **Assembly Bill 231** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 231** be given a third reading. Granted.

The question was: **Assembly Bill 231** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 231** be immediately messaged to the senate. Granted.

Assembly Bill 263

An act to repeal, renumber, amend, reenact and revise various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of officers and institutions, correcting and clarifying references, renumbering for better location and arrangement, eliminating unnecessary and obsolete provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

The question was: Shall **Assembly Bill 263** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 263** be given a third reading. Granted.

The question was: **Assembly Bill 263** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 263** be immediately messaged to the senate. Granted.

Assembly Bill 267

Relating to securing loads of junk or scrapped vehicles.

The question was: Shall **Assembly Bill 267** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 267** be given a third reading. Granted.

The question was: **Assembly Bill 267** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 267** be immediately messaged to the senate. Granted.

Representative Hauke asked unanimous consent that **Assembly Bill 249** be taken from the table and taken up at this time. Granted.

Assembly Bill 249

Relating to domestic abuse incidents and providing penalties.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 249** offered by Representatives Krug, Huelsman, Boyle and Zeuske.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 249** be adopted?

Motion carried.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 249** offered by Representatives Krug, Huelsman, Boyle and Zeuske.

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 249** be adopted?

Motion carried.

Assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 249** offered by Representatives Young and Rohan.

Representative Krug moved rejection of assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 249**.

The question was: Shall assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 249** be rejected?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Barca, Bell, Boyle, Brandemuehl, Coggs, S., Coleman, Farrow, Fergus, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Hamilton, Hauke, Holperin, Huber, Hubler, Huelsman, Johnsrud, Klusman, Krug, Krusick, Kunicki, Ladwig, Lahn, Larson, Lehman, Linton, Lorge, Moore, Musser, Nelsen, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Radtke, Roberts, Robson, Rosenzweig, Rutkowski, Schmidt, Schneiders, Seery, Stower, Swoboda, Turba, Underheim, Van Gorden, Vanderperren, Volk, Walling, Welch, Wimmer, Wood, Zeuske, Zien and Zweck — 64.

Noes — Representatives Baldus, Barrett, Black, Bock, Bolle, Brancel, Carpenter, Clarenbach, Coggs, M., Deininger, Duff, Fortis, Gruszynski, Harsdorf, Hasenohrl, Holschbach, Lautenschlager, Lepak, Lewis, Loucks, Medinger, Rohan, Schneider, Schultz, Thompson, Travis, Van Dreef, Vergeront, Wineke, Young and Speaker Loftus — 31.

Absent or not voting — Representatives Hinkfuss, Tesmer, Tregoning and Williams — 4.

Motion carried.

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

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 249** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 249** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 249** be given a third reading. Granted.

The question was: **Assembly Bill 249** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 249** be immediately messaged to the senate. Granted.

Senate Bill 72

Relating to reimbursement rates for library system-funded interlibrary borrowing payments.

The question was: Shall **Senate Bill 72** be ordered to a third reading?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 72** be given a third reading. Granted.

The question was: **Senate Bill 72** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 72** be immediately messaged to the senate. Granted.

Representative Schneider asked unanimous consent that the assembly adjourn in honor of the Vietnam Veterans Memorial at Highground in Nielsville, who kicked off their World War II Design Competition today. Granted.

Representative M. Coggs asked unanimous consent that the assembly adjourn in honor of Norman Justice, a Kansas State Representative who has served seventeen years in the Kansas Legislature and is resigning because of ill health. Granted.

Representative Wood asked unanimous consent that the assembly adjourn in honor of Maggie Scharch of his staff, who is leaving the capitol after two and one-half years to pursue a career in the private sector. Granted.

Representative Schneiders asked unanimous consent that the assembly adjourn in honor of former State Senator Susan Engeleiter, who was appointed by President Bush to head the Small Business Administration in Washington, D.C. Granted.

Representative Robson asked unanimous consent that the assembly adjourn in honor of her granddaughter Jessica, who is celebrating her first birthday today. Granted.

Representative Moore asked unanimous consent that the assembly adjourn in honor of Yvonne Marie McKinney-Davis, who is celebrating her forty-third birthday today. Granted.

Representative Moore asked unanimous consent that the assembly adjourn in honor of Malcolm X, who was born on May 19 and stressed economic independence for African Americans and to build self-esteem. He urged African Americans to use their votes to ensure that politicians operated in the best interests of the African Americans. Granted.

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Representative Plache asked unanimous consent that the assembly adjourn in honor of the Small Fry Basketball Team from Racine, which recently qualified for the AAU-USA Boys Basketball Championships to be held in Las Vegas in July. Granted.

Representative S. Coggs asked unanimous consent that the assembly adjourn in honor of the "Brown vs Board of Education" decision rendered 35 years ago today. 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:

Students from Footville Elementary School, guests of Representative Deininger.

Dr. Joe Trader from Manitowoc, guest of Representative Holschbach.

Students from Sheboygan Christian School, guests of Representatives Potter and Turba.

Students from Iola-Scandinavia Elementary School, guests of Representative Gruszynski.

Eighth grade students from Winneconne Community School, accompanied by teachers John Sandberg, Bob Reed, Marie Gartman and John Last, guests of Representative Klusman.

Representative Hauke moved that the assembly stand adjourned until 10:00 A.M. on Tuesday, May 23.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

11:15 A.M.