

STATE OF WISCONSIN
Assembly Journal
Eighty-Ninth Regular Session

10:00 A.M.

WEDNESDAY, October 11, 1989

The assembly met.

Speaker Loftus in the chair.

The prayer was offered by Reverend Richard Goins of the First Baptist Church in Eau Claire.

Representative Vanderperren 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, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, S., Coleman, Deininger, Duff, 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, Urban, 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 — Representative M. Coggs — 1.

Vacancies — 19th Assembly District — 1.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 218** offered by committee on Colleges and Universities.

Assembly substitute amendment 1 to **Assembly Bill 235** offered by Representative S. Coggs.

Assembly amendment 1 to **Assembly Bill 350** offered by committee on Environmental Resources and Utilities.

Assembly amendment 2 to **Assembly Bill 350** offered by committee on Environmental Resources and Utilities.

Assembly substitute amendment 1 to **Assembly Bill 353** offered by committee on Environmental Resources and Utilities.

Assembly amendment 1 to **Assembly Bill 422** offered by Representative Thompson.

Assembly substitute amendment 1 to **Assembly Bill 431** offered by committee on Colleges and Universities.

Assembly amendment 1 to **Assembly Bill 491** offered by Representatives Lorge and Bell.

Assembly substitute amendment 1 to **Assembly Bill 517** offered by committee on Environmental Resources and Utilities.

ADMINISTRATIVE RULES

Read and referred:

Assembly Clearinghouse Rule 88-19

Relating to the regulation of the construction and installation of groundwater monitoring wells.

Submitted by Department of Natural Resources.

To committee on Natural Resources.

Referred on October 11, 1989.

Assembly Clearinghouse Rule 89-61

Relating to coverage of dental services under medical assistance.

Submitted by Department of Health and Social Services.

To committee on Health.

Referred on October 11, 1989.

Assembly Clearinghouse Rule 89-141

Relating to securities and franchise registration exemptions; securities and franchise registration and disclosure standards, requirements and procedures; securities broker-dealer, securities agent and investment adviser licensing requirements and procedures, including permanent rules to replace emergency rules adopted effective August 15, 1989, to brokered certificates of deposit; and fees for delinquent filings under the securities and franchise laws.

Submitted by Office of the Commissioner of Securities.

To committee on Housing, Securities and Corporate Policy.

Referred on October 11, 1989.

INTRODUCTION AND REFERENCE
OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 88

Relating to memorializing congress to help change current practices in the ship-building industry.

By Representatives Lorge, Bolle, Vergeront, Holschbach, Stower, Underheim, Musser, Baldus and Zien, cosponsored by Senators Kreul and Van Sistine.

To committee on Labor.

Assembly Joint Resolution 89

Relating to benefits under and financing for medicare.

By Representatives Krug, Krusick, Rohan, Plache, Lorge, Bolle, Holschbach, Williams and Vanderperren, cosponsored by Senators Burke and Van Sistine.

To committee on Health.

Assembly Bill 592

Relating to worthless checks.

By Representatives Foti, Radtke, Holperin, Ladwig, Duff, Gard, Ourada, Klusman, Bolle, Brandemuehl, Harsdorf, Rosenzweig, Ott, Lahn, Zweck and Walling, cosponsored by Senators Rude, Lasee and Lekan.

To committee on Criminal Justice and Public Safety.

Assembly Bill 593

Relating to the study of the black bear as a predator of the white-tailed deer and making an appropriation.

By Representatives Travis, Linton, Gruszynski, Huber, Kunicki, Holperin, Boyle, Zweck, Stower, Medinger, Wineke and Lautenschlager, cosponsored by Senators Jauch and Helbach.

To committee on Colleges and Universities.

Assembly Bill 594

Relating to premium subsidies for certain persons with acquired immunodeficiency syndrome, granting rule-making authority and making an appropriation.

By Representatives Bock, Clarenbach, Notestein, Bolle, Carpenter, Schneiders, Young, Plache, M. Coggs, Barrett, Fortis, Lautenschlager, Boyle, S. Coggs, Moore, Gruszynski, Bell, Robson, Black, Kunicki and Loftus, cosponsored by Senators Te Winkle, Chvala, Burke and Feingold.

To committee on Health.

Assembly Bill 595

Relating to supplementing the community integration program service rate to serve individuals relocated from Horizons Unlimited and making an appropriation.

By Representatives Holperin, Volk, Zweck, Ourada and Huber, cosponsored by Senator Kincaid.

To committee on Health.

Assembly Bill 596

Relating to contributions to retailers by brewers and wholesalers of fermented malt beverages.

By Representatives Walling, Medinger, Grobschmidt, Loucks, Van Gorden, Turba, Underheim, Schmidt, Lorge, Deininger, Lepak, Moore, Vergeront, Radtke, Robson, Ourada, Duff and Zien,

cosponsored by Senators Rude, Stitt, Farrow and Lorman.

To committee on Excise and Fees.

Assembly Bill 597

Relating to establishing a challenge incarceration program for certain youthful offenders.

By Representatives Medinger, Lorge, Wood, Porter, Black, Hamilton, Harsdorf, Carpenter, Zweck, Schneiders, Brandemuehl, Musser, Schmidt, Goetsch, Lehman, Wimmer, Johnsrud, Krusick, Huber, Vanderperren, Walling, Larson, Nelsen, Prosser, Klusman, Ourada, Rosenzweig, Panzer, Tregoning, Welch, Radtke, Zeuske, Vergeront, Urban, Turba, Ladwig, Van Gorden, Schultz, Zien, Lewis, Underheim, Duff, Plache, Boyle, Stower, Bolle, Barca, Roberts and Wineke, cosponsored by Senators Ellis, Moen, Buettner, Rude, Weeden and Kreul.

To committee on Family Law and Corrections.

Assembly Bill 598

Relating to making covert surveillance an unfair labor practice and forbidding disciplinary action against state employes based on covert surveillance.

By Representatives Carpenter, Clarenbach, M. Coggs, Plache, Lorge, Robson, Rohan, Seery and Boyle, cosponsored by Senators Te Winkle and Andrea.

To committee on Labor.

Assembly Bill 599

Relating to requiring children to be enrolled in school before they may be issued an operator's license and revocation of certain children's operator's licenses.

By Representatives Krusick, Potter, Lepak, Loucks, Brancel, Harsdorf, Ladwig, Ourada, Schneiders, Vergeront, Zien and Lorge, cosponsored by Senators Andrea, Buettner, Davis, Farrow, Lorman, Stitt and Lekan.

To committee on Transportation.

Assembly Bill 600

Relating to information concerning fishing and the health risks of eating certain fish.

By Representatives Seery, Carpenter, Robson, Young, Rohan, Notestein, Plache, Bell, Black, Bock, Van Dreel, Huber, Underheim, Boyle, Stower and Fortis, cosponsored by Senators Chvala, Burke, Strohl, Cowles and Feingold.

To committee on Health.

Assembly Bill 601

Relating to requiring the state to pay for certain pupils who reside in a 1st class city to attend a nonsectarian private school, granting rule-making authority and making an appropriation.

By Representatives Williams, Moore, S. Coggs, Hauke, Nelsen, Prosser, Wood, Gronemus, Medinger, Antaramian, Stower, Boyle, Bolle, Brancel, Coleman, Deininger, Duff, Foti, Gard, Goetsch, Huelsman, Johnsrud, Klusman, Ladwig, Lahn, Lehman, Lepak, Lewis, Ott, Ourada, Porter, Radtke, Schmidt, Schneiders, Tregoning, Turba, Urban, Underheim, Van Gorden, Vergeront, Walling, Welch, Musser,

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Wimmer, Larson, Zeuske and Zien, cosponsored by Senators Burke, Buettner, Andrea, Davis, Stitt, Farrow, Lorman, Leean and Plewa.

To committee on Urban Education.

Assembly Bill 602

Relating to: various changes in the worker's compensation laws, making appropriations and providing a penalty.

By Representative Holschbach, cosponsored by Senator Van Sistine, by request of Worker's Compensation Advisory Council.

To committee on Labor.

Assembly Bill 603

Relating to collecting court fees for tax warrants.

By Representatives Turba, Potter, Vergeront, Lautenschlager, Stower, Deininger, Ott, Lorge, Radtke, Tregoning, Robson, Lahn, Bolle, Ladwig, Hamilton and Huber, cosponsored by Senators Stitt and Kreul.

To committee on Judiciary.

Assembly Bill 604

Relating to failure to pay for food, lodging, accommodation or service.

By Representatives Thompson, Wimmer, Rutkowski, Welch, Huelsman, Deininger, Underheim, Lewis, Schmidt, Grobschmidt, Hubler and Holperin, cosponsored by Senators Jauch, Weeden, Plewa and Van Sistine.

To committee on Judiciary.

COMMITTEE REPORTS

The committee on Children and Human Services reports and recommends:

Assembly Bill 562

An act relating to the child support supplement program.

Passage: Ayes: (8) Noes: (4)

To calendar.

REBECCA YOUNG
Chairperson

The committee on Elections and Constitutional Law reports and recommends:

Assembly Bill 389

Relating to the number of signatures required on nomination papers for the office of county supervisor.

Passage: Ayes: (8) Noes: (1)

To committee on Rules.

Assembly Bill 391

Relating to granting to electors in villages the authority to enact legislation by referendum.

Passage: Ayes: (9) Noes: (0)

To committee on Rules.

TIMOTHY CARPENTER
Chairperson

The Joint Survey Committee on Tax Exemptions reports and recommends:

Assembly Bill 100

Relating to a sales tax and use tax exemption for snowmobile trail groomers.

Adoption of report: Ayes: (5) Noes: (2)

To committee on Ways and Means.

AL BALDUS
Assembly Chairperson

COMMUNICATIONS

October 10, 1989

Speaker Thomas Loftus
Room 211 West, State Capitol
Madison, WI 53702

Dear Speaker Loftus:

As chair of the Assembly Health Committee, I wish to inform you that I am reinstating the Subcommittee on Long-term Care which was part of the Assembly Health Committee during the last legislative session.

The subcommittee members are as follows:

Rep. Spencer Black, Chair
Rep. Brad Zweck, Vice-chair
Rep. Judy Robson
Rep. Tim Carpenter
Rep. Tom Ourada
Rep. DuWayne Johnsrud

Sincerely,
TOM BARRETT
Committee Chair

LEAVES OF ABSENCE

Representative Hauke asked unanimous consent for a leave of absence for today's session for Representative M. Cogs. Granted.

MOTIONS

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 534** be withdrawn from the committee on Tourism, Recreation and Government Operations and referred to the Joint Survey Committee on Retirement Systems. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 600** be withdrawn from the committee on Health and referred to the committee on Environmental Resources and Utilities. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 312** be withdrawn from today's calendar and laid on the table. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 202** be withdrawn from today's calendar and placed at the foot of the twelfth order of business on today's calendar. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 53** be withdrawn from the committee on Rules and taken up at this time. Granted.

Senate Joint Resolution 53

Relating to proclaiming the week of October 15 to 21, 1989, as "Wisconsin Business Women's Week" in conjunction with National Business Women's Week.

The question was: Shall **Senate Joint Resolution 53** be concurred in?

Motion carried.

Representative Clarenbach asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 53** be immediately messaged to the senate. Granted.

CALENDAR OF WEDNESDAY, OCTOBER 11

Speaker pro tempore Clarenbach in the chair.

Assembly Bill 313

Relating to requiring the department of industry, labor and human relations to promulgate rules about fireworks.

Assembly amendment 1 to assembly amendment 1 to **Assembly Bill 313** offered by Representative Lepak.

The question was: Shall assembly amendment 1 to assembly amendment 1 to **Assembly Bill 313** be adopted?

Motion carried.

The question was: Shall assembly amendment 1 to **Assembly Bill 313** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 313** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 313** be given a third reading. Granted.

Representative Brancel moved that **Assembly Bill 313** be referred to the committee on State Affairs.

The question was: Shall **Assembly Bill 313** be referred to the committee on State Affairs?

The roll was taken.

The result follows:

Ayes — Representatives Brancel, Brandemuehl, Fergus, Harsdorf, Hinkfuss, Hubler, Klusman, Ladwig, Lahn, Larson, Lewis, Loucks, Nelsen, Panzer, Prosser, Radtke, Rosenzweig, Schneiders, Swoboda, Thompson, Turba, Underheim, Urban, Vergeront, Volk, Welch, Zeuske and Zien — 28.

Noes — Representatives Antaramian, Baldus, Barca, Barrett, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, S., Coleman, Deininger, Duff, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Huber, Huelsman, Johnsrud, Krug, Krusick, Kunicki, Lautenschlager, Lehman, Lepak, Linton, Lorge, Medinger, Moore, Musser, Notestein, Ott, Ourada, Plache, Porter, Potter, Roberts, Robson, Rohan, Rutkowski, Schmidt, Schneider, Schultz, Seery, Stower, Travis, Tregoning, Van Dreel, Van Gorden, Vanderperren, Walling, Williams, Wimmer, Wineke, Wood, Young, Zweck and Speaker Loftus — 69.

Absent or not voting — Representative Coggs, M. — 1.

Motion failed.

The question was: **Assembly Bill 313** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Barrett, Bell, Black, Bock, Bolle, Boyle, Brandemuehl, Carpenter, Clarenbach, Coggs, S., Coleman, Deininger, Duff, Fergus, Fortis, Foti, Gard, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Krug, Krusick, Kunicki, Lautenschlager, Lepak, Linton, Lorge, Loucks, Medinger, Moore, Musser, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schmidt, Schultz, Seery, Stower, Swoboda, Travis, Tregoning, Urban, Van Dreel, Van Gorden, Vanderperren, Walling, Williams, Wimmer, Wineke, Wood, Young, Zien, Zweck and Speaker Loftus — 78.

Noes — Representatives Brancel, Goetsch, Harsdorf, Klusman, Ladwig, Lahn, Larson, Lehman, Lewis,

Nelsen, Schneider, Schneiders, Thompson, Turba, Underheim, Vergeront, Volk, Welch and Zeuske — 19.

Absent or not voting — Representative Coggs, M. — 1.

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 313** be immediately messaged to the senate. Granted.

Assembly Bill 63

Relating to adoptions, termination of parental rights and the guardianship status of children.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 63** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 63** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 63** be given a third reading. Granted.

The question was: **Assembly Bill 63** 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 63** be immediately messaged to the senate. Granted.

Assembly Bill 283

Relating to battery to a probation and parole agent and providing a penalty.

The question was: Shall **Assembly Bill 283** be ordered engrossed and read a third time?

Motion carried.

Representative Schneider asked unanimous consent that the rules be suspended and that **Assembly Bill 283** be given a third reading. Granted.

The question was: **Assembly Bill 283** having been read three times, shall the bill be passed?

Motion carried.

Representative Schneider asked unanimous consent that the rules be suspended and that **Assembly Bill 283** be immediately messaged to the senate. Granted.

Assembly Bill 284

Relating to prohibiting a pupil from using or possessing an electronic communication device on the premises of a public school and providing a penalty.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 284** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 284** be ordered engrossed and read a third time?

Motion carried.

Representative Schneider asked unanimous consent that the rules be suspended and that **Assembly Bill 284** be given a third reading. Granted.

The question was: **Assembly Bill 284** having been read three times, shall the bill be passed?

Motion carried.

Representative Schneider asked unanimous consent that the rules be suspended and that **Assembly Bill 284** be immediately messaged to the senate. Granted.

Assembly Bill 433

Relating to the recommendations made by planning councils under the special transfer program to reduce racial imbalance.

Assembly substitute amendment 1 to **Assembly Bill 433** offered by Representative Williams.

Representative Prosser asked unanimous consent that **Assembly Bill 433** be placed after **Assembly Bill 202** on today's calendar. Granted.

Assembly Bill 202

Relating to the sale and installation of cemetery monuments, granting rule-making authority and providing a penalty.

Representative Hauke asked unanimous consent that **Assembly Bill 202** be placed at the head of the twelfth order of business on the calendar of Tuesday, October 17. Granted.

Assembly Bill 433

Relating to the recommendations made by planning councils under the special transfer program to reduce racial imbalance.

Representative Barrett moved rejection of assembly substitute amendment 1 to **Assembly Bill 433**.

POINT OF ORDER

Representative Barrett rose to the point of order that assembly substitute amendment 1 to **Assembly Bill 433** was not germane under Assembly Rule 54(3).

The chair (Speaker pro tempore Clarenbach) ruled the point of order well taken.

Assembly amendment 1 to **Assembly Bill 433** offered by Representative Williams.

POINT OF ORDER

Representative Barrett rose to the point of order that assembly amendment 1 to **Assembly Bill 433** was not germane under Assembly Rule 54(3).

The chair (Speaker pro tempore Clarenbach) ruled the point of order well taken.

The question was: Shall **Assembly Bill 433** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barrett, Bell, Black, Bock, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, S., Coleman, Deininger, Duff, Fergus, Fortis, Gard, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Klusman, Krug, Krusick, Kunicki, Ladwig, Lahn, Lautenschlager, Lewis, Linton, Lorge, Loucks, Medinger, Moore, Musser, Nelsen, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schneider, Schneiders, Seery, Stower, Swoboda, Thompson, Travis, Tregoning, Turba, Underheim, Urban, Van Dreel, Van Gorden, Vanderperren, Volk, Walling, Welch, Wimmer, Wineke, Young, Zeuske, Zien, Zweck and Speaker Loftus — 84.

Noes — Representatives Barca, Bolle, Foti, Goetsch, Larson, Lehman, Lepak, Radtke, Schmidt, Schultz, Vergeront, Williams and Wood — 13.

Absent or not voting — Representative Coggs, M. — 1.

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 433** be given a third reading. Granted.

The question was: **Assembly Bill 433** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Barrett, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, S., Coleman, Deininger, Duff, 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, Urban, Van Dreel, Van Gorden, Vanderperren, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus — 97.

Noes — None.

Absent or not voting — Representative Coggs, M. — 1.

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 433** be immediately messaged to the senate. Granted.

Representative Lewis asked unanimous consent to be made a coauthor of **Assembly Bill 493**, **Assembly Bill 540**, **Assembly Bill 548**, **Assembly Bill 556** and **Assembly Bill 572**. Granted.

Representative Clarenbach asked unanimous consent to be removed as a coauthor of **Assembly Bill 571**. Granted.

Representative Zeuske asked unanimous consent that the assembly adjourn in honor of Representative Nelsen who is celebrating her fifty-fourth birthday today, and Representative Schultz, whose wife gave birth to their second daughter yesterday. Granted.

Representative Schultz asked unanimous consent that the assembly adjourn in honor of his wife Rachel Louise, who gave birth to their second daughter, Amanda Louise, yesterday, October 10. Granted.

Representative Gronemus asked unanimous consent that the assembly adjourn in honor of her and her husband Lambert's fortieth wedding anniversary tomorrow, October 12. Granted.

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.

10:45 A.M.