

STATE OF WISCONSIN
Assembly Journal
Eighty-Ninth Regular Session

10:00 A.M.

TUESDAY, October 24, 1989

The assembly met.

Speaker pro tempore Clarenbach in the chair.

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

A quorum was present.

The prayer was offered by Reverend Timothy Sumner of Westgate Bible Church in Eau Claire.

Representative Hamilton 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, M., 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, Wimmer, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus — 97.

Absent — None.

Absent with leave — Representative Williams — 1.

Vacancies — 19th Assembly District - 1.

AMENDMENTS OFFERED

Assembly substitute amendment 2 to **Assembly Bill 191** offered by Joint Committee on Finance.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 379** offered by Representative Prosser.

Assembly amendment 3 to assembly amendment 2 to **Assembly Bill 379** offered by Representatives Foti, Gronemus, Panzer and Antaramian.

Assembly amendment 4 to **Assembly Bill 379** offered by Representative Foti.

Assembly amendment 5 to **Assembly Bill 379** offered by Representative Stower.

Assembly amendment 1 to **Assembly Bill 506** offered by Representatives Coleman, Duff, Schneiders, Rosenzweig and Swoboda.

Assembly amendment 2 to **Assembly Bill 605** offered by committee on Highways.

COMMITTEE REPORTS

The Joint Committee on Finance reports and recommends:

Assembly Bill 191

Relating to treatment of income and resources of certain institutionalized individuals who apply for or receive medical assistance and granting rule-making authority.

Adoption of assembly substitute amendment 2:
Ayes: (16) Noes: (0)

Passage: Ayes: (16) Noes: (0)
To committee on Rules.

WALTER KUNICKI
Assembly Chairperson

LEAVES OF ABSENCE

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

MOTIONS

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 91** be withdrawn from the committee on Rules and placed under the ninth order of business on today's calendar. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 353** be withdrawn from the committee on Rules and referred to the Joint Committee on Finance. Granted.

Representative Gruszynski asked unanimous consent that the assembly stand recessed for two seconds. Granted.

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The assembly stood recessed.

10:12 A.M.

RECESS

The assembly reconvened.

11:22 A.M.

Representative Hamilton asked unanimous consent to be made a coauthor of **Assembly Bill 379**. Granted.

Representative Ott asked unanimous consent to be made a coauthor of **Assembly Bill 379**. Granted.

CALENDAR OF MONDAY, OCTOBER 23

Assembly Bill 128

Relating to prohibiting age discrimination against adults seeking accommodations in hotels and similar establishments.

The question was: Shall senate substitute amendment 1 to **Assembly Bill 128** be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 128** be immediately messaged to the senate. Granted.

Assembly Bill 262

An act relating to directing the state superintendent to study specialized physical health care services in schools.

The question was: Shall senate amendment 1 to **Assembly Bill 262** be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 262** be immediately messaged to the senate. Granted.

CALENDAR OF TUESDAY, OCTOBER 24

Assembly Joint Resolution 70

Relating to supporting a federal increased tax deduction for health insurance costs paid by self-employed taxpayers.

The question was: Shall **Assembly Joint Resolution 70** be adopted?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 70** be immediately messaged to the senate. Granted.

Assembly Joint Resolution 91

Relating to early detection and early treatment of breast cancer.

The question was: Shall **Assembly Joint Resolution 91** be adopted?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 91** be immediately messaged to the senate. Granted.

Assembly Bill 237

Relating to reimbursements to local agencies for expenses incurred in hazardous substance discharge responses.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 237** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 237** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 237** be given a third reading. Granted.

The question was: **Assembly Bill 237** 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 237** be immediately messaged to the senate. Granted.

Assembly Bill 316

Relating to issuance of a civil judgment for unpaid restitution.

The question was: Shall **Assembly Bill 316** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 316** be given a third reading. Granted.

The question was: **Assembly Bill 316** 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 316** be immediately messaged to the senate.

Representative M. Coggs objected.

Representative Hauke moved that the rules be suspended and that **Assembly Bill 316** be immediately messaged to the senate.

The question was: Shall the rules be suspended and **Assembly Bill 316** be immediately messaged to the senate?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Barrett, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, 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, Lautenschlager, Lehman, Lepak, Lewis, Linton, Lorge, Loucks, Medinger, 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, Urban, Van Dreel, Van Gorden, Vanderperren, Vergeront, Volk, Walling, Wimmer, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus — 90.

Noes — Representatives Coggs, M., Coggs, S., Moore, Musser, Underheim and Welch — 6.

Absent or not voting — Representatives Larson and Williams — 2.

Motion carried.

Assembly Bill 361

Relating to use of videotaped statements of children at preliminary examinations.

The question was: Shall **Assembly Bill 361** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 361** be given a third reading. Granted.

The question was: **Assembly Bill 361** 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 361** be immediately messaged to the senate. Granted.

Assembly Bill 379

Relating to prohibiting dog racing in a specified area of the state.

Representative Hauke asked unanimous consent that **Assembly Bill 379** be placed at the foot of the thirteenth order of business on today's calendar. Granted.

Assembly Bill 446

Relating to cash deposits for defendants charged with crimes.

The question was: Shall **Assembly Bill 446** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 446** be given a third reading. Granted.

The question was: **Assembly Bill 446** 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 446** be immediately messaged to the senate. Granted.

Assembly Bill 454

Relating to tribal court proceedings and acts of tribal legislatures.

Assembly amendment 1 to **Assembly Bill 454** offered by Representative Prosser.

Representative Rutkowski asked unanimous consent that **Assembly Bill 454** be laid on the table. Granted.

Assembly Bill 463

Relating to the length of time that certain Milwaukee teachers participating in the Wisconsin retirement system are eligible for a special death benefit.

The question was: Shall **Assembly Bill 463** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 463** be given a third reading. Granted.

The question was: **Assembly Bill 463** 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, 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, Schneider, Schneiders, Schultz, Seery, Stower, Swoboda, Thompson, Travis, Tregoning,

Turba, Underheim, Urban, Van Dreel, Van Gorden, Vanderperren, Vergeront, Volk, Walling, Welch, Wimmer, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus — 94.

Noes — Representatives Coggs, M. and Schmidt — 2.

Absent or not voting — Representatives Krug and Williams — 2.

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 463** be immediately messaged to the senate. Granted.

Assembly Bill 497

Relating to wild plants of endangered or threatened species.

The question was: Shall assembly amendment 1 to **Assembly Bill 497** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 497** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 497** be given a third reading. Granted.

The question was: **Assembly Bill 497** 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, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Duff, Fergus, Fortis, Foti, Gard, Grobschmidt, Gronemus, Gruszynski, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Krug, Krusick, Kunicki, Ladwig, Lahn, Larson, Lautenschlager, Lepak, Lewis, Linton, Lorge, Loucks, Medinger, Moore, 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, Vanderperren, Vergeront, Walling, Welch, Wineke, Wood, Young, Zien, Zweck and Speaker Loftus — 83.

Noes — Representatives Bolle, Brancel, Brandemuehl, Goetsch, Hamilton, Huelsman, Johnsrud, Klusman, Lehman, Musser, Van Gorden, Volk, Wimmer and Zeuske — 14.

Absent or not voting — Representative Williams — 1.

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 497** be immediately messaged to the senate. Granted.

Senate Bill 262

Relating to regulation of door-to-door street trades, prosecution of street trade laws generally and enforcement of wage claims.

The question was: Shall **Senate Bill 262** be ordered to a third reading?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 262** be given a third reading. Granted.

The question was: **Senate Bill 262** 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 262** be immediately messaged to the senate. Granted.

Speaker Loftus in the chair.

Assembly Bill 379

Relating to prohibiting dog racing in a specified area of the state.

Assembly substitute amendment 1 to **Assembly Bill 379** offered by Representative Prosser.

Assembly substitute amendment 2 to **Assembly Bill 379** offered by Representative Schneiders.

Representative Gronemus moved rejection of assembly substitute amendment 2 to **Assembly Bill 379**.

Representative Black moved that **Assembly Bill 379** be rereferred to the committee on State Affairs.

The question was: Shall **Assembly Bill 379** be rereferred to the committee on State Affairs?

The roll was taken.

The result follows:

Ayes — Representatives Barrett, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, M., Coggs, S., Deininger, Duff, Gard, Goetsch, Grobschmidt, Hauke, Hinkfuss, Huelsman, Johnsrud, Krusick, Ladwig, Lahn, Larson, Lehman, Lepak, Lewis, Linton, Lorge, Loucks, Moore, Musser, Nelsen, Notestein, Plache, Potter, Prosser, Radtke, Robson, Rosenzweig, Schmidt, Schneiders, Schultz, Seery, Swoboda, Thompson, Travis, Underheim, Urban, Vergeront, Walling, Welch, Zeuske, Zien and Zweck — 52.

Noes — Representatives Antaramian, Baldus, Barca, Bell, Bolle, Brancel, Clarenbach, Coleman, Fergus, Fortis, Foti, Gronemus, Gruszynski, Hamilton,

Harsdorf, Hasenohrl, Holperin, Holschbach, Huber, Hubler, Klusman, Krug, Kunicki, Lautenschlager, Medinger, Ott, Ourada, Panzer, Porter, Roberts, Rohan, Rutkowski, Schneider, Stower, Tregoning, Turba, Van Dreel, Van Gorden, Vanderperren, Volk, Wimmer, Wineke, Wood, Young and Speaker Loftus — 45.

Absent or not voting — Representative Williams — 1.

Motion carried.

Representative Stower asked unanimous consent that the assembly adjourn in honor of the Amery Public Library which was recently named "1989 Library Of The Year". Granted.

Representative Welch asked unanimous consent that the assembly adjourn in honor of Representative Radtke, who celebrated his thirty-eighth birthday yesterday. Granted.

Representative Klusman asked unanimous consent that the assembly adjourn in honor of Dan Martin, Nial Ellis and Mike Ellis from Omro, who received a Governor's Commendation for rescuing a car accident victim on their way to an Omro High School function. Granted.

Representative Moore asked unanimous consent that the assembly adjourn in honor of Chief Omotolokun Omokunde, who celebrated his birthday on October 23, 1989, and in memory of her mother, "Bea", who died three years ago yesterday. Granted.

Representative Grobschmidt asked unanimous consent that the assembly adjourn in honor of the South Milwaukee Senior High School, which was chosen by the U.S. Department of Education as one of the top 218 secondary schools in the U.S. for 1989. Granted.

Representative Zien asked unanimous consent that the assembly adjourn in honor of "Red Ribbon Week", which signifies non-use of illegal drugs and non-abuse of legal drugs, and depicts bridging the gap from apathy to action. 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:

Otto, Monica, Andrew and David Schley from Forest Junction, guests of Representative Ott.

Verna Panzer from Brownsville, mother of Representative Panzer, and Tina Gonnering from West Bend, guests of Representative Panzer.

Reverend Michael Jones from Amy Chapel Church in Elk Mound, guests of Representative Hamilton.

Student Counselor Peter Tubbs and one hundred and fifty students from Pulaski Community Schools, guests of Representatives Vanderperren and Gard.

Ifakurede Oladeja, Olayinka Oladeji, and sons Adesolu Omokunde and Sowande Omokunde from Milwaukee, guests of Representative Moore.

Thirty students from Antigo Senior High School, accompanied by their teachers Mr. Nye and Mr. Wahleitner, guests of Representative Ourada.

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.

12:10 P.M.