

STATE OF WISCONSIN
Assembly Journal
Ninetieth Regular Session

WEDNESDAY, October 30, 1991

10:40 A.M.

The assembly met.

Speaker pro tempore Clarenbach in the chair.

The prayer was offered by Representative Moore.

Representative Lautenschlager 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 Ainsworth, Antaramian, Baldus, Barca, Baumgart, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, M. Cogg, S. Cogg, Coleman, Cullen, Darling, Deininger, Duff, Fortis, Foti, Freese, Goetsch, Gard, Grobschmidt, Gronemus, Gruszynski, Hahn, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Hisrich, Holperin, Holschbach, Hough, Huber, Hubler, Johnsrud, Kaufert, Klusman, Krug, Krusick, Ladwig, Lautenschlager, Lehman, Linton, Lorge, Loucks, Medinger, Moore, Musser, Nass, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Radtke, Reynolds, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schneider, Schneiders, Schwartz, Seery, Silbaugh, Stower, Swoboda, Travis, Turba, Turner, Underheim, Urban, Vander Loop, Vanderperren, Van Dreel, Van Gorden, Vergeront, Vrakas, Welch, Williams, Wimmer, Wineke, Wood, Young, Zien and Speaker Kunicki — 97.

Absent — None.

Absent with leave — None.

Vacancies — 50th and 86th Assembly Districts — 2.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 464** offered by committee on Judiciary.

Assembly substitute amendment 1 to **Assembly Bill 564** offered by committee on Transportation.

Assembly substitute amendment 1 to **Assembly Bill 655** offered by Special Committee on Reform of Health Insurance.

Assembly amendment 1 to **Assembly Bill 666** offered by Joint Committee on Finance.

Assembly amendment 2 to **Assembly Bill 666** offered by Joint Committee on Finance.

Assembly substitute amendment 1 to **Assembly Bill 668** offered by committee on Ways and Means.

Assembly amendment 1 to **Senate Bill 86** offered by committee on Transportation.

Assembly amendment 2 to **Senate Bill 86** offered by committee on Transportation.

Assembly amendment 1 to **Senate Bill 158** offered by committee on Transportation.

Assembly amendment 2 to **Senate Bill 158** offered by committee on Transportation.

COMMITTEE REPORTS

The committee on Health reports and recommends:

Assembly Bill 559

Relating to changing certain living will and power of attorney for health care requirements.

Adoption of assembly amendment 1:

Ayes: (17) Noes: (0)

Passage: Ayes: (15) Noes: (2)

To committee on Rules.

TIMOTHY CARPENTER
Chairperson

The Joint Survey Committee on Tax Exemptions reports and recommends:

Assembly Bill 655

Relating to establishing a group health insurance plan for employes of small employers, creating a board to oversee the plan, creating a fund for catastrophic claims and a catastrophic claims fund board, creating an individual income tax deduction for certain medical care insurance costs paid by certain self-employed persons, granting rule-making authority and making an appropriation.

Adoption of report: Ayes: (9) Noes: (0)

To Special Committee on Reform of Health Insurance.

LOUIS FORTIS
Assembly Chairperson

INTRODUCTION AND REFERENCE
OF PROPOSALS

Read first time and referred:

Assembly Bill 678

Relating to licenses and fees for the sale or distribution of pesticides, fertilizers, commercial feed and soil and plant additives.

By Representatives Gruszynski, Holperin, Gronemus, Turba, Brancel, Panzer and Ourada, cosponsored by Senators Helbach, Lekan and Weeden.

To committee on Natural Resources.

Assembly Bill 679

Relating to perfecting security interests in boats.

By Representative Holperin.

To committee on Natural Resources.

Representative Barca asked unanimous consent that the assembly stand recessed for twenty-five minutes. Granted.

The assembly stood recessed.

10:55 A.M.

RECESS

2:35 P.M.

The assembly reconvened.

Speaker pro tempore Clarenbach in the chair.

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 Joint Resolution 90

Assembly Bill 581

Concurred in as amended:

Assembly Bill 428 (Senate amendment 1 adopted)

ACTION ON THE SENATE MESSAGE

Assembly Bill 428

Relating to permitting trust company banks to establish branch offices.

By Representatives Hauke, Carpenter, Darling, Loucks, Lehman, Underheim, Lorge, Hinkfuss and Schultz.

To committee on Rules.

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

A quorum was present.

Representative Travis asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 48** be taken from the table and taken up at this time. Granted.

Senate Joint Resolution 48

Relating to encouraging the creation of a milk marketing agency.

The question was: Shall **Senate Joint Resolution 48** be concurred in?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 48** be immediately messaged to the senate. Granted.

CALENDAR OF WEDNESDAY, OCTOBER 30

Assembly Bill 74

Relating to the discharge of phosphorous into the waters of this state and granting rule-making authority.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 74** be adopted?

Motion carried.

Representative Harsdorf moved that **Assembly Bill 74** be referred to the committee on Agriculture, Aquaculture and Forestry.

The question was: Shall **Assembly Bill 74** be referred to the committee on Agriculture, Aquaculture and Forestry?

The roll was taken.

The result follows:

Ayes — Representatives Ainsworth, Bell, Bolle, Brancel, Brandemuehl, Coleman, Darling, Deininger, Freese, Gard, Goetsch, Gronemus, Hahn, Harsdorf, Holschbach, Johnsrud, Kaufert, Klusman, Ladwig, Lehman, Lorge, Loucks, Musser, Nass, Ott, Ourada, Panzer, Porter, Prosser, Radtke, Rosenzweig, Schneiders, Schwartz, Silbaugh, Turba, Urban, Van Gorden, Vergeront, Vrakas, Welch, Williams, Wimmer and Zien — 43.

Noes — Representatives Antaramian, Baldus, Barca, Baumgart, Black, Bock, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Cullen, Duff, Fortis, Foti, Grobschmidt, Gruszynski, Hamilton, Hasenohrl, Hauke, Hinkfuss, Hisrich, Holperin, Hough, Huber, Hubler, Krug, Krusick, Lautenschlager, Linton, Medinger, Moore, Notestein, Plache, Potter, Reynolds, Roberts, Robson, Rohan, Rutkowski, Schneider, Seery, Stower, Swoboda, Travis, Turner, Underheim, Van Dreel, Vander Loop, Vanderperren, Wineke, Wood, Young and Speaker Kunicki — 54.

Absent or not voting — None.

Motion failed.

The question was: Shall **Assembly Bill 74** be ordered engrossed and read a third time?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Bill 74** be given a third reading.

Representative Prosser objected.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Bill 468** be withdrawn from the Joint Committee on Finance and referred to the committee on Rules. Granted.

Assembly Bill 121

Relating to the maximum permitted obligations and the maximum loans for the property tax deferral program.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 121** be adopted?

Motion carried.

Representative Ladwig moved that **Assembly Bill 121** be laid on the table.

The question was: Shall **Assembly Bill 121** be laid on the table?

The roll was taken.

The result follows:

Ayes — Representatives Ainsworth, Brancel, Brandemuehl, Coleman, Deininger, Duff, Freese, Gard, Goetsch, Hahn, Hauke, Holperin, Johnsrud, Ladwig, Lehman, Nass, Panzer, Porter, Prosser, Radtke, Schneiders, Silbaugh, Turba, Underheim, Van Gorden, Vrakas, Welch and Wimmer — 28.

Noes — Representatives Antaramian, Baldus, Barca, Baumgart, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Cullen, Darling, Fortis, Foti, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hinkfuss, Hisrich, Holschbach, Hough, Huber, Hubler, Kaufert, Klusman, Krug, Krusick, Lautenschlager, Linton, Lorge, Loucks, Medinger, Moore, Musser, Notestein, Ott, Ourada, Plache, Potter, Reynolds, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schneider, Schwartz, Seery, Stower, Swoboda, Travis, Turner, Urban, Van Dreel, Vander Loop, Vanderperren, Vergeront, Williams, Wineke, Wood, Young, Zien and Speaker Kunicki — 69.

Absent or not voting — None.

Motion failed.

The question was: Shall **Assembly Bill 121** be ordered engrossed and read a third time?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Bill 121** be given a third reading.

Representative Ladwig objected.

Assembly Bill 125

Relating to the regulation of social workers, marriage and family therapists and professional counselors, creating an examining board of social workers, marriage and family therapists and professional counselors, requiring insurance coverage of services performed by an independent clinical social worker, marriage and family therapist or professional counselor, a patient's privilege in a court proceeding to refuse to disclose communications made during or information obtained from a diagnosis or treatment of the patient's condition by certain health or mental health professionals, granting rule-making authority and providing penalties.

Assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 125** offered by Representative Clarenbach.

Representative Linton moved rejection of assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 125**.

The question was: Shall assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 125** be rejected?

Motion carried.

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

Motion carried.

The question was: Shall **Assembly Bill 125** be ordered engrossed and read a third time?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Bill 125** be given a third reading. Granted.

The question was: **Assembly Bill 125** having been read three times, shall the bill be passed?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Bill 125** be immediately messaged to the senate. Granted.

Assembly Bill 313

Relating to establishing priorities for funding environmental education grants.

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

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

Motion carried.

The question was: Shall assembly substitute 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 Travis asked unanimous consent that the rules be suspended and that **Assembly Bill 313** be given a third reading.

Representative Brancel objected.

Assembly Bill 379

Relating to various changes affecting the Wisconsin retirement system and group insurance and other benefit plans for public employes and granting rule-making authority.

The question was: Shall assembly amendment 1 to **Assembly Bill 379** be adopted?

Motion carried.

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

Representative Wood asked unanimous consent that assembly amendment 2 to **Assembly Bill 379** be laid on the table. Granted.

The question was: Shall **Assembly Bill 379** be ordered engrossed and read a third time?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Bill 379** be given a third reading. Granted.

The question was: **Assembly Bill 379** having been read three times, shall the bill be passed?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Bill 379** be immediately messaged to the senate. Granted.

Assembly Bill 432

Relating to permitting certain hospitals to provide staff privileges to certain psychologists.

The question was: Shall assembly amendment 1 to **Assembly Bill 432** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 432** be ordered engrossed and read a third time?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Bill 432** be given a third reading. Granted.

The question was: **Assembly Bill 432** having been read three times, shall the bill be passed?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Bill 432** be immediately messaged to the senate. Granted.

Assembly Bill 525

Relating to directing the department of public instruction to create individualized assessment instruments for pupils in kindergarten to grade 2 and forbidding school districts to administer standardized tests to those pupils.

Assembly amendment 1 to **Assembly Bill 525** offered by Representative Coleman.

Representative Travis asked unanimous consent that **Assembly Bill 525** be referred to the committee on Rules. Granted.

Assembly Bill 563

Relating to the lower Wisconsin state riverway, granting rule-making authority and providing an exemption from and extending the time limit for emergency rule procedures.

The question was: Shall assembly amendment 1 to **Assembly Bill 563** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 563** be ordered engrossed and read a third time?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Bill 563** be given a third reading. Granted.

The question was: **Assembly Bill 563** having been read three times, shall the bill be passed?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Bill 563** be immediately messaged to the senate. Granted.

Assembly Bill 571

Relating to various changes in the worker's compensation laws, granting rule-making authority, providing an exemption from emergency rule-making procedures, making appropriations and providing penalties.

Representative Travis asked unanimous consent that **Assembly Bill 571** be laid on the table. Granted.

Assembly Bill 648

An act relating to an authorized staff position for the lower Wisconsin state riverway board.

Representative Brandemuehl asked unanimous consent to be made a coauthor of **Assembly Bill 648**. Granted.

Representative Freese asked unanimous consent to be made a coauthor of **Assembly Bill 648**. Granted.

The question was: Shall **Assembly Bill 648** be ordered engrossed and read a third time?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Bill 648** be given a third reading. Granted.

The question was: **Assembly Bill 648** having been read three times, shall the bill be passed?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Bill 648** be immediately messaged to the senate. Granted.

Assembly Bill 649

Relating to procedures concerning tax incremental financing districts.

Representative Travis asked unanimous consent that **Assembly Bill 649** be placed after **Senate Bill 123** on today's calendar. Granted.

Senate Bill 123

Relating to avoidance of duplicate electric facilities and electric service extensions.

The question was: Shall **Senate Bill 123** be ordered to a third reading?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Senate Bill 123** be given a third reading. Granted.

The question was: **Senate Bill 123** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Senate Bill 123** be immediately messaged to the senate. Granted.

Assembly Bill 649

Relating to procedures concerning tax incremental financing districts.

Representative Travis asked unanimous consent that **Assembly Bill 649** be referred to the committee on Trade, Science and Technology. Granted.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Bill 428** be withdrawn from the committee on Rules and taken up at this time.

Representative Radtke objected.

Representative Vergeront asked unanimous consent that the assembly adjourn in honor of the birth today of Lauren Radix, daughter of legislative aide Meg Hartman Radix and her husband Ralph Radix. Granted.

Representative Ainsworth asked unanimous consent that the assembly adjourn in honor of Herb and Marge Marotz of Shawano, who celebrated their 50th wedding anniversary on Friday, October 25, 1991. Herb Marotz is the brother of Robert Marotz, former Speaker and Chief Clerk of the Assembly. Granted.

Representative Musser asked unanimous consent that the assembly adjourn in honor of his daughter Terilyn Musser, who will graduate from basic training at Fort Jackson in South Carolina on Friday, November 1, 1991. Granted.

Representative Grobschmidt asked unanimous consent that the assembly adjourn in honor of his daughter Tamara Grobschmidt, who is celebrating her 23rd birthday today. She is presently attending the University of Coimbra, in Portugal. Granted.

REFERENCE BUREAU CORRECTIONS

Assembly Bill 272

Page 13, line 4: substitute "three-eighths" for "three-eights".

VISITORS

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

Howard and Alice Clausing from the Tainter Lake area in Menomonie, guests of Representatives Hamilton and Baldus.

Representative Travis moved that the assembly stand adjourned until 10:00 A.M. tomorrow.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

4:05 P.M.