

STATE OF WISCONSIN
Assembly Journal

Ninetieth Regular Session

11:05 A.M.

TUESDAY, April 14, 1992

The assembly met.

Speaker pro tempore Clarenbach in the chair.

The prayer was offered by Representative Wood.

Representative Van Gorden 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, Albers, Antaramian, Baldus, Barca, Baumgart, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, M. Coggs, S. Coggs, Coleman, Cullen, Darling, Deininger, Duff, Fortis, Foti, Freese, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hahn, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Hisrich, Holperin, Holschbach, Hough, Huber, Hubler, Jensen, 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, Rosenzweig, Rutkowski, Schneider, Schneiders, Schwartz, Seery, Silbaugh, Springer, Stower, Swoboda, Travis, Turba, Turner, Underheim, Urban, Van Dreel, Van Gorden, Vander Loop, Vanderperren, Vergeront, Vrakas, Welch, Williams, Wineke, Wood, Young, Zien and Speaker Kunicki — 98.

Absent — None.

Absent with leave — Representative Rohan — 1.

Vacancies — None.

LEAVES OF ABSENCE

Representative Travis asked unanimous consent for a leave of absence for today's session for Representative Rohan. Granted.

Representative Travis asked unanimous consent for a leave of absence for part of today's session for Representative Boyle. Granted.

COMMUNICATIONS

The chief clerk reports the following proposals correctly enrolled:

Assembly Bill 113

Assembly Bill 119

Assembly Bill 258

Assembly Bill 263

Assembly Bill 288

Assembly Bill 306

Assembly Bill 310

Assembly Bill 324

Assembly Bill 476

Assembly Bill 491

Assembly Bill 502

Assembly Bill 508

Assembly Bill 516

Assembly Bill 538

Assembly Bill 557

Assembly Bill 564

Assembly Bill 567

Assembly Bill 572

Assembly Bill 623

Assembly Bill 635

Assembly Bill 656

Assembly Bill 661

Assembly Bill 664

Assembly Bill 676

Assembly Bill 677

Assembly Bill 684

Assembly Bill 691

Assembly Bill 699

Assembly Bill 712

Assembly Bill 717

Assembly Bill 748

Assembly Bill 754

Assembly Bill 763

Assembly Bill 876

Assembly Bill 931

Assembly Bill 938

Assembly Bill 972

Assembly Bill 983

Assembly Bill 1000

Assembly Bill 1055

Assembly Joint Resolution 21

Assembly Joint Resolution 27

Assembly Joint Resolution 91

Assembly Joint Resolution 104

Assembly Joint Resolution 105

Assembly Joint Resolution 107

Assembly Joint Resolution 108

Assembly Joint Resolution 112

Assembly Joint Resolution 114

Assembly Joint Resolution 116

Assembly Joint Resolution 117

Assembly Joint Resolution 118

Assembly Joint Resolution 123

Assembly Joint Resolution 125

Assembly Joint Resolution 126

Assembly Joint Resolution 130
Assembly Joint Resolution 143

Sincerely,
THOMAS T. MELVIN
Assembly Chief Clerk

State of Wisconsin
Department of Health and Social Services
Madison

April 3, 1992

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

To the Honorable, the Assembly:

The following bills, originating in the assembly, have been approved, signed and deposited in the office of the Secretary of State:

Assembly Bill	Act No.	Date Signed
95	155	April 10, 1992
334	156	April 10, 1992
551	157	April 10, 1992
125	160	April 13, 1992
403	161	April 13, 1992
435	162	April 13, 1992
436	163	April 13, 1992
461	164	April 13, 1992
530	165	April 13, 1992
798	166	April 13, 1992
828	167	April 13, 1992
835	168	April 13, 1992
847	169	April 13, 1992
675	174	April 14, 1992
704	175	April 14, 1992
760	176	April 14, 1992
774	177	April 14, 1992
803	178	April 14, 1992
832	179	April 14, 1992

Respectfully submitted,
TOMMY G. THOMPSON
Governor

COMMUNICATIONS

State of Wisconsin
Department of State
Madison

To Whom It May Concern:

Acts, joint resolutions and resolutions, deposited in this office, have been numbered and published as follows:

Bill or Res. No.	Act No.	Publication date
Assembly Bill 145	135	April 10, 1992
Assembly Bill 320	136	April 10, 1992

Sincerely,
DOUGLAS La FOLLETTE
Secretary of State

To the Honorable, the Assembly:

1989 Wisconsin Act 83 requires the Department of Health and Social Services to annually report to the Legislature on its Medicare Maximization efforts. The enclosed report addresses activities for 1991 and anticipated efforts for 1992.

Sincerely,
GERALD WHITBURN
Secretary

EXTRAORDINARY SESSION

In accordance with Joint Rule 81 (2), it was moved that the Legislature meet in Extraordinary Session convening at the Capitol at 10:00 A.M. on Tuesday, April 14, 1992, solely for the purpose of acting on congressional and legislative redistricting; and that the purpose of Floorperiod VI, scheduled to commence on Tuesday, May 19, 1992 is expanded to include completion of legislative action on redistricting if such action was not completed during the extraordinary session.

Adopted 5-3 by committee on Assembly Organization.

Adopted 3-2 by committee on Senate Organization.

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

The assembly stood recessed.

11:10 A.M.

RECESS

12:36 P.M.

The assembly reconvened.

Speaker Kunicki in the chair.

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

A quorum was present.

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 passed and asks concurrence in:

Senate Bill 577

Adopted and asks concurrence in:

Senate Joint Resolution 92

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 92

Relating to recalling 1991 Senate Bill 209 from enrolling for corrective action in floorperiod VI.

By committee on Senate Organization.

To calendar.

Senate Bill 577

Relating to redistricting the congressional districts.

By committee on Senate Organization.

To calendar.

CALENDAR OF TUESDAY, APRIL 14

Senate Joint Resolution 92

Relating to recalling 1991 Senate Bill 209 from enrolling for corrective action in floorperiod VI.

The question was: Shall **Senate Joint Resolution 92** be concurred in?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 92** be immediately messaged to the senate. Granted.

Senate Bill 577

Relating to redistricting the congressional districts.

Assembly amendment 1 to **Senate Bill 577** offered by Representative Radtke.

Representative Kunicki moved that assembly amendment 1 to **Senate Bill 577** be laid on the table.

The question was: Shall assembly amendment 1 to **Senate Bill 577** be laid on the table?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Cullen, Fortis, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Hinkfuss, Gruszynski, Hamilton, Hasenohrl, Hauke, Hinkfuss, Hisrich, Holperin, Holschbach, Hough, Huber, Hubler, Krug, Krusick, Lautenschlager, Linton, Medinger,

Notestein, Plache, Potter, Reynolds, Roberts, Robson, Rutkowski, Schneider, Schwartz, Seery, Springer, Stower, Swoboda, Travis, Turner, Vander Loop, Vanderperren, Wineke, Young and Speaker Kunicki — 51.

Noes — Representatives Ainsworth, Albers, Baumgart, Brancel, Brandemuehl, Coleman, Darling, Deininger, Duff, Foti, Freese, Gard, Goetsch, Hahn, Harsdorf, Jensen, Johnsrud, Kaufert, Klusman, Ladwig, Lehman, Lorge, Loucks, Musser, Nass, Ott, Ourada, Panzer, Porter, Prosser, Radtke, Rosenzweig, Schneiders, Silbaugh, Turba, Underheim, Urban, Van Dreel, Van Gorden, Vergeront, Vrakas, Welch, Williams, Wood and Zien — 45.

Absent or not voting — Representatives Boyle, Moore and Rohan — 3.

Motion carried.

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

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

The question was: Shall **Senate Bill 577** be ordered to a third reading?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Senate Bill 577** be given a third reading. Granted.

The question was: **Senate Bill 577** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Cullen, Fortis, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Hinkfuss, Hisrich, Holperin, Holschbach, Hough, Huber, Hubler, Krug, Krusick, Linton, Medinger, Moore, Notestein, Plache, Potter, Reynolds, Roberts, Robson, Rutkowski, Schneider, Schwartz, Seery, Springer, Stower, Swoboda, Travis, Turner, Vander Loop, Vanderperren, Wineke, Wood, Young and Speaker Kunicki — 53.

Noes — Representatives Ainsworth, Albers, Baumgart, Brancel, Brandemuehl, Coleman, Darling, Deininger, Duff, Foti, Freese, Gard, Goetsch, Hahn, Harsdorf, Jensen, Johnsrud, Kaufert, Klusman, Ladwig, Lautenschlager, Lehman, Loucks, Musser, Nass, Ott, Ourada, Panzer, Porter, Prosser, Radtke, Rosenzweig, Schneiders, Silbaugh, Turba, Underheim, Urban, Van Dreel, Van Gorden, Vergeront, Vrakas, Welch, Williams and Zien — 44.

Paired for — Representative Rohan — 1.
Paired against — Representative Lorge — 1.
Absent or not voting — None.
Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Senate Bill 577** be immediately messaged to the senate. Granted.

Representative Travis asked unanimous consent that the assembly stand recessed until 2:30 P.M. Granted.

The assembly stood recessed.

1:20 P.M.

RECESS

2:36 P.M.

The assembly reconvened.

EXTRAORDINARY SESSION

In accordance with Joint Rule 81 (2), it was moved that in addition to congressional and legislative redistricting the purpose of the April 14, 1992 Extraordinary Session of the Legislature is expanded to include a joint resolution proposing a constitutional amendment relating to the lottery and gambling in this state.

Adopted 4-3 by committee on Assembly Organization.

Adopted 5-0 by committee on Senate Organization.

Speaker pro tempore Clarenbach in the chair.

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

A quorum was present.

Representative Barca asked unanimous consent that the assembly stand recessed for one hour. Granted.

The assembly stood recessed.

2:44 P.M.

RECESS

6:12 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 passed and asks concurrence in:

Senate Bill 578

Adopted and asks concurrence in:

Senate Joint Resolution 93

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 93

Relating to distinguishing the state lottery from prohibited gambling, defining "lottery", and removing from the gambling section of the constitution the prohibition of individual divorce grants by the legislature (first consideration).

By committee on Senate Organization, by request of Senators Adelman, Risser, Barrett, Burke, Czarnecki, Decker, Ulichny, Plewa, Chvala, Moen, Potter, Buettner, Lorman, Petak, Farrow, Lekan, Cowles, Lasee, Stitt, Huelsman, Schultz, Weeden, Berndt and Helbach.

To committee on State Affairs.

Senate Bill 578

Relating to redistricting the legislative districts.

By committee on Senate Organization, by request of Senator Helbach.

The question was: Shall **Senate Bill 578** be ordered to a third reading?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, S., Cullen, Fortis, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Hinkfuss, Hisrich, Holperin, Holschbach, Hough, Huber, Hubler, Krug, Krusick, Lautenschlager, Linton, Medinger, Moore, Notestein, Plache, Potter, Reynolds, Roberts, Robson, Schneider, Schwartz, Seery, Springer, Stower, Swoboda, Travis, Turner, Vander Loop, Vanderperren, Wineke, Wood, Young and Speaker Kunicki — 52.

Noes — Representatives Ainsworth, Albers, Baumgart, Brancel, Brandemuehl, Coggs, M., Coleman, Darling, Deininger, Duff, Foti, Freese, Gard, Goetsch, Hahn, Harsdorf, Jensen, Johnsrud, Kaufert, Klusman, Ladwig, Lehman, Lorge, Loucks, Musser, Nass, Ott, Ourada, Panzer, Porter, Prosser, Radtke, Rosenzweig, Rutkowski, Schneiders, Silbaugh, Turba, Underheim, Urban, Van Dreel, Van Gorden, Vergeront, Vrakas, Welch, Williams and Zien — 46.

Absent or not voting — Representative Rohan — 1.

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Senate Bill 578** be given a third reading.

Representative Welch objected.

Representative Travis moved that the rules be suspended and that **Senate Bill 578** be given a third reading.

The question was: Shall the rules be suspended and that **Senate Bill 578** be given a third reading?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, S., Cullen, Fortis, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Hinkfuss, Hisrich, Holperin, Holschbach, Hough, Huber, Hubler, Krug, Krusick, Lautenschlager, Linton, Medinger, Moore, Notestein, Plache, Potter, Reynolds, Roberts, Robson, Schneider, Schwartz, Seery, Springer, Stower, Swoboda, Travis, Turner, Vander Loop, Vanderperren, Wineke, Wood, Young and Speaker Kunicki — 52.

Noes — Representatives Ainsworth, Albers, Baumgart, Brancel, Brandemuehl, Coggs, M., Coleman, Darling, Deininger, Duff, Foti, Freese, Gard, Goetsch, Hahn, Harsdorf, Jensen, Johnsrud, Kaufert, Klusman, Ladwig, Lehman, Lorge, Loucks, Musser, Nass, Ott, Ourada, Panzer, Porter, Prosser, Radtke, Rosenzweig, Rutkowski, Schneiders, Silbaugh, Turba, Underheim, Urban, Van Dreel, Van Gorden, Vergeront, Vrakas, Welch, Williams and Zien — 46.

Absent or not voting — Representative Rohan — 1.

Motion carried.

Representative Radtke moved nonconcurrency in **Senate Bill 578**.

The question was: Shall **Senate Bill 578** be nonconcurrent in?

The roll was taken.

The result follows:

Ayes — Representatives Ainsworth, Albers, Baumgart, Brancel, Brandemuehl, Coleman, Darling, Deininger, Duff, Foti, Freese, Gard, Goetsch, Hahn, Harsdorf, Jensen, Johnsrud, Kaufert, Klusman, Ladwig, Lehman, Lorge, Loucks, Musser, Nass, Ott, Ourada, Panzer, Prosser, Radtke, Rosenzweig, Rutkowski, Schneiders, Silbaugh, Turba, Underheim, Urban, Van Gorden, Vergeront, Vrakas, Welch, Williams and Zien — 43.

Noes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Cullen, Fortis, Grobschmidt,

Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Hinkfuss, Hisrich, Holperin, Holschbach, Hough, Huber, Hubler, Krug, Krusick, Lautenschlager, Linton, Medinger, Moore, Notestein, Plache, Porter, Potter, Reynolds, Roberts, Robson, Schneider, Schwartz, Seery, Springer, Stower, Swoboda, Travis, Turner, Van Dreel, Vander Loop, Vanderperren, Wineke, Wood, Young and Speaker Kunicki — 55.

Absent or not voting — Representative Rohan — 1.

Motion failed.

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

The question was: **Senate Bill 578** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, S., Cullen, Fortis, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Hinkfuss, Hisrich, Holperin, Holschbach, Hough, Huber, Hubler, Klusman, Krug, Krusick, Lautenschlager, Linton, Medinger, Moore, Notestein, Plache, Potter, Reynolds, Roberts, Robson, Schneider, Schwartz, Seery, Springer, Stower, Swoboda, Travis, Turner, Vander Loop, Wineke, Wood, Young and Speaker Kunicki — 52.

Noes — Representatives Ainsworth, Albers, Baumgart, Brancel, Brandemuehl, Coggs, M., Coleman, Darling, Deininger, Duff, Foti, Freese, Gard, Goetsch, Hahn, Harsdorf, Jensen, Johnsrud, Kaufert, Ladwig, Lehman, Lorge, Loucks, Musser, Nass, Ott, Ourada, Panzer, Porter, Prosser, Radtke, Rosenzweig, Rutkowski, Schneiders, Silbaugh, Turba, Underheim, Urban, Van Dreel, Van Gorden, Vanderperren, Vergeront, Vrakas, Welch, Williams and Zien — 46.

Absent or not voting — Representative Rohan — 1.

Motion carried.

Representative Klusman asked unanimous consent to be recorded as voting "No" on the previous question. Granted.

Representative Travis asked unanimous consent that the rules be suspended and that **Senate Bill 578** be immediately messaged to the senate. Granted.

Representative Welch moved that the rules be suspended and that **Senate Joint Resolution 93** be withdrawn from the committee on State Affairs and taken up at this time.

Representative Prosser asked unanimous consent that the assembly stand in recess.

Representative Travis objected.

Representative Welch withdrew his motion that the rules be suspended and that **Senate Joint Resolution 93** be withdrawn from the committee on State Affairs and taken up at this time.

REFERENCE BUREAU CORRECTIONS

Assembly Joint Resolution 21

In enrolling, the following correction was made:

Page 1, line 15: substitute "assembly, the senate" for "senate, the assembly".

Senate Amendment 1 to Senate Amendment 27 to Engrossed **Assembly Bill 180**

In enrolling, the Legislative Reference Bureau changed the insertion "a member of the clergy" shown in handwritten floor amendment Senate Amendment 1 to Senate Amendment 27 to Engrossed 1991 Assembly Bill 180 to read "member of the clergy".

In Senate Amendment 27, all references to clergyman read either "the clergyman" or "a clergyman". By deleting the reference to "a" member of the clergy from the insertion by Senate Amendment 1 to Senate Amendment 27, the result avoids the phrasing "the a member of the clergy" or "a a member of the clergy" which would otherwise have to be fixed by the revisor in 37 statutes.

Please take note that this correction does not affect the 5 occurrences of "clergyman" which, perhaps intentionally, were excluded from the enumeration of changes to "member of the clergy" contained in the handwritten floor amendment. The 5 occurrences are found, in Senate Amendment 27, on: 1) page 1, line 24; 2) page 2, line 1; 3) page 2, line 21; 4) page 4, line 5 (paragraph title); and 5) page 5, line 32.

Assembly Amendment 2 to Assembly Substitute Amendment 1 to **Assembly Bill 567**

In enrolling, the following correction was made:

Page 1, line 3: substitute "5." for "4."

Assembly Bill 635

Page 1, line 3: substitute "advice" for "advise".

Conference Substitute Amendment 1 to **Assembly Bill 655**

In enrolling, the following correction was made:

Page 1, line 1: before "to repeal" insert "AN ACT".

Assembly Amendment 1 to Assembly Amendment 9 to **Assembly Bill 684**

In enrolling, the following correction was made:

Page 1, line 3: substitute "than" for "that".

Assembly Amendment 1 to assembly substitute amendment 1 to **Assembly Bill 763**

In enrolling, the following correction was made:

Page 1, line 3: substitute "(2p)" for "(2m)".

VISITORS

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

Members of the Rotary International from the nation of Turkey, accompanied by Mr. Robert Handel and Mr. John Henderson, guests of Representative Coleman.

Students, teachers and chaperones from Union Grove Middle School, guests of Representative Ladwig.

Shane Beane from Spring Green, guest of Representative Albers.

Nicole Kraus from Jefferson, guest of Representative Nass.

Fifth grade students from Wrightstown Grade School accompanied by teachers Sharon School and Bill Tjoffat, guests of Representative Van Dreef.

Daughter Cindy Smits and granddaughter Melanie Smits, guests of Representative Van Dreef.

Paul Willems from Green Bay, guest of Representative Hinkfuss.

Students from Washington High School in Milwaukee, guests of Representative Moore.

Representative Travis moved that the assembly stand adjourned until 10:00 A.M. on Thursday, April 16.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

6:50 P.M.