



# STATE OF WISCONSIN Assembly Journal

## Ninety–Second Regular Session

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9:02 A.M.

THURSDAY, February 2, 1995

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The assembly met in the temporary Assembly Chamber located at 119 Martin Luther King, Jr. Blvd.

Speaker Prosser in the chair.

The prayer was offered by Representative Ott.

Representative Ryba 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, Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Brancel, Brandemuehl, Carpenter, Coggs, Coleman, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Grobschmidt, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plache, Plombon, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Schneiders, Seratti, Silbaugh, Skindrud, Springer, Travis, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Wilder, Wirch, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Prosser – 97.

Absent with leave – Representatives Vander Loop and Williams – 2.

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### LEAVES OF ABSENCE

Representative Schneider asked unanimous consent for a leave of absence for today's session for Representatives Vander Loop and Williams. Granted.

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### AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 7** offered by committee on Ways and Means.

Assembly amendment 2 to Assembly amendment 4 to Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representatives Klusman and Ladwig.

Assembly amendment 3 to Assembly amendment 4 to Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representatives Grothman, Seratti, Kelso, Olsen, Johnsrud, Owens, Brandemuehl, Gunderson, Lorge, Nass, Porter and Kreibich.

Assembly amendment 1 to Assembly amendment 7 to Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representatives Duff and Walker.

Assembly amendment 2 to Assembly amendment 7 to Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representative Kreuser.

Assembly amendment 17 to Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representative Harsdorf.

Assembly amendment 18 to Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representatives Seratti, Grothman, Ladwig and Klusman.

Assembly amendment 19 to Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representatives Seratti, Lazich, Grothman, Ladwig and Walker.

Assembly amendment 20 to Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representatives Klusman and Ladwig.

Assembly amendment 21 to Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representatives Baldwin, Bock, Carpenter, Black, R. Young, Wilder, Bell, Riley, Notestein, Travis, Hanson, Huber, Coggs, Morris–Tatum, Baldus, Grobschmidt, Ziegelbauer, Wasserman, Reynolds, Kreuser, Dueholm, Plombon, Ryba and Springer.

Assembly amendment 22 to Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representative Robson.

Assembly amendment 1 to Assembly amendment 22 to Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representative Robson.

Assembly amendment 23 to Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representatives Baldus, Hanson, Linton, Bell, Wilder, Bock, Wasserman, Riley, Springer, Ziegelbauer, Grobschmidt, Dueholm, Plombon, La Fave, Ryba, Cullen, R. Young, Black and R. Potter.

Assembly amendment 24 to Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representatives Black and Bock.

Assembly amendment 25 to Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representatives Black and Bock.

Assembly amendment 26 to Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representatives Black and Bock.

Assembly amendment 27 to Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representatives Black and Bock.

Assembly amendment 28 to Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representatives Black and Bock.

Assembly amendment 29 to Assembly substitute amendment 1 to **Assembly Bill 37** offered by Representative Kreuser.

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**COMMITTEE REPORTS**

The committee on *Ways and Means* reports and recommends:

**Assembly Bill 7**

Relating to: a limitation upon state appropriations and expenditures from general purpose revenue.

Assembly substitute amendment 1 adoption:

Ayes: 15 – Representatives Lehman, Kelso, Klusman, Coleman, Underheim, Seratti, Gard, Goetsch, Huebsch, Handrick, Bell, Wood, Travis, Robson and Ziegelbauer.

Noes: 3 — Representatives Turner, Hanson and Riley.

Passage:

Ayes: 14 – Representatives Lehman, Kelso, Klusman, Coleman, Underheim, Seratti, Gard, Goetsch, Huebsch, Handrick, Bell, Wood, Travis and Robson.

Noes: 4 — Representatives Turner, Hanson, Riley and Ziegelbauer.

To committee on Rules.

MICHAEL LEHMAN  
Chairperson  
Committee on Ways and Means

Representative Green asked unanimous consent that the assembly stand recessed for 30 minutes. Granted.

The assembly stood recessed.

9:08 A.M.

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**RECESS**

10:27 A.M.

The assembly reconvened.

Speaker Prosser in the chair.

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**CALL OF THE ASSEMBLY**

Representative Freese requested a call of the assembly. There were sufficient seconds.

The sergeant-at-arms was directed to close the doors and the chief clerk to call the roll.

The chief clerk called the roll.

Representative Freese asked unanimous consent that the call of the assembly be lifted. Granted.

Representative Ladwig asked unanimous consent to be removed as a coauthor of **Assembly Bill 66**. Granted.

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**MOTIONS**

Representative Baldwin asked unanimous consent that the rules be suspended and that **Assembly Bill 80** be withdrawn from the committee on Elections and Constitutional Law and placed at the head of the twelfth order of business on today's calendar.

Representative Freese objected.

Representative Baldwin moved that the rules be suspended and that **Assembly Bill 80** be withdrawn from the committee on Elections and Constitutional Law and placed at the head of the twelfth order of business on today's calendar.

The question was: Shall the rules be suspended and **Assembly Bill 80** be withdrawn from the committee on Elections and Constitutional Law and placed at the head of twelfth order of business on today's calendar?

The roll was taken.

The result follows:

Ayes – Representatives Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Grobschmidt, Gronemus, Hanson, Hasenohrl, Huber, Hubler, Kreuser, Krug, Krusick, Kunicki, La Fave, Linton, Meyer, Morris-Tatum, Murat, Notestein, Plache, Plombon, R. Potter, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Springer, Travis, Turner, Wasserman, Wilder, Wirch, Wood, L. Young, R. Young and Ziegelbauer – 46.

Noes – Representatives Ainsworth, Albers, Brancel, Brandemuehl, Coleman, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schneiders, Seratti, Silbaugh, Skindrud, Underheim, Urban, Vrakas, Walker, Ward, Zukowski and Speaker Prosser – 51.

Absent or not voting – Representatives Vander Loop and Williams – 2.

Motion failed.

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**CALENDAR OF THURSDAY, FEBRUARY 2**

**Assembly Bill 36**

Relating to: limiting medical malpractice noneconomic damage awards and granting rule-making authority.

The question was: **Assembly Bill 36** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Black, Brancel, Brandemuehl, Coleman, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hoven, Hubler, Huebsch, Hutchison, Jensen, Johnsrud,

Kaufert, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, Lehman, Linton, Lorge, Meyer, Murat, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Ryba, Schneider, Schneiders, Seratti, Silbaugh, Skindrud, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Wilder, Zukowski and Speaker Prosser – 64.

Noes – Representatives Baldus, Baldwin, Baumgart, Bell, Bock, Boyle, Carpenter, Coggs, Cullen, Grobschmidt, Huber, Kreuser, Krug, Krusick, Kunicki, La Fave, Morris-Tatum, Notestein, Plache, Plombon, R. Potter, Reynolds, Riley, Robson, Rutkowski, Springer, Travis, Turner, Wirch, Wood, L. Young, R. Young and Ziegelbauer – 33.

Absent or not voting – Representatives Vander Loop and Williams – 2.

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 36** be immediately messaged to the senate. Granted.

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

The assembly stood recessed.

1:45 P.M.

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**RECESS**

5:02 P.M.

The assembly reconvened.

Speaker Prosser in the chair.

**Assembly Bill 37**

Relating to: various changes in the campaign finance law.

Representative Black moved that **Assembly Bill 37** be rereferred to the committee on Elections and Constitutional Law.

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**LEAVES OF ABSENCE**

Representative Schneider asked unanimous consent for a leave of absence for the balance of today's session for Representative L. Young. Granted.

Representative Brancel asked unanimous consent for a leave of absence for the balance of today's session for Representative Albers. Granted.

Representative Duff in the chair.

Speaker Pro Tempore Freese in the chair.

The question was: Shall **Assembly Bill 37** be rereferred to the committee on Elections and Constitutional Law?

Ayes – Representatives Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Grobschmidt, Gronemus, Hanson, Hasenohrl, Huber, Hubler, Kreuser, Krug, Krusick, La Fave, Linton, Meyer, Morris–Tatum, Murat, Notestein, Plache, Plombon, R. Potter, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Springer, Travis, Turner, Wasserman, Wilder, Wirch, Wood, R. Young, Ziegelbauer – 44.

Noes – Representatives Ainsworth, Brancel, Brandemuehl, Coleman, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schneiders, Seratti, Silbaugh, Skindrud, Underheim, Urban, Vrakas, Walker, Ward, Zukowski and Speaker Prosser – 50.

Absent or not voting – Representatives Albers, Kunicki, Vander Loop, Williams, L. Young – 5.

Motion failed.

Representative Kunicki moved that **Assembly Bill 37** be laid on the table.

The question was: Shall **Assembly Bill 37** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Grobschmidt, Gronemus, Hanson, Hasenohrl, Huber, Hubler, Kreuser, Krug, Krusick, Kunicki, La Fave, Linton, Meyer, Morris–Tatum, Murat, Notestein, Plache, Plombon, R. Potter, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Springer, Travis, Turner, Wasserman, Wilder, Wirch, Wood, R. Young and Ziegelbauer – 45.

Noes – Representatives Ainsworth, Brancel, Brandemuehl, Coleman, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schneiders, Seratti, Silbaugh, Skindrud, Underheim, Urban, Vrakas, Walker, Ward, Zukowski and Speaker Prosser – 50.

Absent or not voting – Representatives Albers, Vander Loop, Williams and L. Young – 4.

Motion failed.

Representative Jensen asked unanimous consent that **Assembly Bill 37** be made a special order of business at 9:01 A.M. on Wednesday, February 15. Granted.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 7** be withdrawn from the committee on Rules and made a special order of business at 10:01 A.M. on Wednesday, February 15. Granted.

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Representative R. Young asked unanimous consent that the Assembly adjourn in honor of Jon Peacock of her office staff, who is leaving after eight years of service. Granted.

Representative Schneider asked unanimous consent that the Assembly adjourn in honor of Thomas Melvin, who after 30 years of dedicated service to the State Legislature, retired on January 31, 1995 as Assembly Chief Clerk. Granted.

Representative Silbaugh asked unanimous consent that the Assembly adjourn in honor of Jimmy the Groundhog, the weather forecaster from Sun Prairie, on the occasion of Groundhog Day which is celebrated today around the world. At 7:12 A.M. today, he did not see his shadow, meaning that Spring is only six weeks away. Granted.

Representative Coggs asked unanimous consent that the Assembly adjourn in honor of Crispus Attucks, recognized as the first person to die for freedom in the American Revolution. Granted.

Representative Huber asked unanimous consent that the Assembly adjourn in honor of the Legislative Reference Bureau, the Legislative Council and the Legislative Fiscal Bureau for all the work they have done on recent legislation. Granted.

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## VISITORS

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

Tubby Flater of Rusk County, guest of Representative Reynolds.

Katie Comstock from Oconomowoc, a senior at the University of Wisconsin–Madison, and legislative intern, guest of Representative Baumgart.

Aaron Gesicki from Sparta, guest of Representative Musser.

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**REFERENCE BUREAU CORRECTIONS**

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Assembly Amendment 1 to **Assembly Bill 36**

In engrossing, the following correction was made:

1. Page 1, line 3: substitute "**SECTION 1j.**" for "**SECTION 1g.**".

Assembly Amendment 3 to Assembly Substitute Amendment 1 to **Assembly Bill 37**

1. Page 1, line 1: delete "bill" and substitute "substitute amendment".

Representative Jensen moved that the Assembly stand adjourned until 11:30 A.M. on Tuesday, February 14 pursuant to **Senate Joint Resolution 1.**

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

8:04 P.M.