



STATE OF WISCONSIN Assembly Journal

Ninety–Second Regular Session

10:07 A.M.

TUESDAY, January 9, 1996

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker Prosser in the chair.

The prayer was offered by Darrell Bevell, a University of Wisconsin student athlete.

Representative Freese 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, Goetsch, Green, 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, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plache, Plombon, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Schneider, Schneiders, Seratti, Silbaugh, Skindrud, Springer, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wilder, Williams, Wirch, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Prosser – 95.

Absent with leave – Representatives Gard, Murat and Ryba – 3.

Vacancies – 21st Assembly District – 1.

LEAVES OF ABSENCE

Representative Green asked unanimous consent for a leave of absence for today's session for Representative Gard. Granted.

Representative R. Potter asked unanimous consent for a leave of absence for today's session for Representatives Murat and Ryba. Granted.

SPECIAL GUEST

Speaker Prosser introduced Darrell Bevell, former quarterback of the University of Wisconsin football team who led the Badgers to a Big Ten Championship in 1993 and a victory in the Rose Bowl, and the Hall of Fame Bowl the following season, and set many passing records at Wisconsin, who addressed the members from the rostrum.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 575** offered by Representatives Johnsrud and Boyle.

Assembly amendment 1 to **Assembly Bill 748** offered by committee on **Highways and Transportation**.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 95–114

Relating to liquidity levels required for savings banks.
Submitted by Office of the Commissioner of Savings and Loan.

Report received from Agency on January 3, 1996.

To committee on **Financial Institutions**.

Referred on January 5, 1996.

Assembly Clearinghouse Rule 95–201

Relating to the urban mass transit operating assistance program.

Submitted by Department of Transportation.

Report received from Agency on January 4, 1996.

To committee on **Highways and Transportation**.

Referred on January 5, 1996.

Assembly Clearinghouse Rule 95–214

Relating to advertising the ownership of remote service units, customer bank communications terminals and remote terminals.

Submitted by Offices of the Commissioners of Savings and Loan, Banking and Credit Unions.

Report received from Agency on January 3, 1996.

To committee on **Financial Institutions**.

Referred on January 5, 1996.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 774

Relating to: the regulation and licensing of crane games and certain video amusement devices by the department of revenue, creating a sales tax exemption, imposing a tax, granting rule-making authority, making an appropriation and providing a penalty.

By Representatives Handrick, Seratti, Porter, Linton, Musser, Ourada, Skindrud, Gunderson, Vander Loop, Lorge, Dobyns, Kreuser, Hasenohrl, F. Lasee, Plombon and Zukowski; cosponsored by Senators Andrea, A. Lasee, Breske and Shibilski.

To joint survey committee on **Tax Exemptions**.

Assembly Bill 775

Relating to: reporting of nontaxable income; extensions for filing corporate income tax and franchise tax returns; denying a tax deduction to certain corporations for wages paid to an entertainer or entertainment corporation if withholding requirements are not met; requiring certain persons who have liability for the use tax to register with the department of revenue; withholding for income taxes; the date on which a delinquency determination for withholding, sales taxes or use taxes becomes due; allowing the department of revenue to use sampling to determine the liability for certain taxes; depositing tax assessments with the department of revenue; information returns; and determining when late and extended tax returns are considered filed.

By Representatives Lehman and Bell, by request of The Department of Revenue.

To committee on **Ways and Means**.

Assembly Bill 776

Relating to: payment of school tax credit proceeds; a social security number requirement for audited lottery tax credit claims; special charges relating to lottery credit claims; creating a penalty for intentionally filing false lottery credit claims; state payment of lottery credit proceeds.

By Representatives Lehman and Bell, by request of The Department of Revenue.

To committee on **Ways and Means**.

Assembly Bill 777

Relating to: the powers of certain towns.

By Representatives Ladwig, Owens, Nass, Porter, Olsen, Goetsch, Grothman, Seratti, Ward, Hasenohrl, Ott, Springer, Albers and Brandemuehl; cosponsored by Senators Schultz, A. Lasee and Decker.

To committee on **Government Operations**.

Assembly Bill 778

Relating to: segregated university fees at the University of Wisconsin System.

By Representatives Grothman, Ainsworth, Albers, Duff, Foti, Gard, Green, Ladwig, F. Lasee, Lazich, Nass, Otte, Owens, Seratti, Walker, Wood and Zukowski; cosponsored by Senators Welch and Schultz.

To committee on **Colleges and Universities**.

Assembly Bill 779

Relating to: various changes in the provisions regarding police relief associations.

By Representatives Krusick, Boyle, Freese, Goetsch, Gunderson, La Fave, F. Lasee, Lehman, Lorge, Kreuser, Jensen, Musser and Schneiders; cosponsored by Senators Grobschmidt and Buettner.

To committee on **Insurance, Securities and Corporate Policy**.

COMMITTEE REPORTS

The committee on *Consumer Affairs* reports and recommends:

Assembly Bill 532

Relating to: temporary licenses for aestheticians, electrologists and manicurists.

Passage:

Ayes: 6 – Representatives Skindrud, Johnsrud, Kreibich, Coleman, Williams and Hasenohrl.

Noes: 2 – Representatives Urban and La Fave.

To committee on **Rules**.

RICK SKINDRUD

Chairperson

Committee on Consumer Affairs

The committee on *Criminal Justice and Corrections* reports and recommends:

Assembly Bill 371

Relating to: requiring the department of corrections to reimburse a county for the transfer of certain inmates and making an appropriation.

Passage:

Ayes: 13 – Representatives Goetsch, Wood, Dobyns, Brandemuehl, Lehman, Kaufert, Owens, Gunderson, Rutkowski, Huber, Riley, Baldwin and Murat.

Noes: 0.

To joint committee on **Finance**.

ROBERT GOETSCH

Chairperson

Committee on Criminal Justice and Corrections

The committee on *Government Operations* reports and recommends:

Assembly Bill 737

Relating to: the eligibility for group health insurance for state employes participating under the Wisconsin retirement system.

Passage:

Ayes: 10 – Representatives Dobyms, Olsen, Ladwig, Musser, Ott, Powers, La Fave, Schneider, Bock and Murat.
Noes: 0.

To joint committee on **Finance**.

JOHN DOBYNS
Chairperson
Committee on Government Operations

Representative Green asked unanimous consent that the Assembly stand recessed for thirty minutes. Granted.

The Assembly stood recessed.

10:20 A.M.

RECESS

12:35 P.M.

The Assembly reconvened.

Speaker Prosser in the chair.

CALL OF THE ASSEMBLY

Representative Kaufert 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.

CALENDAR OF TUESDAY, JANUARY 9

Speaker Pro Tempore Freese in the chair.

Assembly Bill 83

Relating to: battery to an emergency room worker and providing penalties.

The question was: Shall Senate amendment 1 to **Assembly Bill 83** be concurred in?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 83** be immediately messaged to the Senate. Granted.

Assembly Bill 88

Relating to: seized dangerous weapons.

The question was: Shall Senate amendment 1 to **Assembly Bill 88** be concurred in?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 88** be immediately messaged to the Senate. Granted.

Assembly Bill 229

Relating to: arrests in domestic abuse incidents.

The question was: Shall Senate amendment 1 to **Assembly Bill 229** be concurred in?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 229** be immediately messaged to the Senate. Granted.

Assembly Bill 391

Relating to: disclosures of conditions of residential real estate.

The question was: Shall Senate amendment 1 to **Assembly Bill 391** be concurred in?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 391** be immediately messaged to the Senate. Granted.

Representative Schneider asked unanimous consent that the ninth order of business on today's calendar be taken up at this time. Granted.

Assembly Joint Resolution 69

Relating to: the life and public service of Michael R. Baribeau.

The question was: Shall **Assembly Joint Resolution 69** be adopted?

Motion carried.

Representative Jensen asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 69**. Granted.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 69** be immediately messaged to the Senate. Granted.

Assembly Joint Resolution 70

Relating to: commending Major General Jerald Slack upon his retirement.

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

Motion carried.

Representative Jensen asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 70**. Granted.

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

MOTIONS

Representative Jensen asked unanimous consent that **Assembly Bill 720** be withdrawn from the committee on **Housing** and referred to joint survey committee on **Tax Exemptions**. Granted.

Representative Cullen moved that **Assembly Bill 573** be withdrawn from the committee on **Health** and referred to the committee on **Rules**.

Representative Prosser moved that the motion to withdraw **Assembly Bill 573** from the committee on **Health** and refer it to the committee on **Rules** be laid on table.

The question was: Shall the motion to withdraw **Assembly Bill 573** from the committee on **Health** and refer it to the committee on **Rules** be laid on table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brancel, Brandemuehl, Coleman, Dobyns, Duff, Foti, Freese, 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.

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

Absent or not voting – Representatives Gard, Murat and Ryba – 3.

Motion carried.

Assembly Bill 104

Relating to: revocation or suspension of a person's operating privilege for failure to pay a judgment entered for violating hunting, fishing and certain other laws.

Assembly amendment 2 to **Assembly Bill 104** offered by Representative Albers.

Representative Jensen asked unanimous consent that **Assembly Bill 104** be laid on the table. Granted.

Assembly Bill 181

Relating to: raising the age of those persons who may not drive or operate an all–terrain vehicle, motor vehicle or snowmobile with any alcohol in their blood to under 21 years.

The question was: Shall Assembly amendment 1 to **Assembly Bill 181** be adopted?

Motion carried.

The question was: Shall Assembly amendment 2 to **Assembly Bill 181** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 181** be ordered engrossed and read a third time?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 181** be given a third reading. Granted.

The question was: **Assembly Bill 181** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldus, Baumgart, Bell, Black, Bock, Brancel, Brandemuehl, Carpenter, Coggs, Coleman, Cullen, Dobyns, Duff, Foti, Freese, Goetsch, Green, Grothman, Gunderson, 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, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plache, Plombon, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Schneider, Schneiders, Seratti, Silbaugh, Springer, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wilder, Wirch, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Prosser – 86.

Noes – Representatives Baldwin, Boyle, Dueholm, Gronemus, Hahn, Morris–Tatum, Skindrud, Travis and Williams – 9.

Absent or not voting – Representatives Gard, Murat and Ryba – 3.

Motion carried.

Representative Morris–Tatum asked unanimous consent to be recorded as voting “Aye” on the previous question. Granted.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 181** be immediately messaged to the Senate. Granted.

Assembly Bill 188

Relating to: crimes against children and persons responsible for a child.

The question was: Shall **Assembly Bill 188** be ordered engrossed and read a third time?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 188** be given a third reading. Granted.

The question was: **Assembly Bill 188** having been read three times, shall the bill be passed?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 188** be immediately messaged to the Senate. Granted.

Assembly Bill 550

Relating to: committing a robbery or burglary with an oleoresin of capsicum container.

The question was: Shall **Assembly Bill 550** be ordered engrossed and read a third time?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 550** be given a third reading. Granted.

The question was: **Assembly Bill 550** having been read three times, shall the bill be passed?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 550** be immediately messaged to the Senate. Granted.

Assembly Bill 593

Relating to: eviction of tenants of a criminal gang house.

The question was: Shall **Assembly Bill 593** be ordered engrossed and read a third time?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 593** be given a third reading. Granted.

The question was: **Assembly Bill 593** having been read three times, shall the bill be passed?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 593** be immediately messaged to the Senate. Granted.

Assembly Bill 608

Relating to: disclosure of information on marriage documents to law enforcement officers performing investigations.

Representative Klusman asked unanimous consent to be made a coauthor of **Assembly Bill 608**. Granted.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 608** be adopted?

Motion carried.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 608** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 608** be ordered engrossed and read a third time?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 608** be given a third reading. Granted.

The question was: **Assembly Bill 608** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Brancel, Brandemuehl, Carpenter, Coggs, Coleman, Cullen, Dobyns, Duff, Foti, Freese, Goetsch, Green, 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, Meyer, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plache, Plombon, Porter, R. Potter, Powers, Riley, Robson, Rutkowski, Schneiders, Seratti, Silbaugh, Skindrud, Springer, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wirsch, Wood, Ziegelbauer, Zukowski and Speaker Prosser – 86.

Noes – Representatives Dueholm, Lorge, Morris–Tatum, Reynolds, Schneider, Wilder, Williams, L. Young and R. Young – 9.

Absent or not voting – Representatives Gard, Murat and Ryba – 3.

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 608** be immediately messaged to the Senate. Granted.

Assembly Bill 624

Relating to: prisoner payments for postsecondary educational costs, granting rule-making authority and making an appropriation.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 624** be adopted?

Motion carried.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 624** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 624** be ordered engrossed and read a third time?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 624** be given a third reading. Granted.

The question was: **Assembly Bill 624** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldus, Baumgart, Bell, Bock, Brancel, Brandemuehl, Carpenter, Coggs, Coleman, Cullen, Dobyns, Duff, Foti, Freese, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Kreuser, Lehman, Linton, Lorge, Meyer, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plache, Plombon, Porter, R. Potter, Powers, Reynolds, Robson, Rutkowski, Schneiders, Seratti, Silbaugh, Skindrud, Springer, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wilder, Wirsch, Wood, Ziegelbauer, Zukowski and Speaker Prosser – 85.

Noes – Representatives Baldwin, Black, Boyle, Dueholm, Morris–Tatum, Riley, Schneider, Williams, L. Young and R. Young – 10.

Absent or not voting – Representatives Gard, Murat and Ryba – 3.

Motion carried.

Representative Coggs asked unanimous consent to be recorded as voting “No” on the previous question. Granted.

Representative Notestein asked unanimous consent to be recorded as voting “No” on the previous question. Granted.

Representative Bock asked unanimous consent to be recorded as voting “No” on the previous question. Granted.

Representative Potter asked unanimous consent to be recorded as voting “No” on the previous question. Granted.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 624** be immediately messaged to the Senate. Granted.

Senate Bill 18

Relating to: making hit and run victims who were pedestrians eligible for crime victim compensation awards.

The question was: Shall **Senate Bill 18** be ordered to a third reading?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Senate Bill 18** be given a third reading. Granted.

The question was: **Senate Bill 18** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Senate Bill 18** be immediately messaged to the Senate. Granted.

Senate Bill 181

Relating to: the presence of a victim’s service representative at interviews and meetings.

The question was: Shall **Senate Bill 181** be ordered to a third reading?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Senate Bill 181** be given a third reading. Granted.

The question was: **Senate Bill 181** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Senate Bill 181** be immediately messaged to the Senate. Granted.

Representative Grothman asked unanimous consent to be made a coauthor of **Assembly Bill 183**, **Assembly Bill 344**, **Senate Bill 368** and **Senate Bill 441**. Granted.

Representative Kelso asked unanimous consent that the Assembly observe a moment of silence for the children in the Green Bay area who were involved in a bus accident today, some with serious injuries. Granted.

The Assembly observed a moment of silence.

Representative Baumgart asked unanimous consent that the Assembly adjourn in honor of Aldo Leopold, Wisconsin’s most famous conservation leader and founder of modern wildlife management. Granted.

Representative R. Young asked unanimous consent that the Assembly adjourn in honor of her grandson, Israel Adin Dedina, born December 11, 1995. Granted.

Representative Lorge asked unanimous consent that the Assembly adjourn in honor of the Green Bay Packers on the occasion of winning the National Football League’s Central

Division Championship and their recent success in the playoffs, and best of luck in the National Football Conference Championship game in Dallas on January 14; in memory of Elvis Presley on the remembrance of his 61st birthday; and in support of Keiko the Whale, from the movie "Free Willy", on his new location in Oregon. Granted.

ADJOURNMENT

Representative Green moved that the Assembly stand adjourned until 10:30 A.M. tomorrow.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

2:18 P.M.