



STATE OF WISCONSIN

Assembly Journal

Ninety–Third Regular Session

4:02 P.M.

MONDAY, September 29, 1997

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

Speaker Brancel in the chair.

The prayer was offered by Father Anthony Young of Madison.

Representative Hanson 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, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schafer, Schneider, Seratti, Skindrud, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Brancel – 99.

Absent with leave – None.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 65** offered by Representative Ladwig.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 537

Relating to: recording requirements for condominium instruments.

By Representatives Green, Grothman, Albers, Goetsch, F. Lasee, J. Lehman, Musser, Skindrud, Hanson, Otte, La Fave, Kelso, Seratti, Staskunas, Hahn, Porter, Baumgart and Ziegelbauer; cosponsored by Senators Roessler, A. Lasee, Plache, Wirch and C. Potter.

To committee on **Housing**.

Assembly Bill 538

Relating to: immunity in cases involving wrongful birth and wrongful life.

By Representatives Green, Schafer, Plale, Wieckert, Ryba, Hoven, Freese, Kreibich, Handrick, Vrakas, Ourada, Zukowski, Walker, Albers, Grothman, Ladwig, Ainsworth, Gunderson, Duff, Otte, Kedzie, Goetsch, Ott, Sykora, Seratti, Urban, Huebsch, Powers and Nass; cosponsored by Senators Drzewiecki, Welch, Fitzgerald, Farrow, Zien and Schultz.

To committee on **Judiciary**.

Assembly Bill 539

Relating to: committing theft against certain persons and providing a penalty.

By Representatives Zukowski, Schafer, Ladwig, Ott, Owens, Green, Albers, Otte, Freese, Lazich, Hasenohrl, Ryba, Dobyns, Handrick, Duff, Turner, Goetsch, Seratti and Krusick; cosponsored by Senators Farrow, Roessler, A. Lasee and Breske.

To committee on **Aging and Long–Term Care**.

Assembly Bill 540

Relating to: the expenditure of \$845,399 from the general fund for payment of claims against the state made by 11 claimants in connection with fees paid to the department of natural resources for review of hydroelectric facility proposals.

By Representatives Gard, Ott and Ryba; cosponsored by Senators Shibilski and Zien.

To joint committee on **Finance**.

Assembly Bill 541

Relating to: domestic abuse and providing a penalty.

By Representatives Harsdorf, Goetsch, Jensen, Walker, Robson, Musser, Brandemuehl, Gunderson, Olsen, Turner, Lazich, Gronemus and Kelso; cosponsored by Senators Roessler, Clausing and A. Lasee.

To committee on **Criminal Justice and Corrections**.

Assembly Bill 542

Relating to: adding a 2nd dental hygienist to the membership of dentistry examining board.

By Representatives Lorge, Urban, Musser, Ainsworth,
Goetsch, Bock, Baumgart and Springer.
To committee on **Consumer Affairs**.

COMMITTEE REPORTS

The committee on **Natural Resources** reports and recommends:

Assembly Bill 426

Relating to: the intoxicated boating law; capacity plates on boats; certificate of number, registration and titling requirements for boats; prohibitions against falsifying boat titles and other documentation; prohibitions against operating boats using unsafe methods and in certain locations; boating safety course and certificates; emergency powers of counties over navigable waters; granting rule-making authority; and providing penalties.

Assembly amendment 1 adoption:

Ayes: 9 – Representatives Johnsrud, Powers, Ott, Gunderson, Hutchison, Black, Bock, Huber and Baumgart.

Noes: 1 – Representative Brandemuehl.

Assembly amendment 2 adoption:

Ayes: 10 – Representatives Johnsrud, Powers, Brandemuehl, Ott, Gunderson, Hutchison, Black, Bock, Huber and Baumgart.

Noes: 0.

Passage as amended:

Ayes: 10 – Representatives Johnsrud, Powers, Brandemuehl, Ott, Gunderson, Hutchison, Black, Bock, Huber and Baumgart.

Noes: 0.

To joint committee on **Finance**.

DUWAYNE JOHNSRUD
Chairperson
Committee on Natural Resources

MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Concurred in:

Assembly Joint Resolution 62
Assembly Joint Resolution 68
Assembly Joint Resolution 69
Assembly Joint Resolution 70
Assembly Bill 520
Assembly Bill 521
Assembly Bill 522
Assembly Bill 523
Assembly Bill 524
Assembly Bill 525
Assembly Bill 526

Assembly Bill 527
Assembly Bill 528
Assembly Bill 529
Assembly Bill 530
Assembly Bill 531
Assembly Bill 534

Concurred in as amended:

Assembly Bill 100 (Senate Amendment 1 adopted)

ACTION ON THE SENATE MESSAGE

Assembly Bill 100

Relating to: state finances and appropriations, constituting the executive budget act of the 1997 legislature, and making appropriations.

By joint committee on **Finance**; by request of Governor Tommy G. Thompson.

Representative Duff in the chair.

Assembly amendment 1 to Senate amendment 1 to **Assembly Bill 100** offered by Representative Baumgart.

Representative Foti moved that Assembly amendment 1 to Senate amendment 1 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 1 to Senate amendment 1 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Krusick, Ladwig, F. Lasee, Lazich, M. Lehman, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Riley, Schafer, Schneider, Seratti, Skindrud, Sykora, Travis, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Zukowski and Speaker Brancel – 56.

Noes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Hanson, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Kunicki, La Fave, J. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Notestein, Plale, Plouff, R. Potter, Reynolds, Robson, Rutkowski, Ryba, Springer, Staskunas, Steinbrink, Turner, Vander Loop, Wasserman, Williams, Wood, L. Young, R. Young and Ziegelbauer – 43.

Absent or not voting – None.

Motion carried.

Assembly amendment 2 to Senate amendment 1 to **Assembly Bill 100** offered by Representative Baumgart.

Representative Foti moved that Assembly amendment 2 to Senate amendment 1 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 2 to Senate amendment 1 to **Assembly Bill 100** be laid on the table?

Motion carried.

Assembly amendment 3 to Senate amendment 1 to **Assembly Bill 100** offered by Representative Baumgart.

Representative Baumgart asked unanimous consent that Assembly amendment 3 to Senate amendment 1 to **Assembly Bill 100** be laid on the table. Granted.

Assembly amendment 4 to Senate amendment 1 to **Assembly Bill 100** offered by Representative Baumgart.

Representative Baumgart asked unanimous consent that Assembly amendment 4 to Senate amendment 1 to **Assembly Bill 100** be laid on the table. Granted.

Assembly amendment 5 to Senate amendment 1 to **Assembly Bill 100** offered by Representative Baumgart.

Representative Foti moved that Assembly amendment 5 to Senate amendment 1 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 5 to Senate amendment 1 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brancel, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, M. Lehman, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Riley, Schafer, Schneider, Seratti, Skindrud, Sykora, Travis, Underheim, Urban, Vrakas, Walker, Ward, Wieckert and Zukowski – 55.

Noes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Hanson, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, Kunicki, La Fave, J. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Notestein, Plale, Plouff, R. Potter, Reynolds, Robson, Rutkowski, Ryba, Springer, Staskunas, Steinbrink, Turner, Vander Loop, Wasserman, Williams, Wood, L. Young, R. Young and Ziegelbauer – 44.

Absent or not voting – None.

Motion carried.

Assembly amendment 6 to Senate amendment 1 to **Assembly Bill 100** offered by Representative Baumgart.

Representative Foti moved that Assembly amendment 5 to Senate amendment 1 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 6 to Senate amendment 1 to **Assembly Bill 100** be laid on the table?

Motion carried.

Assembly amendment 7 to Senate amendment 1 to **Assembly Bill 100** offered by Representative Baumgart.

Representative Foti moved that Assembly amendment 7 to Senate amendment 1 to **Assembly Bill 100** be laid on the table.

Representative Baumgart asked unanimous consent that Assembly amendment 7 to Senate amendment 1 to **Assembly Bill 100** be laid on the table. Granted.

Assembly amendment 8 to Senate amendment 1 to **Assembly Bill 100** offered by Representative Baumgart.

Representative Foti moved that Assembly amendment 8 to Senate amendment 1 to **Assembly Bill 100** be laid on the table.

Representative Baumgart asked unanimous consent that Assembly amendment 8 to Senate amendment 1 to **Assembly Bill 100** be withdrawn and returned to the author. Granted.

Assembly amendment 9 to Senate amendment 1 to **Assembly Bill 100** offered by Representative Baumgart.

Representative Foti moved that Assembly amendment 9 to Senate amendment 1 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 9 to Senate amendment 1 to **Assembly Bill 100** be laid on the table?

Motion carried.

Assembly amendment 10 to Senate amendment 1 to **Assembly Bill 100** offered by Representative Baumgart.

Representative Foti moved that Assembly amendment 10 to Senate amendment 1 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 10 to Senate amendment 1 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brancel, Brandemuehl, Dobyns, Duff, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, M. Lehman, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Riley, Schafer, Schneider, Seratti, Skindrud, Sykora, Travis, Underheim, Urban, Vrakas, Walker, Ward, Wieckert and Zukowski – 54.

Noes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Gronemus, Hanson, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, Kunicki, La Fave, J. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Notestein, Plale, Plouff, R. Potter, Reynolds, Robson, Rutkowski, Ryba, Springer, Staskunas, Steinbrink, Turner, Vander Loop, Wasserman, Williams, Wood, L. Young, R. Young and Ziegelbauer – 45.

Absent or not voting – None.

Motion carried.

Assembly amendment 11 to Senate amendment 1 to **Assembly Bill 100** offered by Representative Baumgart.

Representative Foti moved that Assembly amendment 11 to Senate amendment 1 to **Assembly Bill 100** be laid on the table.

Representative Baumgart asked unanimous consent that Assembly amendment 11 to Senate amendment 1 to **Assembly Bill 100** be withdrawn and returned to the author. Granted.

Assembly amendment 12 to Senate amendment 1 to **Assembly Bill 100** offered by Representative Baumgart.

Representative Baumgart asked unanimous consent that Assembly amendment 12 to Senate amendment 1 to **Assembly Bill 100** be withdrawn and returned to the author. Granted.

Assembly amendment 13 to Senate amendment 1 to **Assembly Bill 100** offered by Representative Baumgart.

Representative Baumgart asked unanimous consent that Assembly amendment 13 to Senate amendment 1 to **Assembly Bill 100** be withdrawn and returned to the author. Granted.

Assembly amendment 14 to Senate amendment 1 to **Assembly Bill 100** offered by Representative Baumgart.

Representative Baumgart asked unanimous consent that Assembly amendment 14 to Senate amendment 1 to **Assembly Bill 100** be withdrawn and returned to the author. Granted.

Assembly amendment 15 to Senate amendment 1 to **Assembly Bill 100** offered by Representative Baumgart.

Representative Foti moved that Assembly amendment 15 to Senate amendment 1 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 15 to Senate amendment 1 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brancel, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, M. Lehman, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schafer, Schneider, Seratti, Skindrud, Sykora, Travis, Underheim, Urban, Vrakas, Walker, Ward, Wieckert and Zukowski – 54.

Noes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Hanson, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, Kunicki, La Fave, J. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Notestein, Plale, Plouff, R. Potter, Reynolds, Riley, Robson, Rutkowski, Ryba, Springer, Staskunas, Steinbrink, Turner, Vander Loop, Wasserman, Williams, Wood, L. Young, R. Young and Ziegelbauer – 45.

Absent or not voting – None.

Motion carried.

Assembly amendment 16 to Senate amendment 1 to **Assembly Bill 100** offered by Representative Baumgart.

Representative Foti moved that Assembly amendment 16 to Senate amendment 1 to **Assembly Bill 100** be laid on the table.

Representative Baumgart asked unanimous consent that Assembly amendment 16 to Senate amendment 1 to **Assembly Bill 100** be withdrawn and returned to the author. Granted.

Assembly amendment 17 to Senate amendment 1 to **Assembly Bill 100** offered by Representatives Wasserman, Krusick and R. Potter.

POINT OF ORDER

Representative Foti rose to the point of order that Assembly amendment 17 to **Assembly Bill 100** was not germane under Assembly Rule 54 (3) (f).

The chair (Representative Duff) ruled the point of order **well taken**.

Speaker Brancel in the chair.

The question was: Shall Senate amendment 1 to **Assembly Bill 100** be concurred in?

Motion carried.

Representative Duff in the chair.

Representative Foti asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 100** be immediately messaged to the Senate. 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:

Hazel Dueholm of Luck, and David Dueholm of Madison, mother, brother and guests of Representative Dueholm.

ADJOURNMENT

Representative Green 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.

5:30 P.M.