



STATE OF WISCONSIN

Assembly Journal

Ninety–Third Regular Session

10:00 A.M.

TUESDAY, September 30, 1997

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

Speaker Brancel in the chair.

The prayer was offered by Representative Walker.

Representative Krug 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, Cogs, Cullen, Dobyms, Dueholm, Duff, Foti, Freese, Gard, 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, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, 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 – 96.

Absent with leave – Representatives Goetsch, Nass and Schafer – 3.

LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for today's session for Representatives Goetsch, Nass and Schafer. Granted.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 73

Relating to: the 1997 Census of Agriculture.

By Representatives Ott, Gronemus, Freese, Ladwig, Porter, Green, Goetsch, Dobyms, Skindrud, Seratti, Hahn, Musser, Ainsworth, Turner, Sykora, Gard, Plouff, Harsdorf and Gunderson; cosponsored by Senators Roessler, Breske and Plache.

To committee on **Agriculture**.

Assembly Bill 543

Relating to: the billboard elimination grant program, prohibiting the erection of new billboards, granting rule–making authority and making an appropriation.

By Representatives Baumgart, Black and Kedzie; cosponsored by Senators Risser, Rosenzweig and Roessler.

To committee on **Small Business and Economic Development**.

Assembly Bill 544

Relating to: the operation of snowmobiles over open water.

By Representatives Baumgart, Nass and Turner; cosponsored by Senator C. Potter.

To committee on **Tourism and Recreation**.

Assembly Bill 545

Relating to: trespass to land.

By Representatives Baumgart, Black, La Fave and Robson; cosponsored by Senator C. Potter.

To committee on **Natural Resources**.

Assembly Bill 546

Relating to: disposal of documents containing personal information.

By Representatives Schneider, Notestein, Gronemus, Musser, L. Young, Sykora, Boyle, La Fave, R. Young, F. Lasee, Skindrud, Hasenohrl, R. Potter, Kreuser, Otte and Kaufert; cosponsored by Senator Roessler.

To committee on **Mandates**.

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 as amended:

Senate Bill 272

ACTION ON THE SENATE MESSAGE

Senate Bill 272

Relating to: mediation of special education program disputes between a parent and a school board.

By Senators Grobschmidt, Roessler, Plache, Farrow and Weeden; cosponsored by Representatives Duff, Olsen, R. Young, Green, Bock, Ott, Hasenohrl, Gard, M. Lehman, Goetsch, Musser, Urban, Vrakas, Seratti, R. Potter, Cullen and Plouff.

To committee on **Education**.

ENROLLED BILLS

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

- 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**

CHARLES R. SANDERS
Assembly Chief Clerk

PETITIONS

Assembly Petition 6

A petition signed by 54 property owners on White Lake and concerned other citizens in support of Assembly Bill 288, relating to prohibited areas for the operation of personal watercraft.

By Representative Black.

To committee on **Natural Resources**.

Assembly Petition 7

A petition signed by approximately 3200 citizens of the state of Wisconsin in support of any and all efforts to reduce or eliminate the use of the steel jaw trap in Wisconsin.

By Representative Johnsrud.

To committee on **Natural Resources**.

Representative Duff asked unanimous consent that the Assembly stand recessed for for one half hour. Granted.

The Assembly stood recessed.

10:05 A.M.

RECESS

11:05 A.M.

The Assembly reconvened.

Speaker Brancel in the chair.

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

A quorum was present.

Speaker Pro Tempore Freese in the chair.

Representative Schneider introduced a privileged resolution.

Assembly Resolution 7

Relating to: admission of news media to the floor of the assembly.

By Representative Schneider.

To committee on **Rules**.

Representative Schneider asked unanimous consent that the rules be suspended and that **Assembly Resolution 7** be withdrawn from the committee on **Rules** and taken up at this time.

Representative Foti objected.

Representative Schneider moved that the rules be suspended and that **Assembly Resolution 7** be withdrawn from the committee on **Rules** and taken up at this time.

Representative Carpenter moved that the Assembly stand adjourned.

The question was: Shall the Assembly stand adjourned?

The roll was taken.

The result follows:

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

Noes – Representatives Ainsworth, Albers, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Krusick, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Lorge, Meyer, Musser, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Seratti, Skindrud, Sykora, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Zukowski and Speaker Brancel – 52.

Absent or not voting – Representatives Goetsch, Nass and Schafer – 3.

Motion failed.

The question was: Shall the rules be suspended and **Assembly Resolution 7** be withdrawn from the committee on **Rules** and taken up at this time?

The roll was taken.

The result follows:

Ayes – 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, Riley, Robson, Rutkowski, Ryba, Schneider, Springer, Staskunas, Steinbrink, Travis, Turner, Vander Loop, Wasserman, Williams, Wood, L. Young, R. Young and Ziegelbauer – 48.

Noes – Representatives Ainsworth, Albers, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, M. Lehman, Musser, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Seratti, Skindrud, Sykora, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Zukowski and Speaker Brancel – 48.

Absent or not voting – Representatives Goetsch, Nass and Schafer – 3.

Motion failed.

CALENDAR OF TUESDAY, SEPTEMBER 30

Assembly Joint Resolution 72

Relating to: the life and public service of Tom Coenen.

The question was: Shall **Assembly Joint Resolution 72** be adopted?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 72** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 382** be withdrawn from committee on **Consumer Affairs** and referred to the joint committee on **Finance**. Granted.

Assembly Bill 50

Relating to: the operation of all–terrain vehicles by minors.

Assembly amendment 1 to **Assembly Bill 50** offered by Representative Musser.

Representative Musser asked unanimous consent that **Assembly Bill 382** be rereferred to the committee on **Tourism and Recreation**. Granted.

Assembly Bill 121

Relating to: permitting the immobilization of motor vehicles for nonmoving traffic violations.

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

Motion carried.

The question was: Shall Assembly amendment 2 to **Assembly Bill 121** be adopted?

Motion carried.

Assembly amendment 3 to **Assembly Bill 121** offered by Representatives Wood, Krusick and Brandemuehl.

The question was: Shall Assembly amendment 3 to **Assembly Bill 121** be adopted?

Motion carried.

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

Motion carried.

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

The question was: **Assembly Bill 121** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Bock, Brandemuehl, Carpenter, Coggs, Duff, Foti, Freese, Gard, Green, Grothman, Hahn, Handrick, Hanson, Harsdorf, Hoven, Huber, Huebsch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Musser, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Porter, R. Potter, Powers, Riley, Robson, Rutkowski, Schneider, Skindrud, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wieckert, Wood, L. Young and Speaker Brancel – 67.

Noes – Representatives Albers, Baldwin, Baumgart, Black, Boyle, Cullen, Dobyns, Dueholm, Gronemus, Gunderson, Hasenohrl, Hebl, Hubler, Kaufert, Linton, Lorge, Meyer, Morris–Tatum, Murat, Plouff, Reynolds, Ryba, Seratti, Springer, Wasserman, Williams, R. Young, Ziegelbauer and Zukowski – 29.

Absent or not voting – Representatives Goetsch, Nass and Schafer – 3.

Motion carried.

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

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 121** be immediately messaged to the Senate. Granted.

Assembly Bill 189

Relating to: exposing a child to harmful descriptions or narrations and providing a penalty.

Representative Foti asked unanimous consent that **Assembly Bill 189** be placed at the foot of today's calendar. Granted.

Assembly Bill 240

Relating to: providing an exception to the open housing law to permit a person to offer a discount or other reduction in price for the lease or rental of housing to a person 55 years of age or over.

Representative Dobyms moved that Assembly amendment 1 to **Assembly Bill 240** be laid on the table.

The question was: Shall Assembly amendment 1 to **Assembly Bill 240** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Dobyms, Duff, Foti, Freese, Gard, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hasenohrl, Hoven, Huebsch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Krusick, Ladwig, F. Lasee, Lazich, M. Lehman, Lorge, Musser, Olsen, Otte, Ourada, Owens, Plale, Porter, Powers, Rutkowski, Seratti, Skindrud, Sykora, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Zukowski and Speaker Brancel – 52.

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

Absent or not voting – Representatives Goetsch, Nass and Schafer – 3.

Motion carried.

Assembly amendment 2 to **Assembly Bill 240** offered by Representative Carpenter.

Representative Ladwig asked unanimous consent that **Assembly Bill 240** be placed after **Assembly Bill 480** on today's calendar. Granted.

Assembly Bill 402

Relating to: the counties and municipalities that may participate in negotiation and arbitration concerning a proposed landfill or hazardous waste facility.

The question was: Shall **Assembly Bill 402** be ordered engrossed and read a third time?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 402** be given a third reading. Granted.

The question was: **Assembly Bill 402** having been read three times, shall the bill be passed?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 402** be immediately messaged to the Senate. Granted.

Assembly Bill 480

Relating to: mediation of special education program disputes between a parent and a school board.

Representative Duff asked unanimous consent that **Assembly Bill 480** be laid on the table. Granted.

Representative Duff asked unanimous consent that the rules be suspended and that **Senate Bill 272** be withdrawn from the committee on **Education** and taken up at this time. Granted.

Senate Bill 272

Relating to: mediation of special education program disputes between a parent and a school board.

The question was: Shall **Senate Bill 272** be ordered to a third reading?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Senate Bill 272** be given a third reading. Granted.

The question was: **Senate Bill 272** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Senate Bill 272** be immediately messaged to the Senate. Granted.

Assembly Bill 240

Relating to: providing an exception to the open housing law to permit a person to offer a discount or other reduction in price for the lease or rental of housing to a person 55 years of age or over.

Representative Dobyms moved that Assembly amendment 2 to **Assembly Bill 240** be laid on the table.

Representative Carpenter asked unanimous consent that Assembly amendment 2 to **Assembly Bill 240** be withdrawn and returned to the author. Granted.

Representative Carpenter moved indefinite postponement of **Assembly Bill 240**.

Representative Carpenter withdrew his motion for indefinite postponement of **Assembly Bill 240**.

Representative Dobyms asked unanimous consent that **Assembly Bill 240** be laid on the table. Granted.

Assembly Bill 189

Relating to: exposing a child to harmful descriptions or narrations and providing a penalty.

Assembly amendment 1 to **Assembly Bill 189** offered by Representative Black.

Representative Black asked unanimous consent that Assembly amendment 1 to **Assembly Bill 189** be withdrawn and returned to the author. Granted.

Assembly amendment 2 to **Assembly Bill 189** offered by Representative Black.

Representative Otte moved that Assembly amendment 2 to **Assembly Bill 189** be laid on the table.

The question was: Shall Assembly amendment 2 to **Assembly Bill 189** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baumgart, Boyle, Brandemuehl, Carpenter, Dobyns, Foti, Freese, Gard, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hasenohrl, Hoven, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Krusick, Ladwig, F. Lasee, Lazich, Lorge, Musser, Ott, Otte, Ourada, Owens, Porter, Powers, Riley, Robson, Rutkowski, Ryba, Schneider, Seratti, Skindrud, Sykora, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Wood, Zukowski and Speaker Brancel – 60.

Noes – Representatives Baldwin, Black, Bock, Coggs, Cullen, Dueholm, Duff, Hanson, Harsdorf, Hebl, Huber, Jensen, Kreuser, Krug, Kunicki, La Fave, J. Lehman, Linton, Meyer, Morris–Tatum, Murat, Notestein, Olsen, Plale, Plouff, R. Potter, Reynolds, Springer, Staskunas, Steinbrink, Travis, Williams, L. Young, R. Young and Ziegelbauer – 35.

Absent or not voting – Representatives Goetsch, M. Lehman, Nass and Schafer – 4.

Motion carried.

The Assembly stood informal.

Speaker Brancel in the chair.

Assembly amendment 3 to **Assembly Bill 189** offered by Representative Black.

Representative Otte moved that Assembly amendment 3 to **Assembly Bill 189** be laid on the table.

The question was: Shall Assembly amendment 3 to **Assembly Bill 189** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baumgart, Brandemuehl, Dobyns, Foti, Freese, Gard, Green, Grothman, Gunderson, Hahn, Handrick, Hoven, Huebsch, Jeskewitz, Kaufert, Kedzie, Klusman, Kreibich, Krusick, Ladwig, M.

Lehman, Lorge, Musser, Ott, Otte, Ourada, Owens, Porter, Rutkowski, Seratti, Skindrud, Sykora, Urban, Walker, Wood and Zukowski – 38.

Noes – Representatives Baldwin, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Duff, Gronemus, Hanson, Harsdorf, Hasenohrl, Hebl, Huber, Hubler, Hutchison, Jensen, Johnsrud, Kelso, Kreuser, Krug, Kunicki, La Fave, F. Lasee, Lazich, J. Lehman, Linton, Meyer, Morris–Tatum, Murat, Notestein, Olsen, Plale, Plouff, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schneider, Springer, Staskunas, Steinbrink, Travis, Turner, Underheim, Vander Loop, Vrakas, Ward, Wasserman, Wieckert, Williams, L. Young, R. Young, Ziegelbauer and Speaker Brancel – 58.

Absent or not voting – Representatives Goetsch, Nass and Schafer – 3.

Motion failed.

The question was: Shall Assembly amendment 3 to **Assembly Bill 189** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 189** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 189** be given a third reading. Granted.

The question was: **Assembly Bill 189** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, 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, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, 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 – 96.

Noes – None.

Absent or not voting – Representatives Goetsch, Nass and Schafer – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 189** be immediately messaged to the Senate. Granted.

MOTIONS

Representative Ourada asked unanimous consent to be made a coauthor of **Assembly Bill 487**. Granted.

ANNOUNCEMENTS

Representatives Kaufert, Vrakas and Ladwig asked unanimous consent that the Assembly adjourn in honor of Sergeant-at-Arms John Scocos, who is leaving the State Assembly to take a position with the Department of Veterans Affairs. Granted.

Representative Baumgart asked unanimous consent that the Assembly adjourn in honor of Aldo Leopold, who's goal was to have good wildlife management with involvement of the Wisconsin public. Granted.

Representative Albers asked unanimous consent that the Assembly adjourn in honor of Chris Williams, Republican

Caucus photographer for the last eight years, who is leaving the state for a job in Minnesota. Granted.

Representative Kreuser asked unanimous consent that the Assembly adjourn in honor of his son, James Kreuser, Jr., who is celebrating his 6th birthday today. Granted.

Representative Robson asked unanimous consent that the Assembly adjourn in honor of her granddaughter, Kyla May Robson, who was born on July 2, 1997. Granted.

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, November 4, pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

1:40 P.M.