



STATE OF WISCONSIN Assembly Journal

Ninety-Fourth Regular Session

10:12 A.M.

THURSDAY, January 14, 1999

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

Speaker Jensen in the chair.

The prayer was offered by Representative Wood.

Representative Owens 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, Balow, Berceau, Black, Bock, Boyle, Brandemuehl, Carpenter, Cogg, Colon, Cullen, Duff, Foti, Freese, Gard, Goetsch, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Handrick, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Ourada, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Powers, Reynolds, Rhoades, Richards, Ryba, Schneider, Schooff, Seratti, Sherman, Sinicki, Skindrud, Spillner, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 97.

Absent with leave – Representatives Porter and Riley – 2.

Vacancies – None.

LEAVES OF ABSENCE

Representative Freese asked unanimous consent for a leave of absence for today's session for Representative Porter. Granted.

Representative Bock asked unanimous consent for a leave of absence for today's session for Representative Riley. Granted.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 9

Relating to: commemorating the achievements and contributions of the University of Wisconsin on the occasion of its sesquicentennial.

By Representatives Pocan, Kelso, Albers, Berceau, Black, Boyle, Brandemuehl, Cullen, Freese, Hahn, Handrick, Kaufert, Kreuser, Ladwig, Leibham, Miller, Montgomery, Musser, Ott, Ourada, Plouff, Ryba, Schneider, Schooff, Sinicki, Travis, Turner, Walker, Ziegelbauer and Kreibich; cosponsored by Senators Risser, Darling, Chvala, Erpenbach, Grobschmidt, Moen, Plache, Robson, Roessler, Schultz, George, Wirch and Breske.

To committee on **Rules**.

Assembly Joint Resolution 10

Relating to: the vote on bills that would increase certain tax rates or broaden the base of the state sales tax (first consideration).

By Representatives Ziegelbauer, Plale, Musser, F. Lasee and Ryba; cosponsored by Senator A. Lasee.

To committee on **Ways and Means**.

Assembly Bill 1

Relating to: the sales tax and use tax on certain manufacturers' rebates and discounts.

By Representatives Wood, Ladwig, Kreuser, Ziegelbauer, Gunderson, Goetsch, Ainsworth, Musser, Skindrud, Staskunas, Boyle, Pocan, F. Lasee and Grothman; cosponsored by Senators Grobschmidt and Drzewiecki.

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

Assembly Bill 2

Relating to: the use of high-beam headlamps on motor vehicles.

By Representatives Schneider, Musser, Bock, Ott, Kreuser, Berceau and Ryba.

To committee on **Highway Safety**.

Assembly Bill 3

Relating to: mudguards on road tractors, truck tractors, trailers, semitrailers and farm trailers and transporting bulk materials on a highway.

By Representatives Schneider and Boyle.

To committee on **Transportation**.

Assembly Bill 4

Relating to: requiring insurers to cover treatment of a condition by an acupuncturist if there is coverage for treatment of the condition by a physician and prohibiting collective bargaining by the state with respect to the requirement.

By Representatives Schneider, Ziegelbauer, Boyle and Berceau.

To committee on **Health**.

Assembly Bill 5

Relating to: technical college education under Wisconsin works and granting rule-making authority.

By Representatives Schneider, Bock, Black, J. Lehman, Musser, Miller, Boyle, Riley, Berceau, Lassa and Ryba; cosponsored by Senators Decker and George.

To committee on **Children and Families**.

Assembly Bill 6

Relating to: convenience store, service station and restaurant security, a grant program for workplace security training and making an appropriation.

By Representatives Schneider, Musser, Boyle, Berceau and Gronemus.

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

Assembly Bill 7

Relating to: seating for employees.

By Representatives Schneider, J. Lehman and Boyle.

To committee on **Labor and Employment**.

Assembly Bill 8

Relating to: the treatment of special assessments under school district revenue limits.

By Representatives Schneider, J. Lehman, Boyle, Berceau and Lassa, by request of Wisconsin Rapids School District.

To committee on **Ways and Means**.

Assembly Bill 9

Relating to: granting creditable service under the Wisconsin retirement system for service in the federal peace corps or VISTA public service programs or in any national service program under the federal National and Community Service Act of 1990.

By Representatives Schneider, Boyle, Berceau and Ryba; cosponsored by Senator George, by request of Larry Pischke.

To joint survey committee on **Retirement Systems**.

Assembly Bill 10

Relating to: state government holidays.

By Representatives Schneider, Turner, Boyle and Ryba; cosponsored by Senators Wirch and Breske.

To committee on **Government Operations**.

Assembly Bill 11

Relating to: Korean War memorials at The Highground and at Plover and making appropriations.

By Representatives Schneider and Lassa; cosponsored by Senators Wirch and Breske.

To committee on **Veterans and Military Affairs**.

Assembly Bill 12

Relating to: the Korean War memorial at Plover and making an appropriation.

By Representatives Schneider, Hahn and Lassa; cosponsored by Senators Wirch, Breske, Schultz and George.

To committee on **Veterans and Military Affairs**.

Assembly Bill 13

Relating to: exempting certain telecommunications services from the sales tax.

By Representatives Schneider, J. Lehman, Lassa, Ryba and Huber.

To joint committee on **Information Policy**.

Assembly Bill 14

Relating to: assignment of office space to members of the legislature.

By Representatives Schneider, Handrick, Boyle and Ryba.

To committee on **Assembly Organization**.

Assembly Bill 15

Relating to: assessment of charges against certain requesters for the use of drafting services of the legislative reference bureau.

By Representatives Schneider, Goetsch, J. Lehman, Musser and Ladwig.

To committee on **Government Operations**.

Assembly Bill 16

Relating to: smoking or using tobacco products at or near a school and providing a penalty.

By Representatives Schneider, Boyle, Berceau and Pettis.

To committee on **State Affairs**.

Assembly Bill 17

Relating to: requiring persons on motorboats for the purpose of observing water skiers.

By Representatives Schneider and Gronemus, by request of Mr. and Mrs. Stephen L. Morris.

To committee on **Natural Resources**.

Assembly Bill 18

Relating to: warnings for first violations of certain underage drinking prohibitions.

By Representatives Schneider, Musser, Boyle and Lassa.

To committee on **State Affairs**.

Assembly Bill 19

Relating to: recovery of damages in actions against state and local governmental units and officers, employees and agents thereof caused by the incorrect interpretation, production or use of dates in the year 2000 and subsequent years.

By Representatives Schneider, Hahn and Lassa.

To committee on **Insurance**.

Assembly Bill 20

Relating to: increasing a school district's revenue limit for debt service incurred to comply with an order issued by a court or by a state or federal agency.

By Representatives Schneider, J. Lehman, Boyle, Berceau and Ryba, by request of Adams Friendship School District.

To committee on **Ways and Means**.

Assembly Bill 21

Relating to: the placement of postconsumer waste and recyclable materials in transparent trash bags.

By Representatives Schneider and Plale.

To committee on **Environment**.

Assembly Bill 22

Relating to: access to public records containing social security account numbers of individuals.

By Representatives Schneider, Musser, La Fave, Ziegelbauer, Boyle, Plouff, Berceau, Lassa and Gronemus; cosponsored by Senators Drzewiecki, Schultz and George.

To committee on **Judiciary and Personal Privacy**.

Assembly Bill 23

Relating to: preparation of privacy impact statements for bills that would impact personal privacy.

By Representatives Schneider, Boyle, Berceau and Lassa; cosponsored by Senators Drzewiecki and Schultz.

To committee on **Judiciary and Personal Privacy**.

Assembly Bill 24

Relating to: regulating telephone solicitation by prisoners and providing a penalty.

By Representatives Schneider, Turner, Staskunas, Boyle, Bock, Ainsworth, Riley, Plouff, Kreuser, Lassa, Reynolds and Ryba; cosponsored by Senator Welch.

To committee on **Corrections and the Courts**.

Assembly Bill 25

Relating to: immunization of certain persons against anthrax and granting rule-making authority.

By Representatives Schneider, Boyle and Gronemus.

To committee on **Public Health**.

Assembly Bill 26

Relating to: disclosure by insurers and intermediaries of identifying information.

By Representatives Schneider, Musser, Boyle and Ryba.

To committee on **Judiciary and Personal Privacy**.

Assembly Bill 27

Relating to: providing information in an insurance policy about policy cancellation.

By Representatives Schneider, J. Lehman, Musser and Berceau.

To committee on **Insurance**.

Assembly Bill 28

Relating to: the use of a person's social security number in his or her student identification number at private institutions of higher education.

By Representatives Schneider, Boyle, Walker, Meyer, Gronemus, Kreuser, Berceau and Lassa; cosponsored by Senators Schultz and George.

To committee on **Judiciary and Personal Privacy**.

Assembly Bill 29

Relating to: courses offered by the Robert M. La Follette Institute of Public Affairs.

By Representative Schneider.

To committee on **Colleges and Universities**.

Assembly Bill 30

Relating to: prohibiting telecommunications providers from using social security numbers of customers for purposes related to providing telecommunications services and providing a penalty.

By Representatives Schneider, Musser, Goetsch, Ziegelbauer, Black, Miller, Staskunas, Boyle, Pohan, Grothman, Kreuser, Berceau, Lassa, Gronemus and Ryba; cosponsored by Senators Schultz and George.

To committee on **Judiciary and Personal Privacy**.

Assembly Bill 31

Relating to: prisoner access to personal information and contract authority of the department of corrections.

By Representatives Schneider, Ziegelbauer, Black, Staskunas, Boyle, Bock, Riley, Plouff, Kreuser, Berceau, Lassa, Gronemus, Reynolds and Ryba; cosponsored by Senator Schultz.

To committee on **Corrections and the Courts**.

Assembly Bill 32

Relating to: public access to worker's compensation records.

By Representatives Schneider, Miller, Boyle and Ryba; cosponsored by Senator Schultz.

To committee on **Judiciary and Personal Privacy**.

Assembly Bill 33

Relating to: the use by public schools of pupil identification bracelets, necklaces or pins.

By Representatives Schneider, Boyle, Walker, Meyer, Kreuser, Berceau and Gronemus; cosponsored by Senators Schultz and George.

To committee on **Education**.

Assembly Bill 34

Relating to: transporting bulk materials on a highway.

By Representatives Schneider, Bock and Huber.

To committee on **Transportation**.

Assembly Bill 35

Relating to: following snowplows.

By Representatives Ainsworth, Hasenohrl, Boyle, Freese, Gard, Gunderson, Hutchison, Kreibich, Kreuser, Lassa, J. Lehman, M. Lehman, Musser, Nass, Ourada, Owens, Plouff, Ryba, Spillner, Stone, Turner and Ziegelbauer; cosponsored by Senators Plache, Breske, Clausing, Drzewiecki, Moen, Roessler, Schultz and Wirch.

To committee on **Highway Safety**.

Assembly Bill 36

Relating to: increasing a school district's revenue limit by the amount spent for school security measures.

By Representatives Black, Cullen, J. Lehman, Wasserman, Miller, Bock, Young, Turner, Staskunas, Krusick, Plouff, Reynolds, Kreuser, Ryba and Gronemus; cosponsored by Senators Jauch, Baumgart, Breske, Plache, George, Risser and Clausing.

To joint committee on **Finance**.

CALENDAR OF THURSDAY, JANUARY 14

Assembly Joint Resolution 7

Relating to: the election of Robin Yount to the Baseball Hall of Fame.

Representative Huebsch asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 7**. Granted.

The question was: Shall **Assembly Joint Resolution 7** be adopted?

Motion carried.

Representative Freese asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 7** be immediately messaged to the Senate. Granted.

Assembly Joint Resolution 8

Relating to: commending the Wisconsin Badgers for their 1999 Rose Bowl victory.

SPECIAL GUESTS

Representative Foti introduced Coaches Brian White and Kevin Cosgrove, and players Donnell Thompson and Eddie Faulkner from the 1999 Rose Bowl Champion Badger Football Team, who addressed the members from the rostrum.

The question was: Shall **Assembly Joint Resolution 8** be adopted?

Motion carried.

Representative Gunderson asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 8**. Granted.

Representative Freese asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 8** be immediately messaged to the Senate. Granted.

Representative Vrakas asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

10:37 A.M.

RECESS

1:00 P.M.

The Assembly reconvened.

Speaker Jensen in the chair.

Assembly Resolution 3

Relating to: the assembly rules.

Assembly amendment 1 to **Assembly Resolution 3** offered by Representative Krug.

Representative Foti moved that Assembly amendment 1 to **Assembly Resolution 3** be laid on the table.

The question was: Shall Assembly amendment 1 to **Assembly Resolution 3** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Black, Brandemuehl, Duff, Foti, Gard, Goetsch, Gunderson, Gundrum, Hahn, Hoven, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Klusman, Kreibich, Ladwig, F. Lasee, M. Lehman, Leibham, Musser, Nass, Olsen, Ott, Ourada, Owens, Petrowski, Pettis, Powers, Rhoades, Ryba, Seratti, Skindrud, Spillner, Stone, Suder, Sykora, Urban, Vrakas, Walker, Ward, Wieckert and Speaker Jensen – 49.

Noes – Representatives Balow, Berceau, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Freese, Gronemus, Grothman, Handrick, Hasenohrl, Hebl, Huber, Hubler, Kelso, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Plale, Plouff, Pohan, Reynolds, Richards, Schneider, Schooff, Sherman, Sinicki, Staskunas, Steinbrink, Townsend, Travis, Turner, Underheim, Wasserman, Williams, Wood, Young and Ziegelbauer – 48.

Absent or not voting – Representatives Porter and Riley – 2.

Motion carried.

The question was: Shall **Assembly Resolution 3** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Berceau, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Colon, Cullen, Duff, Foti, Freese, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Handrick, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Ourada, Owens, Petrowski, Pettis, Plale, Plouff, Pohan, Powers, Reynolds, Rhoades, Richards, Ryba, Schneider, Schooff, Seratti, Sherman, Sinicki, Skindrud, Spillner, Staskunas, Steinbrink, Stone, Suder, Sykora,

Townsend, Travis, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 94.

Noes – Representatives Balow, Goetsch and Meyer – 3.

Absent or not voting – Representatives Porter and Riley – 2.

Motion carried.

Assembly Joint Resolution 2

Relating to: the distribution of the net proceeds of the state lottery and certain moneys received by the state that are attributable to pari-mutuel on-track betting and bingo (2nd consideration).

The question was: Shall **Assembly Joint Resolution 2** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 2** be given a third reading. Granted.

The question was: **Assembly Joint Resolution 2** having been read three times, shall the joint resolution be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Colon, Cullen, Duff, Foti, Freese, Gard, Goetsch, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Meyer, Meyerhofer, Miller, Montgomery, Morris-Tatum, Musser, Nass, Olsen, Ott, Ourada, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Powers, Reynolds, Rhoades, Richards, Ryba, Schneider, Schooff, Seratti, Sherman, Sinicki, Skindrud, Spillner, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 96.

Noes – Representative Handrick – 1.

Absent or not voting – Representatives Porter and Riley – 2.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 2** be immediately messaged to the Senate. Granted.

Assembly Joint Resolution 3

Relating to: 4-year terms of office for district attorneys (2nd consideration).

Assembly amendment 1 to **Assembly Joint Resolution 3** offered by Representatives Huber and Walker.

The question was: Shall Assembly amendment 1 to **Assembly Joint Resolution 3** be adopted?

Motion carried.

The question was: Shall **Assembly Joint Resolution 3** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 3** be given a third reading.

Representative Hubler objected.

ANNOUNCEMENTS

Representative Ward asked unanimous consent that the Assembly adjourn in honor of Representative Dean Kaufert on his retirement as Republican Caucus Sergeant-At-Arms. Granted.

Representative Huebsch asked unanimous consent that the Assembly adjourn in honor of John Schulze, who is leaving his position as media director of the Assembly Republican Caucus and taking the position of Governor Thompson's deputy press secretary. Granted.

Representative Wieckert asked unanimous consent that the Assembly adjourn in honor of his grandmother, Anita Wieckert, who celebrated her 97th birthday on January 11. Granted.

Representative Morris-Tatum asked unanimous consent that the Assembly adjourn in memory of Doctor Martin Luther King, Jr. whose anniversary of his birth is January 15. Granted.

Representative Reynolds asked unanimous consent that the Assembly adjourn in honor of Aldo Leopold. Granted.

Speaker Jensen asked unanimous consent that the Assembly adjourn in honor of the Legislative Technology Service Bureau staff for all their work implementing the laptop computers for the representatives. Granted.

REFERENCE BUREAU CORRECTIONS

Assembly Resolution 3

1. Page 3, line 16: substitute "printed" for "printed".

VISITORS

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

Kris and Jodi Gehrke of Oshkosh, guests of Representative Klusman.

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, March 26, pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

1:33 P.M.