



# STATE OF WISCONSIN

# Assembly Journal

## Ninety-Fourth Regular Session

1:00 P.M.

TUESDAY, February 16, 1999

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

Speaker Pro Tempore Freese in the chair.

The prayer was offered by Representative Klusman.

Representative Richards 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, Coggs, 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, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Porter, Powers, Reynolds, Rhoades, Richards, Riley, 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 – 98.

Absent with leave – None.

Vacancies – 35th Assembly District – 1.

### AMENDMENTS OFFERED

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

Assembly amendment 10 to **Assembly Bill 79** offered by Representatives Sherman, Schneider and Bock.

Assembly substitute amendment 1 to **Assembly Bill 106** offered by Representative Schneider.

### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 98–127**

Relating to lie detector testing of sex offenders who are in community placements.

Submitted by Department of Health and Family Services. Report received from Agency, February 12, 1999.

To committee on **Criminal Justice**.

Referred on February 16, 1999.

#### **Assembly Clearinghouse Rule 98–135**

Relating to the registration and regulation of auctioneers and auction companies.

Submitted by Department of Regulation and Licensing. Report received from Agency, February 11, 1999.

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

Referred on February 16, 1999.

#### **Assembly Clearinghouse Rule 98–171**

Relating to construction contractors.

Submitted by Department of Revenue.

Report received from Agency, February 10, 1999.

To committee on **Ways and Means**.

Referred on February 16, 1999.

#### **Assembly Clearinghouse Rule 98–186**

Relating to risk based capital for health insurers.

Submitted by Office of the Commissioner of Insurance.

Report received from Agency, February 12, 1999.

To committee on **Insurance**.

Referred on February 16, 1999.

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 20**

Relating to: reasonable limits on state or local campaign expenditures (first consideration).

By Representatives Carpenter, Bock, Wasserman, Ryba, La Fave, Meyer, Riley, Black and Boyle; cosponsored by Senators Erpenbach, Baumgart, George and Wirch.

To committee on **Campaigns and Elections**.

#### **Assembly Joint Resolution 21**

Relating to: expressing appreciation to former Green Bay Packer Coach Mike Holmgren.

By Representatives Montgomery, Hahn, Albers, Boyle, Colon, Gard, Goetsch, Gundrum, Huebsch, Hutchison, Kelso, Klusman, Ladwig, Meyerhofer, Miller, Owens, Pocan, Porter, Riley, Seratti, Spillner, Stone, Suder, Urban and Vrakas; cosponsored by Senators Rosenzweig, Drzewiecki, Breske, Cowles, Erpenbach, Plache and Roessler.

To committee on **Rules**.

### **Assembly Joint Resolution 22**

Relating to: declaring February African–American Cultural Heritage Month.

By Representatives Morris–Tatum, Riley, Young, Williams, Turner and Coggs; cosponsored by Senator George.

To committee on **Rules**.

### **Assembly Bill 123**

Relating to: prohibiting cities, villages, towns, counties and school districts from imposing residency requirements on certain employees.

By Representatives Gunderson, Jensen, Nass, Musser, Freese, Johnsrud, Handrick, Huebsch and Kreibich; cosponsored by Senators Fitzgerald, Huelsman, Welch and Schultz.

To committee on **Urban and Local Affairs**.

### **Assembly Bill 124**

Relating to: creditable military service under the Wisconsin retirement system.

By Representatives Musser, Rhoades, Ryba, Pettis, Brandemuehl, Owens, Schneider, Plouff, Albers, Handrick, Kelso, Sykora, Freese, Spillner, Reynolds, Turner, Seratti, Powers, Hasenohrl, Boyle, Hahn and Kreuser; cosponsored by Senators Clausung, Decker, Fitzgerald, Schultz, Darling, Roessler and Breske.

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

### **Assembly Bill 125**

Relating to: dogs running bear and prohibiting the use of dogs in the hunting of bear.

By Representatives Boyle, Goetsch, Ryba, Pocan, Colon, Riley and Travis; cosponsored by Senators Risser, Burke and Erpenbach.

To committee on **Natural Resources**.

### **Assembly Bill 126**

Relating to: the regulation of the sale of merchandise below cost.

By Representatives Jensen, Krug, Plale, Colon, Goetsch, Carpenter, Wasserman and Gundrum; cosponsored by Senator Darling.

To committee on **Assembly Organization**.

### **Assembly Bill 127**

Relating to: the authority of certain towns to become urban towns.

By Representatives Ladwig, Klusman, Ainsworth, Skindrud, Ward, Albers, Freese, Handrick, F. Lasee, Owens, Porter and Seratti; cosponsored by Senator Schultz.

To committee on **Rural Affairs and Forestry**.

### **Assembly Bill 128**

Relating to: exempting certain income earned by a dependent or developmentally disabled child from consideration in determining financial eligibility for Wisconsin works.

By Representatives Plouff, Jeskewitz, Black, Gronemus, Huber, Kedzie, Klusman, Kreibich, Kreuser, Krug, La Fave, Lassa, J. Lehman, Meyer, Miller, Morris–Tatum, Musser, Pocan, Powers, Riley, Ryba, Schneider and Staskunas; cosponsored by Senators Moore, Jauch, Darling, Erpenbach, Grobschmidt and Robson.

To committee on **Children and Families**.

### **Assembly Bill 129**

Relating to: requiring school boards to permit home–based private educational program pupils to participate in extracurricular activities.

By Representatives J. Lehman, Urban, F. Lasee, Albers, Bock, Seratti, Meyerhofer and Grothman; cosponsored by Senator Fitzgerald.

To committee on **Education Reform**.

### **Assembly Bill 130**

Relating to: requiring instruction in public schools on the history of organized labor in America and the collective bargaining process.

By Representatives J. Lehman, Steinbrink, Ryba, Pocan, Black, Plouff, Bock, Meyerhofer, Colon, Boyle and Kreuser; cosponsored by Senators Plache, Moen and Decker.

To committee on **Education**.

### **Assembly Bill 131**

Relating to: bank charges for transactions at automatic teller machines.

By Representatives J. Lehman, Plouff, Pocan, Cullen, Bock, Miller, Black, Berceau and Young; cosponsored by Senators Risser, Robson, Erpenbach and George.

To committee on **Financial Institutions**.

### **Assembly Bill 132**

Relating to: placing bodily substances in edibles and providing a penalty.

By Representatives F. Lasee, Kelso, Ziegelbauer, Plale, Sykora, Bock, Ryba, Stone, La Fave, Goetsch, Spillner, Skindrud, Musser, Kaufert, Powers, Albers, Hasenohrl, Porter, Vrakas and Olsen; cosponsored by Senators Roessler and Risser.

To committee on **Criminal Justice**.

### **Assembly Bill 133**

Relating to: state finances and appropriations, constituting the executive budget act of the 1999 legislature.

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

To joint committee on **Finance**.

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

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

## COMMITTEE REPORTS

The committee on **Information Policy** reports and recommends:

### Assembly Bill 117

Relating to: funding and positions for consumer protection activities relating to the year 2000 readiness of electronic computing devices and making an appropriation.

Passage:

Ayes: 3 – Representatives Hutchison, Schneider and Kreuser.

Noes: 2 – Representatives Kaufert and Spillner.

To joint committee on **Finance**.

*DAVID HUTCHISON*  
Chairperson  
Committee on Information Policy

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## MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

### Senate Joint Resolution 7

Concurred in as amended:

**Assembly Joint Resolution 12** (Senate amendment 1 adopted)

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## ACTION ON THE SENATE MESSAGE

### Assembly Joint Resolution 12

Relating to: urging the members of the Wisconsin delegation to the U. S. Congress to support proposed federal legislation that would provide revenues to Wisconsin from the development of oil and natural gas resources on the outer continental shelf.

By Representatives Johnsrud, Jensen, Musser, Hasenohrl, J. Lehman, Sykora, Porter, Spillner, Albers, Goetsch, Vrakas, Ward and Montgomery; cosponsored by Senators Clausing, Schultz, Burke, Breske, Cowles and Decker.

To committee on **Rules**.

### Senate Joint Resolution 7

Relating to: commemorating the achievements and contributions of the Veterans of Foreign Wars of the United States of America on the occasion of its centennial.

By Senators Moen, Breske, Erpenbach, Chvala, Grobschmidt, Decker, Baumgart, Burke, Fitzgerald, Drzewiecki, Schultz, Cowles, Rude, Wirch, Jauch, George, Darling, Roessler, Rosenzweig, Huelsman, Lazich, Shibilski, Plache, Robson and Clausing; cosponsored by

Representatives Musser, Schneider, Travis, Steinbrink, Sherman, Ryba, Kreuser, Klusman, Suder, Wood, Ladwig, Brandemuehl, Huber, Pettis, Hahn, Pocan, Urban, Handrick, J. Lehman, Boyle, Plale, Leibham, Bock, Plouff, Vrakas, Hoven, Kelso, Skindrud, Spillner, Johnsrud, Turner, Hutchison, Nass, Goetsch, Lassa, Seratti, Staskunas, Porter, Sykora, M. Lehman, Coggs, Kedzie, Reynolds, Gronemus, Grothman, Hasenohrl, Riley, Albers, F. Lasee, Petrowski, Gundrum, Meyerhofer and Kaufert.

To committee on **Rules**.

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## AGENCY REPORTS

State of Wisconsin  
Legislative Audit Bureau  
Madison

February 15, 1999

To the Honorable, the Assembly:

We perform annual financial audits of WHA Television and Radio, which are public telecommunications entities operated by the University of Wisconsin (UW)-Extension, and the Educational Communications Board (ECB) Radio and Television Networks, which are public telecommunication entities operated by ECB. We have issued our audit report for WHA Television and the ECB Radio and Television Networks for the period of July 1, 1997 through June 30, 1998 were released in December 1998.

These annual audits are requested by ECB and UW-Extension to fulfill audit requirements of the Corporation for Public Broadcasting. The Corporation requires audited financial statements of public broadcasting entities and certifications of these entities' non-federal revenue sources in determining future funding levels. The audit reports include no major findings, conclusions, or recommendations.

Copies of the audit report have been distributed to members of the Joint Legislative Audit Committee and those required by law to receive them. If you are interested in receiving a copy of the report, please contact our office and request report number 99-2.

Sincerely,  
*JANICE MUELLER*  
State Auditor

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## MOTION

### Assembly Joint Resolution 3

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

Representative Hbler moved reconsideration of the vote by which **Assembly Joint Resolution 3** was adopted. Entered.

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

The Assembly stood recessed.

1:04 P.M.

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**RECESS**

1:40 P.M.

The Assembly reconvened.

The Assembly was called to order by Speaker Jensen.

Speaker Jensen appointed Representatives Gard and Huber to escort the Governor from his office to the Assembly Chamber.

The Assembly stood informal.

The Assembly Sergeant-at-Arms announced the arrival of the Honorable Justices of the Wisconsin Supreme Court.

The Assembly stood informal.

The Assembly Sergeant-at-Arms announced the arrival of the members of the Senate.

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**JOINT CONVENTION**

The houses went into joint convention.

Senate President Risser presiding.

Senator Risser recognized the presence of Lieutenant Governor Scott McCallum, State Treasurer Jack Voight, Superintendent of Public Instruction John Benson, Justice William Bablitch, Justice Ann Walsh Bradley and Justice N. Patrick Crooks of the Wisconsin Supreme Court.

The Assembly Sergeant-at-arms announced the arrival of Governor Thompson.

Escorted by Representatives Gard and Huber, and Senators Moore, Plache, Cowles and Panzer, Governor Thompson took his place at the rostrum to deliver his budget message.

Pursuant to Joint Rule 73, the governor's budget message is printed in the Senate journal only.

Representative Foti moved that the joint convention arise.

The question was: Shall the joint convention arise?

Motion carried.

2:58 P.M.

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The Assembly reconvened.

Speaker Jensen in the chair.

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**ADJOURNMENT**

Representative Foti 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.

2:59 P.M.