



STATE OF WISCONSIN Assembly Journal

Ninety-Fourth Regular Session

9:44 A.M.

WEDNESDAY, March 3, 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 Albers.

Representative Meyerhofer 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, 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 – 97.

Absent with leave – Representative Berceau – 1.

Vacancies – 35th Assembly District – 1.

LEAVES OF ABSENCE

Representative Schneider asked unanimous consent for a leave of absence for today's session for Representative Berceau. Granted.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 98–053

Relating to biennial continuing education requirements for social worker certification renewal.

Submitted by Department of Regulation and Licensing.

Report received from Agency, February 18, 1999.

To committee on **Health**.

Referred on March 3, 1999.

Assembly Clearinghouse Rule 98–164

Relating to alternative teacher permits.

Submitted by Department of Public Instruction.

Report received from Agency, February 22, 1999.

To committee on **Education**.

Referred on March 3, 1999.

Assembly Clearinghouse Rule 98–201

Relating to the administration of an electronic benefit transfer system for the delivery of food stamp benefits.

Submitted by Department of Workforce Development.

Report received from Agency, February 23, 1999.

To committee on **Children and Families**.

Referred on March 3, 1999.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 27

Relating to: commending the University of Wisconsin–River Falls for its contributions to the quality of life in Wisconsin over the past 125 years.

By Representatives Rhoades, Kreibich, Klusman, Huebsch, Suder, Freese, Albers, Pocan, Spillner, Miller, Ryba, Reynolds, Kestell, Ladwig, Brandemuehl, Seratti, Sykora, Olsen, Vrakas, Sherman, Gronemus, Plouff and Colon; cosponsored by Senators Clausing, Farrow, Burke, Rude, Moen, Erpenbach, Cowles, Schultz and Darling.

To committee on **Rules**.

REFERRAL OF AGENCY REPORTS

State of Wisconsin

Department of Workforce Development

Madison

February 19, 1999

To the Honorable, the Assembly:

In accordance with Public Law 97–300, Part A, Section 104 (b)(13) of the Job Training Partnership Act (JTPA), the Annual Reports of Wisconsin's JTPA Service Delivery Areas

have been submitted. They are hereby transmitted to you for your review.

If you have any questions concerning these reports or need additional information, please feel free to contact me or my staff.

Sincerely,
GERT PEERENBOOM
Deputy Division Administrator

Referred to committee on **Labor and Employment**.

State of Wisconsin
Council on Workforce Excellence
Madison

February 24, 1999

To the Honorable, the Legislature:

I am pleased to present you with the 1998 Annual Report of the Council on Workforce Excellence. The report identifies our activities and accomplishments that will help to strengthen Wisconsin's workforce development system. We appreciated your personal participation in the successful Wisconsin Forward Award banquet.

For the future, Council members are enthusiastic about continuing to meet their statutory responsibilities. In particular, we look forward to the challenges of the new Workforce Investment Act, and are poised to serve as the "Board of Directors" on labor shortage issues. I am confident that we can provide solutions with our partners across the state to ensure a healthy workforce and infrastructure.

If you have questions or would like to discuss any issues, feel free to contact me at (608) 756-1241, or Ron Hunt, DWD-DWE, at (608) 266-2687.

Sincerely,
J. MICHAEL BORDEN, CWE CHAIR
President, Hufcor, Inc.

Referred to committee on **Labor and Employment**.

State of Wisconsin
Department of Public Instruction
Madison

March 1, 1999

To the Honorable, the Assembly:

Wisconsin school laws include the following provision in s. [115.45 \(6\)\(b\)](#) and [\(c\)](#), Wis. Stats.:

SECTION 115.45 Grants for preschool to grade 5 programs.

(6) The state superintendent shall:

(b) By March 1, 1986, and annually thereafter, submit to the joint committee on finance and the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under s. [13.172 \(3\)](#), a budget report detailing the grants he or she intends to award under this section in the next fiscal year. The report shall provide summary data on the results of the annual testing required under sub. (4) (b) and include a description of the guidelines used to determine the individual schools and private service providers that will receive funds under this section and the types of expenditures eligible for such funds.

(c) Annually submit to the legislature under s. [13.172 \(2\)](#) a report on the academic progress made by pupils enrolled in preschool to grade 5 programs under this section.

All Preschool-to-Grade-5 (P-5) Evaluation Reports for 1997-98 are contained herein as well as a report on the academic progress for all schools funded by the P-5 program. If you have questions, please contact my office or Sandra Dercole in the DPI Office of Urban Education. (414-227-4942).

Sincerely,
JOHN T. BENSON
State Superintendent

Referred to committee on **Education**.

Representative Vrakas asked unanimous consent that the Assembly stand in recess. Granted.

The Assembly stood recessed.

9:50 A.M.

RECESS

10:40 A.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 105** be withdrawn from the calendar of Thursday, March 4, and placed on the calendar of Tuesday, March 16. Granted.

RULING ON THE POINT OF ORDER

Speaker Pro Tempore Freese ruled **well taken** the point of order raised by Representative Krug on Tuesday, March 2, that **Assembly Bill 45** was not properly before the Assembly because it required an emergency statement pursuant to s. [16.47](#) of the Wisconsin Statutes.

EXECUTIVE COMMUNICATIONS

March 2, 1999

The Honorable Scott Jensen
Speaker of the Assembly
211 West, State Capitol
Madison, WI 53702

Dear Speaker Jensen:

1999 Assembly Bill 45, introduced by Representative Kelso, and co-sponsored by Senator Darling, relates to a hotline in the Department of Justice for the reporting of information regarding dangerous weapons in public schools.

1999 Assembly Bill 45 contains a fiscal note in excess of \$10,000. Pursuant to sec. 16.47(2), Stats., I consider this bill an emergency bill, I recommend the bill and I ask that passage of 1999 Assembly Bill 45 be permitted prior to passage of the budget bill.

Thank you for your attention to this matter.

Sincerely,
TOMMY G. THOMPSON
Governor

Assembly Bill 45

Relating to: a hotline in the department of justice for the reporting of information regarding dangerous weapons in public schools.

Assembly amendment 2 to **Assembly Bill 45** offered by Representative Kelso.

Assembly amendment 1 to Assembly amendment 2 to **Assembly Bill 45** offered by Representative Cullen.

Representative Kelso moved rejection of Assembly amendment 1 to Assembly amendment 2 to **Assembly Bill 45**.

The question was: Shall Assembly amendment 1 to Assembly amendment 2 to **Assembly Bill 45** be rejected?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Duff, Foti, Freese, Gard, Goetsch, Grothman, Gunderson, Gundrum, Hahn, Handrick, Hoven, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Ladwig, F. Lasee, M. Lehman, Leibham, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Porter, Powers, Rhoades, Seratti, Skindrud, Spillner, Stone, Suder, Sykora, Townsend, Underheim, Urban, Vrakas, Walker, Ward, Wieckert and Speaker Jensen – 54.

Noes – Representatives Balow, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gronemus, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyer, Meyerhofer, Miller, Morris–Tatum, Plale, Plouff, Pocan, Reynolds, Richards, Riley, Ryba, Schneider,

Schooff, Sherman, Sinicki, Staskunas, Steinbrink, Turner, Wasserman, Williams, Wood, Young and Ziegelbauer – 42.

Absent or not voting – Representatives Berceau and Travis – 2.

Motion carried.

LEAVES OF ABSENCE

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

The question was: Shall Assembly amendment 2 to **Assembly Bill 45** be adopted?

Motion carried.

Assembly amendment 3 to **Assembly Bill 45** offered by Representative Lassa.

Representative Kelso moved that Assembly amendment 3 to **Assembly Bill 45** be laid on the table.

The question was: Shall Assembly amendment 3 to **Assembly Bill 45** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Duff, Foti, Freese, Gard, Goetsch, Grothman, Gunderson, Gundrum, Hahn, Handrick, Hoven, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Ladwig, F. Lasee, M. Lehman, Leibham, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Porter, Powers, Rhoades, Seratti, Skindrud, Spillner, Stone, Suder, Sykora, Townsend, Underheim, Urban, Vrakas, Walker, Ward, Wieckert and Speaker Jensen – 54.

Noes – Representatives Balow, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gronemus, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyer, Meyerhofer, Miller, Morris–Tatum, Plale, Plouff, Pocan, Reynolds, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Sinicki, Staskunas, Steinbrink, Turner, Wasserman, Williams, Wood, Young and Ziegelbauer – 42.

Absent or not voting – Representatives Berceau and Travis – 2.

Motion carried.

The question was: Shall **Assembly Bill 45** be ordered engrossed and read a third time?

Motion carried.

Representative Vrakas asked unanimous consent that the rules be suspended and that **Assembly Bill 45** be given a third reading. Granted.

Representative Travis asked unanimous consent that his leave of absence be lifted. Granted.

The question was: **Assembly Bill 45** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Duff, Foti, Freese, Gard, Goetsch, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hebl, Hoven, Huebsch, Hundertmark, Hutchison, Jeskewitz, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Ladwig, F. Lasee, Lassa, M. Lehman, Leibham, Montgomery, Musser, Olsen, Ott, Owens, Petrowski, Pettis, Porter, Powers, Reynolds, Rhoades, Ryba, Seratti, Skindrud, Spillner, Stone, Suder, Sykora, Townsend, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Wieckert and Speaker Jensen – 58.

Noes – Representatives Balow, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gundrum, Hasenohrl, Huber, Hubler, Johnsrud, Kreuser, Krug, Krusick, La Fave, J. Lehman, Meyer, Meyerhofer, Miller, Morris–Tatum, Nass, Plale, Plouff, Pocan, Richards, Riley, Schneider, Schooff, Sherman, Sinicki, Staskunas, Steinbrink, Travis, Williams, Wood, Young and Ziegelbauer – 39.

Absent or not voting – Representative Berceau – 1.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 45** be immediately messaged to the Senate. Granted.

CALENDAR OF WEDNESDAY, MARCH 3

Assembly Joint Resolution 26

Relating to: requesting appropriate action by the U.S. Congress to propose an amendment to the federal constitution empowering the Congress to prohibit physical desecration of the flag of the United States of America.

The question was: Shall **Assembly Joint Resolution 26** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Brandemuehl, Duff, Foti, Freese, Gard, Goetsch, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Handrick, Hasenohrl, Hebl, Hoven, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Kreibich, Kreuser, Krusick, Ladwig, F. Lasee, Lassa, M. Lehman, Leibham, Meyer, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Porter, Powers, Reynolds, Rhoades, Ryba, Schooff, Seratti, Skindrud, Spillner, Steinbrink, Stone, Suder, Sykora, Townsend, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Wieckert, Wood, Ziegelbauer and Speaker Jensen – 71.

Noes – Representatives Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Huber, Hutchison, Klusman, Krug, La Fave, J. Lehman, Meyerhofer, Miller, Morris–Tatum, Pocan, Richards, Riley, Schneider, Sherman, Sinicki, Staskunas, Travis, Williams and Young – 26.

Absent or not voting – Representative Berceau – 1.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 26** be immediately messaged to the Senate.

Representative Colon objected.

Representative Foti moved that the rules be suspended and that **Assembly Joint Resolution 26** be immediately messaged to the Senate.

The question was: Shall the rules be suspended and **Assembly Joint Resolution 26** be immediately messaged to the Senate?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Duff, Foti, Freese, Gard, Goetsch, Grothman, Gunderson, Gundrum, Hahn, Handrick, Hoven, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Ladwig, F. Lasee, M. Lehman, Leibham, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Porter, Powers, Rhoades, Ryba, Seratti, Skindrud, Spillner, Stone, Suder, Sykora, Townsend, Underheim, Urban, Vrakas, Walker, Ward, Wieckert and Speaker Jensen – 55.

Noes – Representatives Balow, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gronemus, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyer, Meyerhofer, Miller, Morris–Tatum, Plale, Plouff, Pocan, Reynolds, Richards, Riley, Schneider, Schooff, Sherman, Sinicki, Staskunas, Steinbrink, Travis, Turner, Wasserman, Williams, Wood, Young and Ziegelbauer – 42.

Absent or not voting – Representative Berceau – 1.

Motion failed.

Assembly Bill 35

Relating to: following snowplows.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 35** offered by Representatives Steinbrink, Kreuser and Porter.

Assembly amendment 1 to Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 35** offered by Representative Ainsworth.

The question was: Shall Assembly amendment 1 to Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 35** be adopted?

Motion carried.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 35** be adopted?

Motion carried.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 35** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 35** be ordered engrossed and read a third time?

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 35** be given a third reading.

Representative Gronemus objected.

Assembly Bill 61

Relating to: excused absences from school.

The question was: Shall **Assembly Bill 61** be ordered engrossed and read a third time?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 61** be given a third reading. Granted.

Representative Kaufert moved that **Assembly Bill 61** be rereferred to the committee on Education.

Speaker Jensen in the chair.

Speaker Pro Tempore Freese in the chair.

The question was: Shall **Assembly Bill 61** be rereferred to the committee on Education?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Black, Boyle, Brandemuehl, Carpenter, Colon, Cullen, Gronemus, Gunderson, Hasenohrl, Hebl, Hoven, Huber, Hubler, Hundertmark, Hutchison, Johnsrud, Kaufert, Kedzie, Kreibich, Kreuser, Krug, F. Lasee, Lassa, Leibham, Meyer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Petrowski, Pettis, Pohan, Porter, Reynolds, Riley, Schneider, Sherman, Sinicki, Staskunas, Steinbrink, Stone, Sykora, Townsend, Travis, Turner, Wasserman, Wieckert, Williams, Wood and Young – 52.

Noes – Representatives Ainsworth, Albers, Bock, Coggs, Duff, Foti, Freese, Gard, Goetsch, Grothman, Gundrum, Hahn, Handrick, Huebsch, Jeskewitz, Kelso, Kestell, Klusman, Krusick, La Fave, Ladwig, J. Lehman, M. Lehman, Meyerhofer, Olsen, Ott, Owens, Plale, Plouff, Powers, Rhoades, Richards, Ryba, Schooff, Seratti, Skindrud, Spillner, Suder, Underheim, Urban, Vrakas, Walker, Ward, Ziegelbauer and Speaker Jensen – 45.

Absent or not voting – Representative Berceau – 1.

Motion carried.

Assembly Bill 65

Relating to: contributions for a World War II memorial in Washington, D.C. and making appropriations.

Representative Gard asked unanimous consent that **Assembly Bill 65** be referred to the joint committee on **Finance**. Granted.

Representative Gard asked unanimous consent that the rules be suspended and that **Assembly Bill 65** be withdrawn from the joint committee on **Finance** and taken up at this time. Granted.

The question was: Shall Assembly amendment 1 to **Assembly Bill 65** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 65** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 65** be given a third reading. Granted.

The question was: **Assembly Bill 65** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, 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, Pohan, 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 – 97.

Noes – None.

Absent or not voting – Representative Berceau – 1.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 65** 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:

Students from Falk Elementary School accompanied by their teacher, Ms. Thomasgard, guests of Representative Black.

Students from University of Wisconsin-Stevens Point, College of Natural Resources, accompanied by Professor Dan Sivek, guests of Representative Lassa.

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.

1:20 P.M.