



STATE OF WISCONSIN Assembly Journal

Ninety-Fourth Regular Session

9:53 A.M.

THURSDAY, March 25, 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 Vrakas led the membership in reciting the pledge of allegiance to the flag of the United States of America.

SPECIAL GUEST

Representative Vrakas introduced Jamie Lynn Bence, of Hartland, who sang the Star Spangled Banner. Jamie holds the record in the Guinness Book of World Records for singing the National Anthem at all thirty major league baseball parks.

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, 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 Gronemus – 1.

Vacancies – 35th Assembly District – 1.

LEAVES OF ABSENCE

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

Representative Foti introduced a privileged joint resolution.

Assembly Joint Resolution 41

Relating to: the life and public service of Dr. Donald L. Iverson.

By Representative Rhoades; cosponsored by Senator Clausing.

The question was: Shall **Assembly Joint Resolution 41** be adopted?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 41** be immediately messaged to the Senate. Granted.

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

The Assembly stood recessed.

10:02 A.M.

RECESS

11:15 A.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 64** offered by Representative Musser.

Assembly amendment 1 to **Assembly Bill 81** offered by Representative Musser.

Assembly amendment 2 to **Assembly Bill 113** offered by committee on **Education Reform**.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 246

Relating to: actions against manufacturers, importers, trade associations or dealers of firearms or firearm ammunition.

By Representatives Pettis, Suder, Gundrum, Gunderson, Huebsch, Spillner, Ladwig, Musser, Ainsworth, Hundertmark, Sykora, Grothman, Handrick, Albers, Porter, Kreibich, Kedzie, Seratti, F. Lasee, Leibham, Hutchison, Gronemus, Hahn, Owens, Vrakas, Johnsrud and Nass; cosponsored by Senators Breske, Zien, Welch, Baumgart, Schultz and Fitzgerald.

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

Assembly Bill 247

Relating to: the making of restitution by a juvenile or by a parent who has custody of a juvenile.

By Representatives Goetsch, Ladwig, Gundrum, Vrakas, Powers, Klusman, Owens, Musser, Porter, Hahn, Olsen, Ziegelbauer, Sykora, Grothman, Brandemuehl, Albers, Kelso, Johnsrud, Seratti, Spillner, F. Lasee, Suder, Gunderson, M. Lehman and Staskunas; cosponsored by Senators Roessler, Huelsman, Drzewiecki, Schultz, Cowles and Darling.

To committee on **Criminal Justice**.

Assembly Bill 248

Relating to: excluding churches and religious associations from the property tax exemption report filing fee.

By Representatives Goetsch, Owens, Porter, Musser, Wood, Ward, Grothman, Riley, Albers, Klusman, Gundrum and Pettis; cosponsored by Senators Drzewiecki, Huelsman and Schultz, by request of Pastor Steve Rovics.

To committee on **Ways and Means**.

Assembly Bill 249

Relating to: proceeds from the sale of forest products at Fort McCoy and making an appropriation.

By Representatives Musser and Huebsch; cosponsored by Senators Moen and Rude.

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

Assembly Bill 250

Relating to: prisoners throwing or expelling certain bodily substances at or toward others, testing for the presence of communicable diseases in certain criminal defendants and juveniles alleged to be delinquent or in need of protection or services and providing a penalty.

By Representatives Musser, Ryba, Huebsch, Gronemus, Ainsworth, Owens, Reynolds, Sykora, Spillner, Petrowski, Olsen, Albers, Kreibich, Hoven, Vrakas, Seratti and Powers; cosponsored by Senators Moen, Baumgart, Roessler, Drzewiecki, Schultz and Farrow.

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

Assembly Bill 251

Relating to: notification of persons that land may be taken in trust by the U.S. government for individual American Indians and tribes.

By Representatives Seratti, Freese, Sykora, F. Lasee, Owens, Gunderson, Albers, Kelso, Petrowski, Grothman, Handrick, Pettis and Nass; cosponsored by Senator Farrow.

To committee on **Government Operations**.

Assembly Bill 252

Relating to: the operation of all-terrain vehicles on highways for the purpose of certain types of access.

By Representatives Seratti, Musser, Albers, Gronemus, Reynolds, Skindrud, Gunderson and Pettis; cosponsored by Senators Breske and Schultz.

To committee on **Tourism and Recreation**.

Assembly Bill 253

Relating to: extending the compulsory school attendance law to certain pupils enrolled in kindergarten.

By Representatives Ladwig, Kestell, Albers, Kelso, Krusick, Sykora and Ward; cosponsored by Senator Darling.

To committee on **Education Reform**.

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 65

Assembly Joint Resolution 25

Assembly Joint Resolution 36

Assembly Joint Resolution 37

CHARLES R. SANDERS

Assembly Chief Clerk

AGENCY REPORTS

Southeast Wisconsin
Professional Baseball Park District
Milwaukee

March 18, 1999

To the Honorable, the Legislature:

Enclosed please find your copy of the February 1999 Miller Park Monthly Progress Report. If you have any questions or comments on this month's report, please feel free to contact me.

Thank you in advance for your consideration and input on the Miller Park project.

Sincerely,

MICHAEL R. DUCKETT, P.E., R.L.S.

Executive Director

CALENDAR OF THURSDAY, MARCH 25

Senate Joint Resolution 12

Relating to: requesting Congress to enact legislation to allow states to control the interstate shipment of solid waste.

The question was: Shall **Senate Joint Resolution 12** be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 12** be immediately messaged to the Senate. Granted.

Assembly Bill 24

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

The question was: Shall **Assembly Bill 24** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 24** be given a third reading. Granted.

The question was: **Assembly Bill 24** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 24** be immediately messaged to the Senate. Granted.

Representative Duff in the chair.

Assembly Bill 110

Relating to: use of public funds by certain state and local officials for production or distribution of certain materials.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 110** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 110** be ordered engrossed and read a third time?

Motion carried.

Representative Freese asked unanimous consent that the rules be suspended and that **Assembly Bill 110** be given a third reading. Granted.

LEAVES OF ABSENCE

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

The question was: **Assembly Bill 110** 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, Colon, Cullen, Duff, Foti, Freese, Gard, Goetsch, Grothman, Gunderson, Gundrum, Hahn, Handrick, Hasenohrl, Hebl, Hoven, Huber, Hubler, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Krusick, Ladwig, F. Lasee, J. Lehman, M. Lehman, Leibham, Meyer, Meyerhofer, Miller, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Porter, Powers, Reynolds, Rhoades, Ryba, Schooff, Seratti, Sherman, Skindrud, Spillner, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, Ziegelbauer and Speaker Jensen – 83.

Noes – Representatives Berceau, Coggs, Kreuser, Krug, La Fave, Lassa, Morris–Tatum, Richards, Riley, Schneider, Sinicki, Travis and Young – 13.

Absent or not voting – Representatives Gronemus and Huebsch – 2.

Motion carried.

Representative Freese asked unanimous consent that the rules be suspended and that **Assembly Bill 110** be immediately messaged to the Senate. Granted.

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

Assembly Bill 182

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

The question was: Shall Assembly amendment 2 to **Assembly Bill 182** be adopted?

Motion carried.

Assembly amendment 3 to **Assembly Bill 182** offered by Representatives Staskunas, Foti, Walker and Balow.

The question was: Shall Assembly amendment 3 to **Assembly Bill 182** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 182** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 182** be given a third reading. Granted.

The question was: **Assembly Bill 182** having been read three times, shall the bill be passed?

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, 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.

Noes – None.

Absent or not voting – Representative Gronemus – 1.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 182** be immediately messaged to the Senate. Granted.

Assembly Bill 208

Relating to: publication or dissemination of false information pertaining to a response to certain questions and providing a penalty.

The question was: Shall Assembly amendment 1 to **Assembly Bill 208** be adopted?

Motion carried.

Assembly amendment 2 to **Assembly Bill 208** offered by Representative Montgomery.

The question was: Shall Assembly amendment 2 to **Assembly Bill 208** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 208** be ordered engrossed and read a third time?

Motion carried.

Representative Freese asked unanimous consent that the rules be suspended and that **Assembly Bill 208** be given a third reading.

Representative Krug objected.

Representative Freese moved that the rules be suspended and that **Assembly Bill 208** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 208** be given a third reading?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, 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, Meyer, 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 – 56.

Noes – Representatives Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyerhofer, Miller, Morris–Tatum, Plale, Plouff, Pocan, Reynolds, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Sinicki, Staskunas, Steinbrink, Travis, Turner, Wasserman, Williams, Wood, Young and Ziegelbauer – 41.

Absent or not voting – Representative Gronemus – 1.

Motion failed.

Assembly Bill 234

Relating to: qualification of candidates for justice of the supreme court for grants from the Wisconsin election campaign fund, court fees and making an appropriation.

Assembly amendment 2 to **Assembly Bill 234** offered by Representative Bock.

Assembly amendment 3 to **Assembly Bill 234** offered by Representative Jensen.

Representative Jensen asked unanimous consent that **Assembly Bill 234** be rereferred to the committee on **Rules**. Granted.

Assembly Bill 235

Relating to: false reporting of certain disbursements and obligations under the campaign finance law and providing a penalty.

Representative Foti asked unanimous consent that **Assembly Bill 235** be rereferred to the committee on **Rules**. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 11** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Senate Joint Resolution 11

Relating to: proclaiming May 3rd of every year, Trzeciego Maja Day.

The question was: Shall **Senate Joint Resolution 11** be concurred in?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 11** be immediately messaged to the Senate. Granted.

ANNOUNCEMENTS

Representative Reynolds asked unanimous consent that the Assembly adjourn in honor of the Park Falls Boys High School Basketball Team, and their coach Chuck Woelfel, who

won the WIAA Division III Championship, the Cardinals were the only boys team with an undefeated season (27-0) in the tournament. Granted.

Representative Plale asked unanimous consent that the Assembly adjourn in honor of his son, Jack, who celebrated his second birthday on March 21. Granted.

Representative Balow asked unanimous consent that the Assembly adjourn in memory of Dave Tobich, President of Fire Fighters Local 487 in Eau Claire, who passed away unexpectedly. Granted.

Representative Staskunas asked unanimous consent that the Assembly adjourn in honor of his son, John, who will be celebrating his ninth birthday on March 28. Granted.

Representative Meyerhofer asked unanimous consent that the Assembly adjourn in honor of Cliff Miller, a newspaper reporter, wishing him a speedy recovery. Granted.

Representative Pocan asked unanimous consent that the Assembly adjourn in honor of Representative Sinicki, who is celebrating the seventeenth anniversary of her twenty-second birthday. Granted.

Representative Leibham asked unanimous consent that the Assembly adjourn in honor of the Sheboygan South Mock Trial High School Team who won the State Bar of Wisconsin's Mock Trial Tournament. Granted.

Representative Gunderson asked unanimous consent that the Assembly adjourn in honor of Bob Linder II, who is retiring from the Wind Lake Fire Department after forty-one years of service. Granted.

Representative School asked unanimous consent that the Assembly adjourn in honor of John Heineke, Head Coach from Beloit Memorial High School, who is being inducted into the WIAA Coaches Hall of Fame. Granted.

Representative Krusick asked unanimous consent that the Assembly adjourn in honor of her grandmother, Wanda

Waldoch of Milwaukee, who celebrated her ninety-fourth birthday on March 20. Granted.

Representative Krusick asked unanimous consent that the Assembly adjourn in honor of her husband's grandmother, Catherine Kreft of Athens, who will be celebrating her one hundredth birthday on March 30. Granted.

REFERENCE BUREAU CORRECTIONS

Assembly Bill 208

1. Page 2, line 19: delete "of this act".

VISITORS

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

Doctor Richard and Dawn Bence of Hartland, parents of Jamie Bence, guests of Representative Vrakas.

Isaiah Sherman from Port Wing, son and guest of Representative Sherman.

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, May 11, pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

11:50 A.M.