



STATE OF WISCONSIN

Assembly Journal

Ninety-Fourth Regular Session

10:07 A.M.

WEDNESDAY, September 22, 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 Wood.

Representative Leibham 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, Waukau, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 99.

Absent with leave – None – 0.

Vacancies – None.

AMENDMENTS OFFERED

Assembly amendment 2 to **Assembly Bill 311** offered by Representatives Stone and Ainsworth.

Assembly amendment 2 to **Assembly Bill 393** offered by Representative Sykora.

Assembly amendment 5 to **Assembly Bill 465** offered by Representatives Lassa, Krug, Coggs, Schneider, Richards, Bock, Miller, Sinicki, Balow, Berceau, Morris–Tatum and Riley.

Assembly amendment 1 to **Assembly Bill 474** offered by committee on **Children and Families**.

Assembly amendment 1 to **Assembly Bill 481** offered by committee on **Children and Families**.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 99–025

Relating to the reimbursement of response action costs for response actions taken at eligible dry cleaning facilities.

Submitted by Department of Natural Resources.

Report received from Agency, September 14, 1999.

To committee on **Environment**.

Referred on September 22, 1999.

Assembly Clearinghouse Rule 99–080

Relating to private sewage systems.

Submitted by Department of Commerce.

Report received from Agency, September 14, 1999.

To committee on **Natural Resources**.

Referred on September 22, 1999.

Assembly Clearinghouse Rule 99–091

Relating to the local bridge program.

Submitted by Department of Transportation.

Report received from Agency, September 13, 1999.

To committee on **Transportation**.

Referred on September 22, 1999.

EXECUTIVE COMMUNICATIONS

September 22, 1999

The Honorable Scott Jensen

Speaker of the Assembly

211 West, State Capitol

Madison, WI 53702

Re: 1999 Assembly Bill 315

Dear Speaker Jensen:

1999 Assembly Bill 315, introduced by Representatives Foti, Huebsch, Ainsworth, Berceau, Black, Bock, Boyle, Brandemuehl, Cullen, Freese, Gronemus, Gunderson, Hahn, Handrick, Hasenohrl, Hutchison, Johnsrud, Kelso, Klusman, Kreibich, Kreuser, F. Lasee, M. Lehman, Miller, Montgomery, Musser, Olsen, Petrowski, Plale, Plouff, Porter, Powers, Reynolds, Rhoades, Sherman, Sinicki, Spillner, Staskunas, Stone, Turner, Wasserman, Young and

Ziegelbauer, cosponsored by Senators Erpenbach, Panzer, Wirch, Darling, Drzewiecki, Lazich, Roessler, Schultz, Welch and Clausing, relates to prohibiting the department of transportation from providing information compiled and maintained by the department that contains the personal identifiers of 10 or more people.

1999 Assembly Bill 315 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 315 be permitted prior to passage of the budget bill.

Thank you for your attention to this matter.

Sincerely,
TOMMY G. THOMPSON
Governor

September 22, 1999

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

Re: 1999 Assembly Bill 465

Dear Speaker Jensen:

1999 Assembly Bill 465, introduced by Representatives Goetsch and Walker, cosponsored by Senator George, relates to the classification and elements of felony offenses and certain misdemeanor offenses; modification of a bifurcated sentence in certain cases; revocation of extended supervision; the creation of a sentencing commission and temporary sentencing guidelines; making an appropriation; and providing penalties.

1999 Assembly Bill 465 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 465 be permitted prior to passage of the budget bill.

Thank you for your attention to this matter.

Sincerely,
TOMMY G. THOMPSON
Governor

COMMUNICATIONS

State of Wisconsin
Joint Legislative Council
Madison

September 9, 1999

Mr. Charles R. Sanders
Assembly Chief Clerk
1 East Main Street, Suite 402
Madison, WI 53702

Dear Charles:

I am pleased to transmit to you the following report to the 1999 Legislature on legislation introduced by the Joint Legislative Council:

RL 99-3 Legislation on the Election Process
(1999 Assembly Bills 434 and 435)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available at the Legislative Council Staff offices, One East Main, Suite 401, or from our web page at www.legis.state.wi.us/lc/jlc99recs.htm.

Sincerely,
DAVID J. STUTE
Director

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

The Assembly stood recessed.

10:12 A.M.

RECESS

1:24 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Representative Ziegelbauer asked unanimous consent to be made a coauthor of **Assembly Bill 469**. Granted.

Representative Klusman asked unanimous consent to be made a coauthor of **Assembly Bill 333**. Granted.

CALENDAR OF WEDNESDAY, SEPTEMBER 22

Assembly Bill 118

Relating to: shared revenue payments for former utility property.

LEAVES OF ABSENCE

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

The question was: Shall **Assembly Bill 118** be ordered engrossed and read a third time?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 118** be given a third reading. Granted.

The question was: **Assembly Bill 118** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Black, Boyle, Brandemuehl, Coggs, Colon, 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, Krusick, La Fave, Ladwig, F. Lasee, Lassa, M. Lehman, Leibham, Meyer, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Porter, Powers, Reynolds, Rhoades, Schneider, Schooff, Seratti, Sherman, Sinicki, Skindrud, Spillner, Steinbrink, Stone, Suder, Sykora, Townsend, Turner, Vrakas, Ward, Waukau, Wieckert, Wood and Speaker Jensen – 77.

Noes – Representatives Berceau, Bock, Carpenter, Cullen, Krug, J. Lehman, Meyerhofer, Miller, Morris–Tatum, Pocan, Richards, Riley, Ryba, Staskunas, Underheim, Urban, Walker, Wasserman, Williams, Young and Ziegelbauer – 21.

Absent or not voting – Representative Travis – 1.

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 118** be immediately messaged to the Senate. Granted.

Assembly Bill 119

Relating to: prohibiting requirements that law enforcement officers meet citation quotas in the enforcement of state and local traffic laws.

The question was: Shall Assembly amendment 1 to **Assembly Bill 119** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 119** be ordered engrossed and read a third time?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 119** be given a third reading. Granted.

The question was: **Assembly Bill 119** 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, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Handrick, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Kreuser, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, 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, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Waukau, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 96.

Noes – Representatives Krug and Leibham – 2.

Absent or not voting – Representative Travis – 1.

Motion carried.

Representative La Fave asked unanimous consent to be recorded as voting “**No**” on the previous question. Granted.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 119** be immediately messaged to the Senate. Granted.

Assembly Bill 147

Relating to: modifying the definition of all–terrain vehicle.

Assembly amendment 1 to **Assembly Bill 147** offered by Representatives Seratti and Gard.

Representative Ainsworth moved that Assembly amendment 1 to **Assembly Bill 147** be laid on the table.

LEAVES OF ABSENCE

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

The question was: Shall Assembly amendment 1 to **Assembly Bill 147** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Berceau, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Colon, Cullen, Freese, Hasenohrl, Hubler, Hutchison, Krug, Krusick, La Fave, J. Lehman, M. Lehman, Miller, Plouff, Richards, Riley, Sherman, Staskunas, Turner, Urban, Wasserman, Williams and Wood – 30.

Noes – Representatives Albers, Balow, Duff, Foti, Gard, Goetsch, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Handrick, Hebl, Hoven, Huber, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Kreuser, Ladwig, F. Lasee,

Lassa, Leibham, Meyer, Meyerhofer, Montgomery, Morris-Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Pocan, Porter, Powers, Reynolds, Rhoades, Ryba, Schneider, Schooff, Seratti, Skindrud, Spillner, Steinbrink, Stone, Suder, Sykora, Townsend, Underheim, Vrakas, Walker, Ward, Waukau, Wieckert, Young, Ziegelbauer and Speaker Jensen – 67.

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

Motion failed.

The question was: Shall Assembly amendment 1 to **Assembly Bill 147** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 147** be ordered engrossed and read a third time?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 147** be given a third reading. Granted.

The question was: **Assembly Bill 147** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Albers, Balow, Bock, Boyle, Brandemuehl, Cullen, Duff, Foti, Gard, Goetsch, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Handrick, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Klusman, Kreibich, Kreuser, Krusick, Ladwig, F. Lasee, Lassa, Leibham, Meyer, Meyerhofer, Montgomery, Morris-Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Porter, Powers, Reynolds, Rhoades, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Skindrud, Spillner, Steinbrink, Stone, Suder, Sykora, Townsend, Turner, Underheim, Vrakas, Walker, Ward, Wasserman, Waukau, Wieckert, Wood, Young, Ziegelbauer and Speaker Jensen – 80.

Noes – Representatives Ainsworth, Berceau, Black, Carpenter, Coggs, Colon, Freese, Kelso, Krug, La Fave, J. Lehman, M. Lehman, Miller, Richards, Staskunas, Urban and Williams – 17.

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

Motion carried.

Representative Bock asked unanimous consent to be recorded as voting “No” on the previous question. Granted.

Representative Young asked unanimous consent to be recorded as voting “No” on the previous question. Granted.

Representative Morris-Tatum asked unanimous consent to be recorded as voting “No” on the previous question. Granted.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 147** be immediately messaged to the Senate. Granted.

Assembly Bill 150

Relating to: publicizing the names of persons who illegally dump trash.

The question was: Shall **Assembly Bill 150** be ordered engrossed and read a third time?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 150** be given a third reading. Granted.

The question was: **Assembly Bill 150** 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 150** be immediately messaged to the Senate. Granted.

Assembly Bill 206

Relating to: creating a permit authorizing the operation upon a highway of a specialized hauling rig that exceeds statutory size and weight limits.

The question was: Shall **Assembly Bill 206** be ordered engrossed and read a third time?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 206** be given a third reading. Granted.

The question was: **Assembly Bill 206** 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 206** be immediately messaged to the Senate. Granted.

Assembly Bill 210

Relating to: the period of time during which sturgeon spearing licenses may not be issued.

The question was: Shall **Assembly Bill 210** be ordered engrossed and read a third time?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 210** be given a third reading. Granted.

The question was: **Assembly Bill 210** 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 210** be immediately messaged to the Senate. Granted.

Assembly Bill 222

Relating to: requiring day care providers and employes and volunteers of day care providers who provide care and supervision for children to receive training in the prevention of sudden infant death syndrome.

The question was: Shall **Assembly Bill 222** be ordered engrossed and read a third time?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 222** be given a third reading. Granted.

The question was: **Assembly Bill 222** 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, 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, Skindrud, Spillner, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Waukau, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 97.

Noes – None.

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

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 222** be immediately messaged to the Senate. Granted.

Assembly Bill 237

Relating to: educational requirements for massage therapists and bodyworkers and providing an exemption from emergency rule procedures.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 237** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 237** be ordered engrossed and read a third time?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 237** be given a third reading. Granted.

The question was: **Assembly Bill 237** 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 237** be immediately messaged to the Senate. Granted.

Assembly Bill 252

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

Representative Seratti asked unanimous consent that **Assembly Bill 252** be laid on the table. Granted.

ANNOUNCEMENTS

Representative Pettis asked unanimous consent that the Assembly adjourn in honor of the birth of his third grandson, Tyler Christian Anton, born on August 5. Granted.

Representative Miller asked unanimous consent that the Assembly adjourn in honor of the birthdays of his wife, Jo Miller, and two daughters, Chandra Fienan and Keiko Veasey. Granted.

Representative Cullen asked unanimous consent that the Assembly adjourn in honor of the wedding of Jessica Ford Kelly and Tim Kelly on September 4. Granted.

Representative Meyer asked unanimous consent that the Assembly adjourn in honor of the participants and friends of La Crosse and Oktoberfest. 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:

Jerome Gratz and Claudia Meyer from Milwaukee, guests of Representative Bock.

E. Michelle Chay and Gretchen Peterson, guests of Representative Richards.

Frank and Kathy Muluey, guests of Representative Sinicki.

Sarrie Pozolinski, job shadowing from Menasha High School, guest of Representatives Klusman and Kaufert.

La Crosse Mayor John Medinger and Oktoberfest in the Capitol participants, guests of Representative Meyer.

Mr. Ryan Haas, his new office intern from Colby, guest of Representative Suder.

ADJOURNMENT

Representative Ladwig 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.

2:17 P.M.