

STATE OF WISCONSIN
Assembly Journal

Ninetieth Regular Session

10:10 A.M.

TUESDAY, June 11, 1991

The assembly met.

Speaker Kunicki in the chair.

The prayer was offered by Representative Baumgart.

Representative Black 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, Antaramian, Baldus, Barca, Baumgart, Bell, Black, Bock, Bolle, Brancel, Brandemuehl, Carpenter, Clarenbach, M. Coggs, S. Coggs, Coleman, Cullen, Darling, Deininger, Duff, Fortis, Foti, Freese, Goetsch, Gard, Grobschmidt, Gronemus, Gruszynski, Hahn, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Hisrich, Holperin, Holschbach, Hough, Huber, Hubler, Johnsrud, Kaufert, Klusman, Krug, Krusick, Ladwig, Lautenschlager, Lehman, Linton, Lorge, Loucks, Medinger, Moore, Musser, Nass, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Radtke, Reynolds, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schneider, Schneiders, Schultz, Schwartz, Seery, Silbaugh, Stower, Swoboda, Travis, Turba, Turner, Underheim, Urban, Vander Loop, Vanderperren, Van Driel, Van Gorden, Vergeront, Vrakas, Welch, Williams, Wimmer, Wineke, Wood, Young, Zien, Zweck and Speaker Kunicki — 97.

Absent — None.

Absent with leave — Representatives Boyle and Hamilton — 2.

Vacancies — None.

LEAVES OF ABSENCE

Representative Travis asked unanimous consent for a leave of absence for today's session for Representatives Boyle and Hamilton. Granted.

ADMINISTRATIVE RULES

Read and referred:

Assembly Clearinghouse Rule 88-191

Relating to county certification of day care providers and day care program administration and funding.

Submitted by Department of Health and Social Services.

To committee on Children and Human Services.
Referred on June 11, 1991.

Assembly Clearinghouse Rule 90-240

Relating to interviews for inmates being considered for parole.

Submitted by Department of Corrections.
To committee on Government Operations and Corrections.
Referred on June 11, 1991.

Assembly Clearinghouse Rule 91-23

Relating to minor deficiencies and educational interpreter-hearing impaired licenses.

Submitted by Department of Public Instruction.
To committee on Education.
Referred on June 11, 1991.

Assembly Clearinghouse Rule 91-47

Relating to prohibiting the operation on interstate highways by vehicles operating under certain types of overweight permits.

Submitted by Department of Transportation.
To committee on Highways.
Referred on June 11, 1991.

Assembly Clearinghouse Rule 91-48

Relating to allowing the operation of double bottoms and certain other combination vehicles greater than 60 feet in overall length on the specified highways.

Submitted by Department of Transportation.
To committee on Highways.
Referred on June 11, 1991.

**INTRODUCTION AND REFERENCE
OF PROPOSALS**

Read first time and referred:

Assembly Bill 451

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.

By Representative Schneider.
To committee on Financial Institutions and Insurance.

Assembly Bill 452

Relating to worthless checks made to fermented malt beverages dealers.

By Representatives Roberts and Foti, cosponsored by Senators Van Sistine, Plewa and Weeden.
To committee on Excise and Fees.

Assembly Bill 453

Relating to home visits, leaves, conditional releases, terminations and discharges of persons subject to criminal commitment orders, rights of crime victims and liability for failure to follow notification procedures.

By Representatives Gard, Barca, Bolle, Loucks, Goetsch, Brandemuehl, Duff, Hahn, Ladwig, Zien, Klusman, Radtke, Vergeront and Wimmer, cosponsored by Senators Buettner and Petak.

To committee on Government Operations and Corrections.

Assembly Bill 454

Relating to requiring the department of transportation to obtain permission of a local highway maintenance authority before routing a detour or hauling certain materials over a local highway.

By Representatives Gard, Robson, Holschbach, Van Gorden, Bolle, Foti, Silbaugh, Loucks, Ainsworth, Zien, Hahn, Lehman, Goetsch, Ladwig, Musser, Urban and Klusman, cosponsored by Senator Lasee.

To committee on Transportation.

Assembly Bill 455

Relating to controlled substances and motor vehicle operating privilege.

By Representatives Gard, Bolle, Zien, Van Gorden, Foti, Silbaugh, Ainsworth, Duff, Loucks, Turba and Wimmer, cosponsored by Senators Leean, Buettner, Breske and Kreul.

To Special Committee on Drug Enforcement, Education and Treatment.

Assembly Bill 456

Relating to plumbing supervisors for waterworks and sewerage systems in 3rd class cities.

By Representatives Kaufert, Vander Loop, Lorge, Turner, Zien, Turba, Bolle, Klusman, Vanderperren and Vergeront, cosponsored by Senators Cowles, Ellis and Lorman.

To committee on Urban and Local Affairs.

Assembly Bill 457

Relating to access to certain public records maintained by the department of transportation and granting rule-making authority.

By Representatives Urban, Holschbach, Brandemuehl, Bock, Loucks, Bolle, Freese, Hamilton, Van Gorden, Fortis, Porter, Lehman, Silbaugh, Hisrich, Duff, Rosenzweig, Klusman, Ladwig, Turba, Underheim, Harsdorf, Vrakas, Ourada, Musser, Ainsworth, Hahn and Lorge, cosponsored by Senators Barrett, Farrow, Breske, Huelsman and Burke.

To committee on Transportation.

Assembly Bill 458

Relating to requiring insurers that offer motor vehicle insurance to offer underinsured motor vehicle coverage.

By Representatives Fortis, Wimmer, Hauke and Clarenbach, cosponsored by Senators Chvala and Feingold.

To committee on Financial Institutions and Insurance.

Assembly Bill 459

Relating to required minimum underinsured motor vehicle liability coverage.

By Representatives Fortis, Hauke and Clarenbach, cosponsored by Senators Chvala and Feingold.

To committee on Financial Institutions and Insurance.

Assembly Bill 460

Relating to permitting "Class B" licensees to purchase liquor from "Class A" licensees.

By Representatives Hamilton, Musser, Hasenohrl, Holschbach, Johnsrud, Vander Loop, Ainsworth, Zweck, Grobschmidt, Duff, Van Gorden, Hisrich, Baldus and Freese, cosponsored by Senators Breske, Roshell, Rude and Berndt.

To committee on Excise and Fees.

Assembly Bill 461

Relating to the licensure of teachers of the visually impaired, instruction in braille and granting rule-making authority.

By Representatives Grobschmidt, Rohan, Notestein, Wood, Van Dreel, Fortis, Boyle, Potter, Lorge, Coleman and Bolle, cosponsored by Senators Risser, Ulichny and Petak.

To committee on Education.

Assembly Bill 462

Relating to employment contracts of administrators employed by school boards.

By Representatives Grobschmidt, Schneider, Roberts, Medinger, Boyle, Rohan, Plache and Hisrich, cosponsored by Senators Jauch, Ulichny, Potter, Chvala and Feingold.

To committee on Education.

Assembly Bill 463

Relating to reductions in automobile insurance premiums for persons age 55 and older who complete an accident prevention course and granting rule-making authority.

By Representatives Grobschmidt, Carpenter, Van Gorden, Hisrich, Stower, Reynolds, Holperin, Turner, Vanderperren, Hasenohrl, Goetsch, Foti, Boyle and Plache, cosponsored by Senators Andrea and Plewa.

To committee on Financial Institutions and Insurance.

Assembly Bill 464

Relating to setting personal representatives' fees.

By Representatives Lautenschlager, Plache and Deininger, cosponsored by Senators Potter and Buettner.

To committee on Judiciary.

Assembly Bill 465

Relating to the remission of academic fees for teaching assistants in the university of Wisconsin system.

By Representatives Gruszynski, Medinger, S. Coggs, Rohan, Baldus, Wineke, Lautenschlager, Fortis, Hamilton, Vander Loop, Ourada, Notestein, Hasenohrl, Black, Boyle, Roberts and Hinkfuss,

cosponsored by Senators Feingold, Van Sistine and Chvala.

To committee on Colleges and Universities.

Assembly Bill 466

Relating to authorization for electors to cast a vote for "none of the names shown" for an office on a ballot.

By Representatives Radtke, Carpenter, Schultz, Bolle, Schneiders, Vergeront, Silbaugh, Hahn and Goetsch, cosponsored by Senator Stitt.

To committee on Elections and Constitutional Law.

Assembly Bill 467

Relating to dairy plant payments to milk producers for milk received from those milk producers.

By Representatives Turba, Harsdorf, Schwartz, Klusman, Ott, Ainsworth, Hamilton, Musser, Lehman, Baumgart, Brandmuehl, Duff, Van Gorden, Ladwig, Lorge, Freese, Panzer, Bolle, Nass, Vrakas, Silbaugh, Zien and Vergeront, cosponsored by Senators Breske, Roshell, Potter, Lasee and Buettner.

To committee on Agriculture, Aquaculture and Forestry.

Assembly Bill 468

Relating to application of pesticides to residential lawns and grounds.

By Representatives Fortis, Barca, Young, Porter, Gronemus, Black, Holperin, Kaufert, Hahn, Hamilton, Van Dreel, Seery, Krug, Hisrich, M. Coggs, Notestein, Bock, Boyle, S. Coggs, Carpenter, Robson and Potter, cosponsored by Senators Adelman, Chvala, Risser and Petak.

To committee on Natural Resources.

Assembly Bill 469

Relating to authorizing state-operated gambling on boats operating on the waters of this state, allowing the boats to obtain alcohol beverage permits, granting rule-making authority, making an appropriation and providing penalties.

By Representatives Medinger, Boyle and Johnsrud.

To committee on State Affairs.

Assembly Bill 470

Relating to creating a trust fund to preserve and protect farmland and requiring the department of agriculture, trade and consumer protection to accept and deposit moneys in the fund.

By Representatives Gruszynski, Radtke, Gronemus, Stower, Holperin, Turba, Swoboda, Ott, Carpenter, Silbaugh, Zweck, Hahn, Medinger, Van Gorden, Grobschmidt, Clarenbach, Goetsch, Young, Musser, Fortis, Hisrich, Van Dreel, Harsdorf, Bock, Rohan, Hasenohrl, Robson, Baldus, Huber, Black, Lautenschlager, Schwartz, Seery, Hough, Boyle, Barca, Gard, Roberts and Wineke, cosponsored by Senators Chvala, Cowles, Moen, Feingold, Roshell, Risser, Berndt, Van Sistine, Rude and Lorman.

To committee on Agriculture, Aquaculture and Forestry.

COMMITTEE REPORTS

The committee on Criminal Justice and Public Safety reports and recommends:

Assembly Bill 22

Relating to expanding the areas where the intoxicated snowmobiling law applies.

Passage: Ayes: (9) Noes: (2)

To committee on Rules.

Assembly Bill 65

Relating to preventing burglar alarm installation companies from hiring unpardoned felons or allowing them access to certain records and providing a penalty.

Passage: Ayes: (8) Noes: (3)

To committee on Rules.

Assembly Bill 85

Relating to prohibiting the sale, delivery or possession of firearm silencers and providing a penalty.

Adoption of assembly substitute amendment 1:

Ayes: (11) Noes: (0)

Passage: Ayes: (11) Noes: (0)

To committee on Rules.

Assembly Bill 86

Relating to conversion of a weapon to provide full-automatic fire and providing a penalty.

Adoption of assembly amendment 1:

Ayes: (11) Noes: (0)

Adoption of assembly amendment 2:

Ayes: (11) Noes: (0)

Passage: Ayes: (11) Noes: (0)

To committee on Rules.

Assembly Bill 147

Relating to penalties for operating a motor vehicle after license suspension or revocation.

Passage: Ayes: (11) Noes: (0)

To committee on Rules.

Assembly Bill 277

Relating to sexual assault and providing penalties.

Passage: Ayes: (11) Noes: (0)

To committee on Rules.

WAYNE WOOD
Chairperson

The committee on Financial Institutions and Insurance reports and recommends:

Assembly Bill 388

Relating to limits on wrongful death actions for loss of society and companionship.

Passage: Ayes: (10) Noes: (5)

To committee on Rules.

Assembly Bill 428

Relating to permitting trust company banks to establish branch offices.

Passage: Ayes: (15) Noes: (0)

To committee on Rules.

THOMAS HAUKE

Chairperson

The committee on Health reports and recommends:

Assembly Bill 414

Relating to establishing a grant program in the department of health and social services to fund devices to prevent accidental puncture in health care settings, requiring health care providers to dispose of, in specific ways, certain devices used in health care settings, granting rule-making authority and making an appropriation.

Adoption of assembly substitute amendment 1:

Ayes: (16) Noes: (0)

Passage: Ayes: (14) Noes: (2)

To Joint Committee on Finance.

TIMOTHY CARPENTER

Chairperson

The committee on Labor reports and recommends:

Assembly Bill 419

Relating to the hiring of permanent replacement employes during a labor dispute and discrimination against employes who participate in a labor dispute.

Adoption of assembly amendment 1:

Ayes: (10) Noes: (0)

Passage: Ayes: (6) Noes: (4)

To committee on Rules.

VERNON HOLSCHBACH

Chairperson

The committee on Ways and Means reports and recommends:

Senate Bill 80

Relating to bonds and promissory notes issued by school boards of common school districts.

Concurrence: Ayes: (16) Noes: (0)

To committee on Rules.

JEANNETTE BELL

Chairperson

COMMUNICATIONS

The chief clerk reports the following proposals correctly enrolled:

Assembly Bill 40

Assembly Bill 358

Sincerely,

THOMAS T. MELVIN

Assembly Chief Clerk

DATE: June 11, 1991

TO: Thomas Melvin

FROM: Speaker Walter Kunicki

SUBJECT: Assembly Bill 358

Pursuant to Assembly Rule 23 (4), I hereby instruct you to present the following bill to the Governor for executive action: Assembly Bill 358, relating to the existence of the radioactive waste review board, radioactive waste policy council and radioactive waste technical council.

GOVERNOR'S VETO MESSAGE

June 11, 1991

To the Honorable Members of the Assembly:

This is the third time legislation repealing Section 19.45(12) of the Wisconsin Statutes has reached my desk. This is the third time it has been returned to the Legislature without my approval. I am vetoing **Assembly Bill 10** in its entirety because, like past efforts simply to repeal the law, it fails completely to balance important competing interests.

Section 19.45(12) originated in the budget reform bill approved by the 1929 Legislature. That bill included a provision placing restrictions on lobbying for increased appropriations by state officers and employes. In 1988, the Legislature revised the provision (which had no penalty) and placed it at its present point in the statutes. The current provision, prohibiting state employes from requesting appropriations from the Legislature that exceed the agency's most recent budget request, carries with it a criminal penalty.

Repealing present law would remove virtually all limitations on lobbying for additional spending by state agencies, their officers, and their employes. This wide open advocacy would encourage contradictory communications about executive budget policy and spending priorities. It would undermine the efforts of a governor to present a consistent program and funding recommendations to the Legislature. It would compromise the considerable efforts of agency heads to prepare their budget requests and then faithfully follow through on them.

Elected officials cannot keep their commitments on taxes and spending if they are constantly undermined by public employes who are not elected and are not held accountable to anyone. Even in a society that cherishes freedom of expression, the opportunity for officers and employes of the state to present their personal requests for increased spending should not be unlimited when they utilize official time and public money to make their case.

I have indicated in the past, as in my partial veto of 1989 Wisconsin Act 31, that present law is not perfect, and there is ample opportunity for compromise. For example, I recommend the elimination of criminal penalties for violations of current law. I also recognize the right of legislators to seek relevant information from state employes. My administration is willing to negotiate a balanced revision of the law. But I see no balance or compromise in this bill. Accordingly, I am returning the bill with my veto.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

COMMUNICATIONS

DATE: May 29, 1991
TO: Members of the Wisconsin Legislature
FROM: Division of Affirmative Action
Department of Employment Relations
SUBJECT: Annual Report

The Department of Employment Relations, Division of Affirmative Action's annual report for fiscal years 1989 and 1990 is now available. The report includes a summary of the division's equal employment opportunity and affirmative action (EEO/AA) program initiatives, statistical reports on the status of affirmative action group members (women, racial/ethnic minorities, and persons with disabilities) in the classified state service, and a look at progress over the last decade.

Copies may be obtained from the Department of Employment Relations, Division of Affirmative Action, 137 East Wilson Street, Madison, Wisconsin. The telephone number is (608) 266-5709.

State of Wisconsin
Department of Health and Social Services
Madison

June 7, 1991

To The Honorable, The Assembly:

As required by Chapter 140.05(16)(h) of the Wisconsin Statutes, we are pleased to provide the annual report on the success of the statewide immunization program. Please distribute this report to the appropriate standing

committees. If there are any follow-up questions or a need for additional information, you may wish to contact the Immunization Program directly at 266-1339.

Sincerely,
GERALD WHITBURN
Secretary

MOTIONS

Representative Silbaugh asked unanimous consent to be removed as a coauthor of **Assembly Bill 361**. Granted.

Representative Barca asked unanimous consent that the assembly stand recessed for fifteen minutes. Granted.

The assembly stood recessed.

10:15 A.M.

RECESS

11:56 A.M.

The assembly reconvened.

Speaker pro tempore Clarenbach in the chair.

MOTIONS

Representative Silbaugh asked unanimous consent to be made a cosponsor of **Senate Joint Resolution 46**. Granted.

CALENDAR OF THURSDAY, JUNE 6

Assembly Bill 19

Relating to basic local exchange service offered by large telecommunications utilities.

The question was: Shall the vote by which **Assembly Bill 19** was passed be reconsidered?

The roll was taken.

The result follows:

Ayes — Representatives Ainsworth, Brancel, Brandemuehl, Clarenbach, Coleman, Darling, Deininger, Duff, Freese, Goetsch, Hahn, Hauke, Johnsrud, Kaufert, Klusman, Ladwig, Lehman, Lorge, Loucks, Musser, Nass, Ott, Panzer, Porter, Prosser, Radtke, Rosenzweig, Schneiders, Schultz, Turba, Turner, Urban, Van Gorden, Vanderperren, Vergeront, Vrakas, Welch, Wimmer and Zien — 39.

Noes — Representatives Antaramian, Baldus, Barca, Baumgart, Bell, Black, Bock, Bolle, Carpenter, Coggs, M., Coggs, S., Cullen, Fortis, Foti, Gard, Grobschmidt, Gronemus, Gruszynski, Harsdorf, Hasenohrl, Hinkfuss, Hisrich, Holperin, Holschbach, Hough, Huber, Hubler, Krug, Krusick, Lautenschlager, Linton, Medinger, Moore, Notestein, Ourada, Plache, Potter, Reynolds,

Roberts, Robson, Rohan, Rutkowski, Schneider, Schwartz, Seery, Silbaugh, Stower, Swoboda, Travis, Underheim, Van Dreel, Vander Loop, Williams, Wineke, Wood, Young, Zweck and Speaker Kunicki — 58.

Absent or not voting — Representatives Boyle and Hamilton — 2.

Motion failed.

Assembly Bill 220

Relating to underage persons in restaurants that are licensed to sell alcohol beverages.

Representative Gard moved that **Assembly Bill 220** be laid on the table.

The question was: Shall **Assembly Bill 220** be laid on the table?

The roll was taken.

The result follows:

Ayes — Representatives Ainsworth, Baumgart, Bell, Black, Bock, Brandemuehl, Cullen, Deininger, Duff, Fortis, Foti, Gard, Grobschmidt, Harsdorf, Hough, Kaufert, Klusman, Krug, Krusick, Ladwig, Loucks, Moore, Nass, Notestein, Ott, Panzer, Plache, Potter, Prosser, Reynolds, Robson, Rohan, Rosenzweig, Rutkowski, Schneiders, Silbaugh, Turner, Underheim, Van Dreel, Vrakas, Wood and Young — 42.

Noes — Representatives Antaramian, Baldus, Barca, Bolle, Brancel, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Darling, Freese, Goetsch, Gronemus, Gruszynski, Hahn, Hasenohrl, Hauke, Hinkfuss, Hisrich, Holperin, Holschbach, Huber, Hubler, Johnsrud, Lautenschlager, Lehman, Linton, Lorge, Medinger, Musser, Ourada, Porter, Radtke, Roberts, Schneider, Schultz, Schwartz, Seery, Stower, Swoboda, Travis, Turba, Urban, Van Gorden, Vander Loop, Vanderperren, Vergeront, Welch, Williams, Wimmer, Wineke, Zien, Zweck and Speaker Kunicki — 55.

Absent or not voting — Representatives Boyle and Hamilton — 2.

Motion failed.

The question was: **Assembly Bill 220** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Representatives Baldus, Barca, Bolle, Brancel, Carpenter, Clarenbach, Coggs, M., Coleman, Darling, Duff, Freese, Goetsch, Gronemus, Gruszynski, Hasenohrl, Hauke, Hinkfuss, Hisrich, Holperin, Holschbach, Johnsrud, Lautenschlager, Lehman, Linton, Lorge, Medinger, Musser, Ourada, Radtke, Reynolds, Roberts, Schultz, Schwartz, Seery, Stower, Swoboda, Travis, Turba, Urban, Van Gorden,

Vergeront, Welch, Williams, Wimmer, Wineke, Zien, Zweck and Speaker Kunicki — 48.

Noes — Representatives Ainsworth, Antaramian, Baumgart, Bell, Black, Bock, Brandemuehl, Coggs, S., Cullen, Deininger, Fortis, Foti, Gard, Grobschmidt, Hahn, Harsdorf, Hough, Huber, Hubler, Kaufert, Klusman, Krug, Krusick, Ladwig, Loucks, Moore, Nass, Notestein, Ott, Panzer, Plache, Porter, Potter, Prosser, Robson, Rohan, Rosenzweig, Rutkowski, Schneiders, Silbaugh, Turner, Underheim, Van Dreel, Vanderperren, Vrakas, Wood and Young — 47.

Paired for — Hamilton — 1.

Paired against — Schneider — 1.

Absent or not voting — Representatives Boyle and Vander Loop — 2.

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Bill 220** be immediately messaged to the senate. Granted.

Assembly Bill 262

Relating to increasing the maximum amount of Indian student assistance grants.

Representative Travis asked unanimous consent that **Assembly Bill 262** be placed under the tenth order of business on tomorrow's calendar. Granted.

CALENDAR OF TUESDAY, JUNE 11

Assembly Joint Resolution 72

Relating to including Kenosha County in a southeastern Wisconsin ozone nonattainment area.

The question was: Shall **Assembly Joint Resolution 72** be adopted?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 72** be immediately messaged to the senate. Granted.

Senate Joint Resolution 28

Relating to creating a bipartisan special joint committee on Fort McCoy.

The question was: Shall **Senate Joint Resolution 28** be concurred in?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 28** be immediately messaged to the senate. Granted.

Senate Joint Resolution 46

Relating to commending Laurence Weinstein.

The question was: Shall **Senate Joint Resolution 46** be concurred in?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 46** be immediately messaged to the senate. Granted.

Assembly Bill 41

Relating to access to public records by prisoners.

Representative Gruszynski asked unanimous consent that **Assembly Bill 41** be rereferred to the committee on Government Operations and Corrections. Granted.

Senate Bill 17

Relating to counting 4-year-old kindergarten pupils in school district membership for state aid purposes.

The question was: Shall **Senate Bill 17** be ordered to a third reading?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Senate Bill 17** be given a third reading. Granted.

The question was: **Senate Bill 17** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Senate Bill 17** be immediately messaged to the senate. Granted.

Senate Bill 140

Relating to fire inspection requirements, fire department dues distribution, establishing a citation procedure to recover forfeitures for certain administrative code violations and granting rule-making authority.

Assembly substitute amendment 2 to **Senate Bill 140** offered by Representatives Porter and Medinger, by request of Professional Fire Fighters of Wisconsin, Mark D. Zeier, President; Wisconsin State Firefighters Association, Lawrence Plumer, President; Wisconsin State Fire Chiefs Association, Clayton Simonson, Sr., President; Wisconsin Fire Inspectors Association, Gilbert A. Frank, Jr., President; Wisconsin Society of Fire Service Instructors, Brian A. Meyer, President; International Association of Arson Investigators - Wisconsin Chapter, Rodney Pevytoe, Director.

Representative Vrakas moved rejection of assembly substitute amendment 2 to **Assembly Bill 140**.

The question was: Shall assembly substitute amendment 2 to **Assembly Bill 140** be rejected?

The roll was taken.

The result follows:

Ayes — Representatives Ainsworth, Baumgart, Black, Bock, Bolle, Brancel, Brandemuehl, Coggs, M., Coggs, S., Cullen, Darling, Deininger, Duff, Fortis, Freese, Gronemus, Hahn, Hasenohrl, Hauke, Hinkfuss, Hisrich, Holperin, Holschbach, Hough, Hubler, Johnsrud, Klusman, Krug, Musser, Nass, Notestein, Potter, Prosser, Reynolds, Robson, Rohan, Rosenzweig, Schultz, Schwartz, Silbaugh, Stower, Swoboda, Travis, Turba, Underheim, Urban, Van Dreel, Van Gorden, Vander Loop, Vanderperren, Vrakas, Wimmer, Wineke and Young — 54.

Noes — Representatives Antaramian, Baldus, Barca, Bell, Carpenter, Clarenbach, Coleman, Foti, Gard, Goetsch, Grobschmidt, Gruszynski, Harsdorf, Huber, Kaufert, Krusick, Ladwig, Lautenschlager, Lehman, Linton, Lorge, Loucks, Medinger, Moore, Ott, Ourada, Panzer, Plache, Porter, Radtke, Roberts, Rutkowski, Schneider, Schneiders, Seery, Turner, Vergeront, Welch, Williams, Wood, Zien, Zweck and Speaker Kunicki — 43.

Absent or not voting — Representatives Boyle and Hamilton — 2.

Motion carried.

Representative Barca moved that **Senate Bill 140** be rereferred to the committee on State Affairs.

The question was: Shall **Senate Bill 140** be rereferred to the committee on State Affairs?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Barca, Bell, Carpenter, Clarenbach, Coleman, Gard, Goetsch, Grobschmidt, Gruszynski, Harsdorf, Hauke, Huber, Kaufert, Krug, Krusick, Lautenschlager, Lehman, Linton, Loucks, Medinger, Moore, Notestein, Ott, Ourada, Panzer, Porter, Potter, Roberts, Rutkowski, Schneiders, Seery, Swoboda, Travis, Turner, Vergeront, Williams, Wood, Zien, Zweck and Speaker Kunicki — 41.

Noes — Representatives Ainsworth, Baldus, Baumgart, Black, Bock, Bolle, Brancel, Brandemuehl, Coggs, S., Cullen, Darling, Deininger, Duff, Fortis, Foti, Freese, Gronemus, Hahn, Hasenohrl, Hinkfuss, Hisrich, Holperin, Holschbach, Hough, Hubler, Johnsrud, Klusman, Ladwig, Lorge, Musser, Nass, Plache, Prosser, Radtke, Reynolds, Robson, Rohan, Rosenzweig, Schneider, Schultz, Schwartz, Silbaugh, Stower, Turba, Underheim, Urban, Van Dreel, Van Gorden, Vander Loop, Vanderperren, Vrakas, Welch, Wimmer, Wineke and Young — 55.

Absent or not voting — Representatives Boyle, Coggs, M. and Hamilton — 3.

Motion failed.

The question was: Shall **Senate Bill 140** be ordered to a third reading?

Motion carried.

Representative Travis asked unanimous consent that the rules be suspended and that **Senate Bill 140** be given a third reading.

Representative Porter objected.

Representative Travis moved that the rules be suspended and that **Senate Bill 140** be given a third reading.

The question was: Shall the rules be suspended and **Senate Bill 140** be given a third reading?

The roll was taken.

The result follows:

Ayes — Representatives Ainsworth, Antaramian, Baldus, Baumgart, Black, Bock, Bolle, Brandemuehl, Clarenbach, Coggs, M., Coggs, S., Cullen, Duff, Fortis, Freese, Gruszynski, Hasenohrl, Hinkfuss, Hisrich, Holperin, Holschbach, Hough, Hubler, Medinger, Musser, Nass, Potter, Radtke, Reynolds, Roberts, Robson, Rohan, Schneider, Schultz, Schwartz, Stower, Travis, Turba, Turner, Van Dreel, Vander Loop, Vanderperren, Vrakas, Wineke, Yøung and Speaker Kunicki — 46.

Noes — Representatives Barca, Bell, Brancel, Carpenter, Coleman, Darling, Deininger, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Hahn, Harsdorf, Hauke, Huber, Johnsrud, Kaufert, Klusman, Krug, Krusick, Ladwig, Lautenschlager, Lehman, Linton, Lorge, Loucks, Moore, Notestein, Ott, Ourada, Panzer, Plache, Porter, Prosser, Rosenzweig, Rutkowski,

Schneiders, Seery, Silbaugh, Swoboda, Underheim, Urban, Van Gorden, Vergeront, Welch, Williams, Wimmer, Wood, Zien and Zweck — 51.

Absent or not voting — Representatives Boyle and Hamilton — 2.

Motion failed.

VISITORS

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

Frank Schouten from Elm Grove, guest of Representative Urban.

Granddaughter Cindy St. Aubin and grandson Eric St. Aubin from Green Bay, guests of Representatives Vanderperren.

Representative Travis moved that the assembly stand adjourned until 9:30 A.M. tomorrow.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

12:55 P.M.