



STATE OF WISCONSIN Assembly Journal

Ninety–Second Regular Session

11:45 A.M.

TUESDAY, February 14, 1995

The assembly met in the temporary Assembly Chamber located at 119 Martin Luther King, Jr. Blvd.

Speaker Prosser in the chair.

The prayer was offered by Pastor John Fetterman of Grace Episcopal Church in Madison.

Representative Brancel 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, Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Brancel, Brandemuehl, Carpenter, Coggs, Coleman, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Grobschmidt, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Plache, Plombon, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Schneiders, Seratti, Silbaugh, Skindrud, Springer, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wilder, Williams, Wirch, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Prosser – 98.

Absent with leave – Representative Notestein – 1.

LEAVES OF ABSENCE

Representative R. Potter asked unanimous consent for a leave of absence for today's session for Representative Notestein. Granted.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Joint Resolution 17** offered by committee on Agriculture.

Assembly amendment 1 to **Assembly Bill 56** offered by committee on Agriculture.

Assembly amendment 1 to **Assembly Bill 79** offered by committee on Agriculture.

Assembly amendment 2 to **Assembly Bill 79** offered by committee on Agriculture.

Assembly amendment 1 to **Assembly Bill 124** offered by committee on Agriculture.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 94–15

Relating to keeping track of the whereabouts of youth at a correctional institution for youth, taking action when a youth runs away from the institution or does not return from an authorized leave and submitting an annual report to the division administrator and department secretary on use of leather mechanical bed restraints, use of chemical agents and body cavity searches at an institution.

Submitted by Department of Health and Social Services.
Report received from Agency, February 6, 1995.
To committee on Children and Families.
Referred on February 14, 1995.

Assembly Clearinghouse Rule 94–51

Relating to emission standards for hazardous air pollutants and perchloroethylene dry cleaning facilities.

Submitted by Department of Natural Resources.
Report received from Agency, February 8, 1995.
To committee on Environment and Utilities.
Referred on February 14, 1995.

Assembly Clearinghouse Rule 94–128

Relating to certification requirements for waterworks, wastewater treatment plant and septage servicing operators.

Submitted by Department of Natural Resources.
Report received from Agency, February 10, 1995.
To committee on Environment and Utilities.
Referred on February 14, 1995.

Assembly Clearinghouse Rule 94–169

Relating to authorizing savings banks to invest their funds in specified financial products.

Submitted by Office of the Commissioner of Savings and Loan.

Report received from Agency, February 3, 1995.

To committee on Financial Institutions.

Referred on February 14, 1995.

Assembly Clearinghouse Rule 94–173

Relating to the education, experience and examination requirements for registration as a landscape architect and as a professional geologist.

Submitted by Department of Regulation and Licensing.

Report received from Agency, February 8, 1995.

To committee on Consumer Affairs.

Referred on February 14, 1995.

Assembly Clearinghouse Rule 94–176

Relating to notification of victims of an opportunity to provide direct input into the parole decision.

Submitted by Parole Commission.

Report received from Agency, February 9, 1995.

To committee on Judiciary.

Referred on February 14, 1995.

Assembly Clearinghouse Rule 94–178

Relating to use of advanced airways by emergency medical technicians–basic (EMTs–basic).

Submitted by Department of Health and Social Services.

Report received from Agency, February 6, 1995.

To committee on Health.

Referred on February 14, 1995.

Assembly Clearinghouse Rule 94–185

Relating to the regulation of auctioneers and auction companies.

Submitted by Department of Regulation and Licensing.

Report received from Agency, February 6, 1995.

To committee on Consumer Affairs.

Referred on February 14, 1995.

Assembly Clearinghouse Rule 94–206

Relating to pari–mutuel racing totalizator license fees, association license fees and food service concessionaire licenses fees.

Submitted by Gaming Commission.

Report received from Agency, February 6, 1995.

To committee on State Affairs.

Referred on February 14, 1995.

Assembly Clearinghouse Rule 94–209

Relating to the waste tire removal and recovery program.

Submitted by Department of Natural Resources.

Report received from Agency, February 9, 1995.

To committee on Natural Resources.

Referred on February 14, 1995.

**INTRODUCTION AND REFERENCE
OF PROPOSALS**

Read first time and referred:

Assembly Joint Resolution 22

Relating to: memorializing Congress to support Amtrak and rail passenger transportation.

By Representatives R. Young, Baldwin, L. Young, Ourada, Hahn, Baldus, Plache, Boyle, Hasenohrl, Wirsch, Urban, R. Potter, Gunderson, Wasserman and Bock; cosponsored by Senators Rude, Chvala, Petak, Moore, Breske, Burke, Clausing, Plewa and Andrea.

To Special Committee on State–Federal Relations.

Assembly Bill 125

Relating to: sale of cigarettes or tobacco products to minors and providing a penalty.

By Representatives Morris–Tatum, Carpenter, Notestein, R. Young, Wirsch, Urban, Bock, Robson and Albers; cosponsored by Senators Burke and Clausing.

To committee on State Affairs.

Assembly Bill 126

Relating to: requests for increased appropriations to state agencies and positions of state employes on policies of state agencies.

By Representatives Silbaugh, Underheim, Prosser, Vrakas, Foti, Goetsch, Lehman, Duff, Lorge, Grobschmidt, Robson, Albers, Harsdorf, Ainsworth, Hahn, Owens, Dobyns, Turner, Baldwin, Grothman, Zukowski and Olsen; cosponsored by Senators Rude, Buettner, Schultz and Wineke.

To committee on State Affairs.

Assembly Bill 127

Relating to: the licensure of school district administrators and business managers.

By Representatives Lehman, Goetsch, Jensen, Ainsworth, Owens and Grothman.

To committee on Education.

Assembly Bill 128

Relating to: vehicles transporting Christmas trees in loads that exceed vehicle width limitations.

By Representatives Olsen, Ourada, Ainsworth, Albers, Goetsch, Green, Grobschmidt, Grothman, Hahn, Klusman, Kreibich, Kreuser, Lazich, Linton, Ott, Owens, Seratti, Zukowski, Kelso, Ward and Skindrud; cosponsored by Senators Leraan, Breske, Drzewiecki, Moen, Rude, Schultz and A. Lasee.

To committee on Highways and Transportation.

Assembly Bill 129

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 Representatives Schneider, Robson, Ziegelbauer, Baldus, Boyle, Notestein, R. Potter, Ryba, Wilder and L. Young.

To committee on Insurance, Securities and Corporate Policy.

Assembly Bill 130

Relating to: creating a juvenile justice code, granting rule-making authority, making appropriations and providing penalties.

By Representatives Ladwig, Krug, Gunderson, Prosser, Dobyns, Goetsch, Huebsch, Seratti, Nass, Grothman, Walker, Green, Handrick, Zukowski, Kreibich, Owens, Gard, Underheim, Lehman, Musser, Duff, Hahn, Silbaugh, Brancel, F. Lasee, Ainsworth, Vrakas, Ourada, Foti, Coleman, Powers, Klusman, Ott, Johnsrud, Brandemuehl, Kaufert, Freese, Porter, Urban, Olsen, Jensen, Otte, Schneiders, Harsdorf, Ward, Lazich, Skindrud, Kelso, Hutchison, Hoven, Lorge, Murat, Ziegelbauer, Ryba, Plache, Baumgart, Krusick, Robson, Vander Loop, Linton, Meyer, Reynolds, La Fave, Boyle, Kreuser, Grobschmidt, Carpenter and Notestein; cosponsored by Senators Panzer, C. Potter, Huelsman, Petak, Drzewiecki, Rude, Weeden, Farrow, Rosenzweig, Buettner, Fitzgerald, Schultz, Andrea, Breske and Clausing.

To committee on Children and Families.

Assembly Bill 131

Relating to: requiring disability insurance policies to cover contraceptive articles and services.

By Representatives R. Young, Baldwin, L. Young, Black, Plache, Boyle, Notestein, Bock, Bell and Wasserman; cosponsored by Senators Moore, Risser and Chvala.

To committee on Insurance, Securities and Corporate Policy.

Assembly Bill 132

Relating to: camping fees for nonprofit youth organizations.

By Representatives Baumgart, Wilder, Lorge, R. Potter and Boyle.

To committee on Natural Resources.

Assembly Bill 133

Relating to: the operation of snowmobiles on the roadways of highways for the purposes of personal access.

By Representatives Reynolds, Ourada, Baumgart, Ward, Wilder, Albers, Goetsch, Hahn, Harsdorf, Powers, Zukowski, Hubler, Travis, Linton, Ainsworth, Musser, Springer, Gard, Plombon, Gronemus, Boyle, Hasenohrl, Lehman, Dueholm, Kaufert, Skindrud, Lorge, Johnsrud, Handrick, Grothman, Brancel, Hoven and Coleman; cosponsored by Senators Decker, Breske, Chvala, Farrow, Panzer, Jauch, Wineke, Clausing, Rude and Zien.

To committee on Urban and Local Affairs.

Assembly Bill 134

Relating to: restitution for graffiti vandalism.

By Representatives Krusick, Ainsworth, Bock, Brandemuehl, Carpenter, Dobyns, Goetsch, Grobschmidt, Grothman, Handrick, Hasenohrl, Kreibich, Ladwig, Musser, Nass, Notestein, Ott, Ryba, Schneiders, Seratti, Skindrud, Urban, Wasserman and Ziegelbauer; cosponsored by Senators Plewa, Farrow, Andrea, Buettner, Burke, Cowles, Darling, Fitzgerald, A. Lasee, Leean, C. Potter, Rosenzweig and Schultz.

To committee on Judiciary.

Assembly Bill 135

Relating to: transporting bulk materials by vehicle on a highway.

By Representatives Krusick, Ainsworth, Bell, Black, Bock, Carpenter, Cullen, Grobschmidt, Hanson, Kaufert, Notestein, R. Potter, Robson, Turner, Wilder, L. Young and R. Young; cosponsored by Senators Burke, Risser, Rosenzweig and Wineke.

To committee on Highways and Transportation.

COMMITTEE REPORTS

The committee on *Education* reports and recommends:

Assembly Bill 8

Relating to: charging a fee for the temporary use of school property.

Passage:

Ayes: 16 – Representatives Coleman, Nass, Brandemuehl, Duff, Otte, Ward, Ainsworth, Lehman, Olsen, Grobschmidt, Schneider, Cullen, Ziegelbauer, Baldwin, Plombon and Dueholm.

Noes: 0.

To committee on Rules.

CHARLES COLEMAN
Chairperson

The committee on *Elections and Constitutional Law* reports and recommends:

Assembly Joint Resolution 12

Relating to: removing from the constitution unnecessary references to the masculine gender (2nd consideration).

Adoption:

Ayes: 9 – Representatives Walker, Handrick, Duff, Freese, Nass, Huber, Travis, Black and Kreuser.

Noes: 0.

To committee on Rules.

Assembly Resolution 14

Relating to: time for publishing referrals of proposals.

Adoption:

Ayes: 9 – Representatives Walker, Handrick, Duff, Freese, Nass, Huber, Travis, Black and Kreuser.

Noes: 0.

To committee on Rules.

Assembly Joint Resolution 16

Relating to: eligibility to seek or hold office of a person convicted of a misdemeanor involving a violation of public trust or of a felony (2nd consideration).

Adoption:

Ayes: 9 – Representatives Walker, Handrick, Duff, Freese, Nass, Huber, Travis, Black and Kreuser.

Noes: 0.

To committee on Rules.

Assembly Joint Resolution 13

Relating to: authorizing a sports lottery, with the proceeds dedicated to athletic facilities (2nd consideration).

Adoption:

Ayes: 6 – Representatives Walker, Handrick, Duff, Freese, Travis and Kreuser.

Noes: 3 – Representatives Nass, Huber and Black.

To committee on Rules.

SCOTT WALKER
Chairperson

The committee on *Judiciary* reports and recommends:

Assembly Joint Resolution 15

Relating to: permitting a judge to assume a nonjudicial office of public trust after vacating the judicial office during that term of office (2nd consideration).

Adoption:

Ayes: 8 – Representatives Green, Grothman, Hahn, Vrakas, Otte, Rutkowski, Notestein and Cullen.

Noes: 0.

To committee on Rules.

Assembly Bill 15

Relating to: court-ordered payments to crime prevention organizations.

Passage:

Ayes: 8 – Representatives Green, Grothman, Hahn, Vrakas, Otte, Rutkowski, Notestein and Cullen.

Noes: 0.

To committee on Rules.

MARK GREEN
Chairperson

JOINT CONVENTION

The assembly was called to order by the speaker.

The sergeant-at-arms announced the arrival of the members of the senate.

The houses went into joint convention.

Senate president Rude presiding.

Senator Rude recognized the presence of the Wisconsin State Supreme Court Justices, Lieutenant Governor Scott McCallum and State Superintendent of Public Instruction John Benson.

The assembly sergeant-at-arms announced the arrival of Governor Thompson.

Governor Thompson took his place at the rostrum to deliver his state budget address.

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

Representative Jensen moved that the joint convention arise.

The question was: Shall the joint convention arise?

Motion carried.

12:48 P.M.

The assembly reconvened.

Speaker Prosser in the chair.

VISITORS

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

Former Representative Wilfrid Turba and his wife Leona from Elkhart Lake, guests of Representative Otte.

Former Representative "Pink" Van Gordon and his wife

Ruth from Neillsville, guests of Representative Zukowski.

Representative Jensen moved that the assembly stand adjourned until 9:00 A.M. tomorrow.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

12:49 P.M.