



# STATE OF WISCONSIN Assembly Journal

## Ninety–Second Regular Session

9:05 A.M.

FRIDAY, June 16, 1995

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

Speaker Pro Tempore Freese in the chair.

The prayer was offered by Representative Hahn.

Representative Albers 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, Dobyms, 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, Musser, Nass, Notestein, 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 Murat – 1.

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### LEAVES OF ABSENCE

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

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### AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 150** offered by joint committee on Finance.

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Resolution 24**

Relating to: requiring committee hearings on proposed administrative rules.

By Representative Baldus.

To committee on Assembly Organization.

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### COMMITTEE REPORTS

The *Joint Committee on Finance* reports and recommends:

#### **Assembly Bill 150**

Relating to: state finances and appropriations, constituting the executive budget act of the 1995 legislature, and making appropriations.

Assembly substitute amendment 1 adoption:

Ayes: 12 – Representatives Brancel, Foti, Porter, Schneiders, Ourada, Harsdorf, Leean, Weeden, Farrow, Cowles, Schultz and Panzer.

Noes: 4 – Representatives Linton, Coggs, George and Chvala.

Passage as amended:

Ayes: 12 – Representatives Brancel, Foti, Porter, Schneiders, Ourada, Harsdorf, Leean, Weeden, Farrow, Cowles, Schultz and Panzer.

Noes: 4 – Representatives Linton, Coggs, George and Chvala.

To calendar.

#### **Assembly Bill 370**

Relating to: establishing a hospital at King.

Passage:

Ayes: 14 – Representatives Brancel, Foti, Porter, Ourada, Harsdorf, Linton, Leean, Weeden, Farrow, Cowles, Schultz, Panzer, George and Chvala.

Noes: 0.

To committee on Rules.

*BEN BRANCEL*

Assembly Chairperson

Joint Committee on Finance

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**MESSAGE FROM THE SENATE**

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the Senate has:

Concurred in:

Assembly amendment 1 to **Assembly Bill 10**

Assembly amendment 1 to **Senate Joint Resolution 20**

Concurred in as amended:

**Assembly Bill 73** (Senate amendment 1 to Senate substitute amendment 2 and Senate substitute amendment 2 adopted)

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**ACTION ON THE SENATE MESSAGE**

**Assembly Bill 73**

Relating to: the national guard tuition grant program and making an appropriation.

By Representatives Musser, Kaufert, Boyle, Johnsrud, Coleman, Travis, Linton, Lorge, R. Young, Carpenter, Baldus, Turner, Brandemuehl, Wirch, Meyer and Ryba; cosponsored by Senators Jauch, Zien, Andrea, Clausing, Breske, Plewa, Wineke, C. Potter, Burke, Risser, Moen and Fitzgerald.

Referred to committee on Rules.

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Representative R. Potter asked unanimous consent that the Assembly stand recessed for two hours. Granted.

The Assembly stood recessed.

9:10 A.M.

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**RECESS**

11:35 A.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

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**CALENDAR OF FRIDAY, JUNE 16**

**Assembly Bill 73**

Relating to: the national guard tuition grant program and making an appropriation.

The question was: Shall Senate substitute amendment 2 to **Assembly Bill 73** be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Brancel, Brandemuehl, Carpenter, Coggs, Coleman, Cullen, Dobyms, 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, Musser, Nass, Notestein, 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.

Noes – None.

Absent or not voting – Representative Murat – 1.

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that the Assembly’s action on **Assembly Bill 73** be immediately messaged to the Senate. Granted.

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**MOTIONS**

Representative Dobyms asked unanimous consent to be made a coauthor of **Assembly Bill 370**. Granted.

Representative Dobyms asked unanimous consent that **Assembly Bill 70** be withdrawn from the committee on Mandates and referred to the committee on Rules. Granted.

**Assembly Bill 247**

Relating to: the hunting of elk and providing a penalty.

The question was: Shall **Assembly Bill 247** be ordered engrossed and read a third time?

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 247** be given its third reading. Granted.

The question was: **Assembly Bill 247** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Brancel, Brandemuehl, Carpenter, Coggs, Coleman, Cullen, Dobyms, 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, Musser, Nass, Notestein, 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.

Noes – None.

Absent or not voting – Representative Murat – 1.

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 247** be immediately messaged to the Senate. Granted.

### **Assembly Bill 370**

Relating to: establishing a hospital at King.

The question was: Shall **Assembly Bill 370** be ordered engrossed and read a third time?

Motion carried.

Representative Klusman asked unanimous consent that the rules be suspended and that **Assembly Bill 370** be given its third reading. Granted.

The question was: **Assembly Bill 370** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – 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, Musser, Nass, Notestein, 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.

Noes – None.

Absent or not voting – Representative Murat – 1.

Motion carried.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 370** be immediately messaged to the Senate. Granted.

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## **INTRODUCTION AND REFERENCE OF PROPOSALS**

### **Assembly Resolution 25**

Relating to: establishing a special order of business for Monday, June 19, 1995.

By committee on Rules.  
Privileged and read.

Representative Schneider moved that **Assembly Resolution 25** be rejected.

The question was: Shall **Assembly Resolution 25** be rejected?

The roll was taken.

The result follows:

Ayes – Representatives Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Grobschmidt, Gronemus, Hanson, Hasenohrl, Huber, Hubler, Kreuser, Krug, Krusick, Kunicki, La Fave, Linton, Meyer, Morris–Tatum, Notestein, Plache, Plombon, R. Potter, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Springer, Travis, Turner, Vander Loop, Wasserman, Wilder, Williams, Wirch, Wood, L. Young, R. Young and Ziegelbauer – 47.

Noes – Representatives Ainsworth, Albers, Brancel, Brandemuehl, Coleman, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schneiders, Seratti, Silbaugh, Skindrud, Underheim, Urban, Vrakas, Walker, Ward, Zukowski and Speaker Prosser – 51.

Absent or not voting – Representative Murat – 1.

Motion failed.

Assembly amendment 1 to **Assembly Resolution 25** offered by Representative Black.

Speaker Pro Tempore Freese ruled that Assembly amendment 1 to **Assembly Resolution 25** was not properly before the Assembly under Assembly Rule **33 (2)**.

Representative Black moved that the rules be suspended and that Assembly amendment 1 to **Assembly Resolution 25** be taken up at this time.

The question was: Shall the rules be suspended and that Assembly amendment 1 to **Assembly Resolution 25** be taken up at this time.

The roll was taken.

The result follows:

Ayes – Representatives Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Grobschmidt, Gronemus, Hanson, Hasenohrl, Huber, Hubler, Kreuser, Krug, Krusick, Kunicki, La Fave, Linton, Meyer, Morris–Tatum, Notestein, Plache, Plombon, R. Potter, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Springer, Travis, Turner, Vander Loop, Wasserman, Wilder, Williams, Wirch, Wood, L. Young, R. Young and Ziegelbauer – 47.

Noes – Representatives Ainsworth, Albers, Brancel, Brandemuehl, Coleman, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schneiders, Seratti, Silbaugh, Skindrud, Underheim, Urban, Vrakas, Walker, Ward, Zukowski and Speaker Prosser – 51.

Absent or not voting – Representative Murat – 1.

Motion failed.

Representative Prosser moved that **Assembly Resolution 25** be laid on the table.

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### POINT OF ORDER

Representative Kunicki rose to the point of order that the motion to table **Assembly Resolution 25** was not in order under Assembly Rule 33 (3).

Speaker Pro Tempore Freese ruled the point of order **well taken**.

Representative Prosser moved that the rules be suspended and that **Assembly Resolution 25** be laid on the table.

The question was: Shall the rules be suspended and that **Assembly Resolution 25** be laid on the table.

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brancel, Brandemuehl, Coleman, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Krusick, Ladwig, F. Lasee, Lazich, Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schneiders, Seratti, Silbaugh, Skindrud, Underheim, Urban, Vrakas, Walker, Ward, Wood, Zukowski and Speaker Prosser – 53.

Noes – Representatives Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Grobschmidt, Gronemus, Hanson, Hasenohrl, Huber, Hubler, Kreuser, Krug, Kunicki, La Fave, Linton, Meyer, Morris–Tatum, Notestein, Plache, Plombon, R. Potter, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider,

Springer, Travis, Turner, Vander Loop, Wasserman, Wilder, Williams, Wirch, L. Young, R. Young and Ziegelbauer – 45.

Absent or not voting – Representative Murat – 1.

Motion failed.

The question was: Shall **Assembly Resolution 25** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brancel, Brandemuehl, Coleman, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schneiders, Seratti, Silbaugh, Skindrud, Underheim, Urban, Vrakas, Walker, Ward, Zukowski and Speaker Prosser – 51.

Noes – Representatives Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Grobschmidt, Gronemus, Hanson, Hasenohrl, Huber, Hubler, Kreuser, Krug, Krusick, Kunicki, La Fave, Linton, Meyer, Morris–Tatum, Notestein, Plache, Plombon, R. Potter, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Springer, Travis, Turner, Vander Loop, Wasserman, Wilder, Williams, Wirch, Wood, L. Young, R. Young and Ziegelbauer – 47.

Absent or not voting – Representative Murat – 1.

Motion carried.

Representative Kunicki introduced a privileged resolution.

### **Assembly Resolution 26**

Relating to: requiring the deliberations of the majority and minority party caucuses on 1995 Assembly Bill 150 to be open to the public.

By Representative Kunicki.

To committee on Rules.

Representative Kunicki asked unanimous consent that the rules be suspended and that **Assembly Resolution 26** be withdrawn from the committee on Rules and taken up at this time.

Representative Prosser objected.

Representative Kunicki moved that the rules be suspended and that **Assembly Resolution 26** be withdrawn from the committee on Rules and taken up at this time.

The question was: Shall the rules be suspended and that **Assembly Resolution 26** be withdrawn from the committee on Rules and taken up at this time?

The roll was taken.

The result follows:

Ayes – Representatives Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Grobschmidt, Gronemus, Hanson, Hasenohrl, Huber, Hubler,

Kreuser, Krug, Krusick, Kunicki, La Fave, Linton, Meyer, Morris-Tatum, Notestein, Plache, Plombon, R. Potter, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Springer, Travis, Turner, Vander Loop, Wasserman, Wilder, Williams, Wirch, Wood, L. Young, R. Young and Ziegelbauer – 47.

Noes – Representatives Ainsworth, Albers, Brancel, Brandemuehl, Coleman, Dobyms, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schneiders, Seratti, Silbaugh, Skindrud, Underheim, Urban, Vrakas, Walker, Ward, Zukowski and Speaker Prosser – 51.

Absent or not voting – Representative Murat – 1.

Motion failed.

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Representative Musser asked unanimous consent that the Assembly adjourn in honor of Elaine Musser, who celebrated her birthday on June 15. Granted.

Representative Klusman asked unanimous consent that the Assembly adjourn in honor of her mother, Elizabeth Anderson, who celebrated her 60th birthday on June 11. Granted.

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## 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 Randall Radtke, guest of Representative Handrick.

Barry Silbaugh, Janet Silbaugh, Dan Silbaugh, Larson Silbaugh and Kaitlin Silbaugh from Albuquerque, New Mexico, guests of Representative Silbaugh.

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## ADJOURNMENT

Representative Jensen moved that the Assembly stand adjourned until 12:00 Noon on Monday, June 19.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

1:10 P.M.