



# STATE OF WISCONSIN

# Assembly Journal

## Ninety–Third Regular Session

10:00 A.M.

WEDNESDAY, February 26, 1997

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker pro tempore Freese in the chair.

The prayer was offered by Dr. Reverend Nathaniel Stampley of the Heritage Memorial Church of God in Christ in Milwaukee.

Representative Morris–Tatum 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, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Cogg, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schafer, Schneider, Seratti, Skindrud, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Brancel – 99.

Absent with leave – None.

### AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 2** offered by Representative Otte.

The Assembly stood informal.

### CALENDAR OF WEDNESDAY, FEBRUARY 26

#### **Assembly Joint Resolution 25**

Relating to: the life and public service of Eugene Zdroik.

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

Motion carried.

Representative Seratti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 25** be immediately messaged to the Senate. Granted.

#### **Assembly Joint Resolution 26**

Relating to: the life and public service of Clifford Chatterson.

The question was: Shall **Assembly Joint Resolution 26** be adopted?

Motion carried.

Representative Foti asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 26**. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 26** be immediately messaged to the Senate. Granted.

#### **Senate Joint Resolution 3**

Relating to: proclaiming National Garden Week in Wisconsin.

The question was: Shall **Senate Joint Resolution 3** be concurred in?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 3** be immediately messaged to the Senate. Granted.

#### **Senate Joint Resolution 4**

Relating to: proclaiming the week of June 29 to July 5, 1997, National 4th Infantry Division Week.

The question was: Shall **Senate Joint Resolution 4** be concurred in?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 4** be immediately messaged to the Senate. Granted.

Representative Foti introduced a privileged joint resolution.

**Assembly Joint Resolution 32**

Relating to: the life and public service of John Lyons Doyne.

By Representatives Bock and Vrakas; cosponsored by Senator Burke.

The question was: Shall **Assembly Joint Resolution 32** be adopted?

Motion carried.

Representative Vrakas asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 32**. Granted.

Representative Vrakas asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 32** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 31** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

**Assembly Joint Resolution 31**

Relating to: proclaiming May 16, 17 and 18, 1997, Syttende Mai Weekend.

The question was: Shall **Assembly Joint Resolution 31** be adopted?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 31** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the Assembly stand recessed until 1:00 P.M. Granted.

The Assembly stood recessed.

10:35 A.M.

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**RECESS**

1:00 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Representative Brancel asked unanimous consent for a quorum call. Granted.

A quorum was present.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 33** be introduced and taken up at this time. Granted.

**Assembly Joint Resolution 33**

Relating to: declaring March 10, 1997, Tibet Day.

By Representatives Dueholm, Baldwin, Plouff, R. Young, Ryba, Vander Loop, Notestein, Hanson, J. Lehman, Springer,

Travis, Gronemus, Turner, Boyle, L. Young, Hasenohrl, Reynolds, Wasserman, Bock and Kunicki.

The question was: Shall **Assembly Joint Resolution 33** be adopted?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 33** be immediately messaged to the Senate. Granted.

Representative Dobyms asked unanimous consent to be made a coauthor of **Assembly Bill 42**. Granted.

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**CALENDAR OF WEDNESDAY,  
FEBRUARY 26**

**Assembly Bill 1**

Relating to: prohibiting the installation of certain devices in wells.

Representative Porter moved indefinite postponement of **Assembly Bill 1**.

The question was: Shall **Assembly Bill 1** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes – Representatives Duff, Goetsch, Grothman, Jensen, Kedzie, F. Lasee, Owens, Porter, Powers, Schneider, Urban and Zukowski – 12.

Noes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyms, Dueholm, Foti, Freese, Gard, Green, Gronemus, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Plale, Plouff, R. Potter, Reynolds, Riley, Robson, Rutkowski, Ryba, Schafer, Seratti, Skindrud, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer and Speaker Brancel – 87.

Absent or not voting – None.

Motion failed.

The question was: Shall **Assembly Bill 1** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 1** be given a third reading. Granted.

The question was: **Assembly Bill 1** 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 1** be immediately messaged to the Senate. Granted.

### **Assembly Bill 5**

Relating to: the authority of the department of agriculture, trade and consumer protection to prohibit the use of atrazine in a specified area in the town of North Lancaster, Grant County.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 5** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 5** be ordered engrossed and read a third time?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 5** be given a third reading. Granted.

The question was: **Assembly Bill 5** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kedzie, Klusman, Kreibich, Kreuser, Ladwig, Lazich, M. Lehman, Lorge, Morris–Tatum, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Plale, Porter, Powers, Riley, Rutkowski, Schafer, Seratti, Skindrud, Steinbrink, Sykora, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Williams, Zukowski and Speaker Brancel – 57.

Noes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Hanson, Hasenohrl, Hebl, Huber, Hubler, Jeskewitz, Kelso, Krug, Krusick, Kunicki, La Fave, F. Lasee, J. Lehman, Linton, Meyer, Murat, Notestein, Plouff, R. Potter, Reynolds, Robson, Ryba, Schneider, Springer, Staskunas, Travis, Turner, Vander Loop, Wasserman, Wood, L. Young, R. Young and Ziegelbauer – 42.

Absent or not voting – None.

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 5** be immediately messaged to the Senate. Granted.

### **Assembly Bill 42**

Relating to: residency requirements for certain appointed town officers.

The question was: Shall **Assembly Bill 42** be ordered engrossed and read a third time?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 42** be given a third reading. Granted.

The question was: **Assembly Bill 42** 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 42** be immediately messaged to the Senate. Granted.

### **Assembly Bill 145**

Relating to: the salary of the research director of the joint survey committee on retirement systems.

The question was: Shall **Assembly Bill 145** be ordered engrossed and read a third time?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 145** be given a third reading. Granted.

The question was: **Assembly Bill 145** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schafer, Schneider, Seratti, Skindrud, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Brancel – 99.

Noes – None.

Absent or not voting – None.

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 145** be immediately messaged to the Senate. Granted.

## MOTIONS

Representative Linton asked unanimous consent that the rules be suspended and that **Assembly Bill 61** be withdrawn from the joint committee on Finance and taken up at this time.

Representative Foti objected.

Representative Linton moved that the rules be suspended and that **Assembly Bill 61** be withdrawn from the joint committee on Finance and taken up at this time.

The question was: Shall the rules be suspended and **Assembly Bill 61** be withdrawn from the joint committee on Finance and taken up at this time?

The roll was taken.

The result follows:

Ayes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Gronemus, Hasenohrl, Huber, Hubler, Kreuser, Krug, Krusick, Kunicki, La Fave, J. Lehman, Linton, Meyer, Morris–Tatum, Murat, Notestein, Plale, Plouff, R. Potter, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Springer, Staskunas, Steinbrink, Travis, Turner, Vander Loop, Wasserman, Williams, Wood, L. Young, R. Young and Ziegelbauer – 45.

Noes – Representatives Ainsworth, Albers, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hebl, Hoven, Huebsch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, M. Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schafer, Seratti, Skindrud, Sykora, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Zukowski and Speaker Brancel – 54.

Absent or not voting – None.

Motion failed.

Representative Jeskewitz asked unanimous consent to be recorded as voting “Aye” on the question of passage of **Assembly Bill 5**. Granted.

Representative Morris–Tatum asked unanimous consent to be recorded as voting “No” on the question of passage of **Assembly Bill 5**. Granted.

Representative Riley asked unanimous consent to be recorded as voting “No” on the question of passage of **Assembly Bill 5**. Granted.

Representative Rutkowski asked unanimous consent to be recorded as voting “No” on the question of passage of **Assembly Bill 5**. Granted.

Representative Jensen asked unanimous consent to be made a coauthor of **Assembly Bill 120**. Granted.

Representative R. Young asked unanimous consent to be made a coauthor of **Assembly Bill 85**. Granted.

Representative Meyer asked unanimous consent to be made a coauthor of **Assembly Bill 71**. Granted.

Representative La Fave asked unanimous consent to be withdrawn as a coauthor of **Assembly Bill 91** and **Assembly Bill 101**. Granted.

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## ANNOUNCEMENTS

Representative Dobyns asked unanimous consent that the Assembly adjourn in honor of David L. Faucher, for his 28 years of outstanding service to Fond du Lac County law enforcement. Granted.

Representative Gronemus asked unanimous consent that the Assembly adjourn in honor of Carl Nordhagen, for his life and service, having served on the school administration and was the Administrator of the Trempealeau County Health Care Facility. Granted.

Representative Potter asked unanimous consent that the Assembly adjourn in memory of Thomas Scott, who, at the young age of 31, died on Valentines Day, with a very full and generous heart. Granted.

Representative Ward asked unanimous consent that the Assembly adjourn in memory of Lyle and Becky Wallace, for their service to the school district and community of Lake Mills and the State of Wisconsin. Granted.

Representative Brancel asked unanimous consent that the Assembly adjourn in honor of Representative Olsen, who is celebrating his forty–sixth birthday today. Granted.

Representative Robson asked unanimous consent that the Assembly adjourn in honor of Dr. Rosa Smith, the Superintendent of Schools in Beloit, who was elected the Superintendent of the Year. Granted.

Representative Baumgart asked unanimous consent that the Assembly adjourn in honor of the Aldo Leopold Nature Center for their investment in a \$500,000 new nature center, which will be visited by 30,000 children a year. Granted.

Representative La Fave asked unanimous consent that the Assembly adjourn in honor of his father Lloyd La Fave, who celebrated his eighty–third birthday yesterday. Granted.

Representative Coggs asked unanimous consent that the Assembly adjourn in honor of his daughter Ms. Mariama Coggs, who celebrated her birthday yesterday. Granted.

Representative Lorge asked unanimous consent that the Assembly adjourn in memory of Colonel Tom Parker, long–time manager of Elvis Presley, who recently died, for his long and dedicated career to American music. Granted.

Representative Morris–Tatum asked unanimous consent that the Assembly adjourn in honor of Carter Woodson on the occasion of Black History Month. 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:

Edwin Huntoon from the Wisconsin Water Well Association and former Representative John Robinson from Waupaca, guests of Representative Lorge.

Arnie Nelson, Scott Mitchen and Roy Walland from Ashland County, guests of Representative Linton.

Twenty Civics students from Delevan Christian School in Walworth County, accompanied by their teacher Wayne Dykstra, guests of Representative Kedzie.

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## ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, March 4, pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

2:30 P.M.